

Introduced by: Public Safety and
Transportation
Commission
Introduction Date: September 23, 2008
Public Hearing: October 14, 2008
Action: Passed
Vote: 7-0

CITY OF BETHEL, ALASKA

Ordinance #08-17

AN ORDINANCE OF THE BETHEL CITY COUNCIL AMENDING BUS AND LIMOUSINE REGULATIONS

WHEREAS, the development of a public transit system and initiation of a limousine service business in Bethel created the need to clarify existing regulations in the Bethel Municipal Code;

WHEREAS, specific definitions are needed for each of the three types of transportation modes (bus, limousine, and taxicab), such that each is distinctly different;

WHEREAS, this ordinance helps achieve the purpose of creating several different types of businesses, offering economic opportunity to prospective business owners and service options to future customers; and ensure a fair and equitable market situation for all regulated transportation services.

THEREFORE BE IT ORDAINED by the City Council of Bethel, Alaska, that:

SECTION 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Bethel Municipal Code.

SECTION 2. Amendment. The Bethel Municipal Code is to be amended as follows (new language is underlined and old language is stricken):

Chapter 5.20.010

Definitions

When used in Chapters 5.20 through 5.50 BMC, unless the context requires otherwise:

A. "Bus" means a regulated vehicle designated by its manufacturer as a bus used to transport passengers for hire and having a capacity of eight (8) or more than nine (9) passengers, except that any vehicle engaged exclusively in the transport by motor vehicle of students to and from school is not a "bus" for purposes of Chapters 5.20 through 5.50 BMC.

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H. "Limousine" or "airport limousine" means a regulated vehicle designated by its manufacturer as a limousine a chauffeured motor vehicle used to transport passengers for hire with a chauffeur over unfixed or undefined routes at rates greater than those charged for taxicabs and buses, and which is not a bus or taxicab. Curbside and flag stop service is prohibited for limousine chauffeurs; all service must be prearranged.

Chapter 5.30.030

Bus and limousine permit required

A. ~~A No person may provide bus or limousine service within the city with without a bus or limousine permit. A permit, or any interest in a permit issued pursuant to this section shall not be transferable through sale, lease, rental, power of attorney, or any other manner of conveyance, and shall become void and revert to the commission if it is revoked or not renewed in accordance with the provisions of Chapters 5.20 through 5.50 BMC.~~

B. A person may apply for an original or renewal bus or limousine permit by complying with the requirements of BMC 5.30.040. If the applicant is in compliance with all of the terms and conditions of Chapters 5.20 through 5.50 BMC that apply to buses or limousines, he or she shall be issued a permit. [Ord. 01-02 § 3.]

Chapter 5.30.035

Limousine permit required

A. A person may provide limousine service in the city if that person:

1. Is a permittee in possession of a valid limousine permit issued to him or her, and is in compliance with Chapters 5.20 through 5.50 BMC;

2. Operates a limousine;

3. Utilizes currently licensed chauffeurs who have satisfactorily completed a commission-approved driver training and testing program and who are otherwise in compliance with all of the requirements of Chapters 5.20 through 5.50 BMC. [Ord. 01-02 § 3.]

B. A limousine will provide service by reservation or prearranged call for service. It is unlawful for a limousine chauffeur to provide flag stop service to passengers by curbside hail or the use of fixed routes.

C. The current rates to be charged by a limousine permittee shall be provided to the transportation inspector in the form of a rate sheet. The permittee is responsible for providing the inspector with a new rate sheet as prices change. The prices on the

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rate sheet must be greater than the maximum rates allowed for the provision of a similar ride by taxicab.

The following rates are established as minimum rates for limousine operators:

One half hour or less arranged ride: fifty dollars (\$50.00)

One hour arranged ride: one hundred dollars (\$100.00)

Chapter 5.30.140

Records.

A. Every taxicab, river taxi, and limousine permittee shall maintain a current and accurate daily list of the ~~taxicab~~ regulated vehicles operated pursuant to the permit. The daily list shall contain the following information:

1. The name, address, telephone number, chauffeur's license number and expiration of each chauffeur operating such ~~taxicab~~ regulated vehicles;
2. The daily hours worked by each chauffeur operating such ~~taxicab~~ regulated vehicles;
3. The number of days each such ~~taxicab~~ regulated vehicles is operated during each calendar month;
4. The records maintained pursuant to subsection A of this section as well as many other records related to the operation of the permit shall be retained by the permittee for at least six (6) months and shall be made available upon request of the transportation commission or the transportation inspector. The transportation inspector may request that the permittee forward the record to him or her on a monthly basis.

B. The records maintained pursuant to subsection A of this section as well as any other records related to the operation of the permit shall be retained by the permittee for at least six (6) months and shall be made available upon request of the transportation commission or the transportation inspector. The transportation inspector may request that the permittee forward the record to him or her on a monthly basis. [Ord. 07-16 § 2; Ord. 01-02 § 3.]

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Chapter 5.40.060

Duty to serve public.

A. Chauffeurs of limousines shall be exempt from sections A and B of this Chapter. A chauffeur subject to this chapter shall not refuse to transport any passenger unless:

1. The chauffeur has already been dispatched to another call;
2. The passenger is acting in a disorderly or threatening manner, or otherwise causes the chauffeur to reasonably believe that his or her health or safety, or that of others, may be endangered;
3. The passenger, upon request, does not show an ability to pay the estimated fare or any applicable flat or group rate; or
4. The passenger refuses to refrain from smoking.

B. The chauffeur shall immediately notify the dispatcher of any incident of service refusal.

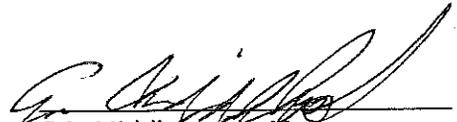
C. A chauffeur shall inspect his or her regulated vehicle at the beginning and during his or her shift ensuring the vehicle is in a safe operating condition and clean inside and outside. Any mechanical or safety deficiencies noted shall be immediately reported to the vehicle owner. A record of this notification and deficiency will be noted on the applicable trip sheet. The vehicle owner shall take action to immediately correct safety deficiencies. Nonsafety deficiencies shall be corrected within seventy-two (72) hours of notification. Failure of the chauffeur to report a safety or mechanical deficiency may result in a citation.

D. It is unlawful for any chauffeur or passenger in a regulated vehicle to smoke any cigar, pipe, or cigarette or to burn tobacco or any other material in such vehicles at any time, regardless of whether or not passengers are riding in the vehicle. [Ord. 01-02 § 3.]

SECTION 3. Effective Date. This ordinance shall become effective immediately upon passage by the City Council.

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**ENACTED THIS 14 DAY OF OCTOBER, 2008 BY A VOTE OF 7 IN FAVOR AND 0
OPPOSED.**


Eric Middlebrook, Mayor

ATTEST:

Lori Strickler, City Clerk

