

Introduced by: Public Safety & Transportation Commission
Date: June 11, 2013
Public Hearing: June 25, 2013
Action: Sent back to PS&T Commission
Vote:

CITY OF BETHEL, ALASKA

Ordinance #13-16

AN ORDINANCE AMENDING THE BETHEL MUNICIPAL CODE SECTION 5.40 CHAUFFEURS, CELL PHONE USE PROHIBITED

WHEREAS, operating a motor vehicle is a multi-task function and dispatching via radio and telephone complicates and distracts from the safe and professional operation of a "for hire" commercial vehicle.

WHEREAS, using a cell-phone while operating a taxicab has proven to be distracting to chauffeurs and therefore dangerous to the public.

WHEREAS, the State of Alaska and the US Department of Transportation have enacted rules and regulations regarding cell phones and other devices which distract drivers in an effort to promote traffic safety for commercial drivers and the public.

WHEREAS, prohibiting the use of cell-phones by chauffeurs would increase safe driving practices and prevent dangerous driving action.

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

SECTION 1. Classification. This ordinance is of permanent nature and shall be codified within the Bethel Municipal Code.

SECTION 2. Amendment. Section 5.40 of the Bethel Municipal Code Chauffeurs is amended as follows (new language is underlined and old language is stricken out).

CHAPTER 5.40 CHAUFFEURS

5.40.110 Two-way radio prohibited.

No chauffeur may possess in a taxicab or allow another to operate a scanner capable of monitoring a frequency used by a dispatch service other than that used by the taxicab's dispatch service.

5.40.120 ~~Records.~~ Cell-phone use prohibited.

A. ~~Repealed by Ord. 07-16. [Ord. 01-20 § 2.]~~ A chauffeur may not operate a regulated vehicle while using a cell-phone unless the chauffeur is using his or her cell-phone to report illegal activity, summon medical or other emergency help, prevent injury to a person or property, or when parked without any passengers in the vehicle.

B. A chauffeur operating a permitted vehicle while holding a cell-phone to his or her ear is guilty of violating this subsection of the BMC.

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1. A written warning to be added to the Chauffeur's file for the first (1st) offense.
2. Suspension of Chauffeur's permit for a minimum of (10) days for the second (2nd) offense.
3. Chauffeur's permit is susceptible to revocation for the third (3rd) offense.

5.40.130 Requirement of check-in and check-out.

Each chauffeur of a taxicab must check in with the dispatch service engaged by the permittee when the chauffeur begins a work shift and check out when the chauffeur departs a work shift.

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

ENACTED THIS DAY OF 2013, BY A VOTE OF IN FAVOR AND OPPOSED.

Joseph A. Klejka, Mayor

ATTEST:

Lori Strickler, City Clerk