Presented by: The Manager
Presented: 5/19/2025
Drafted by: Law Department

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2025-04

An Ordinance Amending Chapter 20.40 Commercial Passenger Vehicles.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Chapter. Chapter 20.40, Commercial Passenger Vehicles, is amended to read:

ARTICLE I. ADMINISTRATIVE PROCEDURES

20.40.100 Reserved.

20.40.110 Purpose.

(a) The purpose of this chapter is to promote safe and convenient commercial passenger vehicle services, and to establish and enforce reasonable, clear, and consistent standards and procedures for regulating those services. The specific purposes of this chapter are to:

(1) Encourage safe, convenient, and effective commercial passenger vehicle services;

(2) Establish standards for drivers, and operational standards for commercial passenger vehicles and commercial passenger vehicle businesses; and

(3) Authorize promulgation of regulations pursuant to CBJ 01.60 to implement this chapter.

20.40.120 Definitions.

The following words, terms and phrases when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"*Bus*" means a commercial passenger vehicle designed to transport more than 15 passengers, including the driver.

"*Certificate*" means a certificate of public convenience and necessity issued under this chapter.

"*Commercial passenger vehicle*" means a vehicle, including a vehicle propelled solely by human or animal power, while in use, or marked or otherwise apparently available for use for the transportation of passengers for compensation, but not including courtesy vehicles, school buses operating exclusively under a contract to a school district; vehicles used by profit or nonprofit transportation providers solely for elderly or disabled persons and their attendants; or vehicles operated by or while engaged in providing services directly to the City and Borough, the state, or the federal government.

"*Commercial passenger vehicle stop*" means a location established by the manager at which specified classes of commercial passenger vehicles are subject to specified privileges or limitations.

"*Compensation*" means a fee paid by a passenger directly or indirectly to a commercial passenger vehicle permittee, whether the payment is made at the time the service is rendered, or in the form of a monthly or other periodic payment. A tip or gratuity shall not be considered compensation provided that it is neither directly nor indirectly solicited and is neither an explicit nor implicit condition of transportation.

"*Courtesy vehicle*" means a vehicle providing passenger transportation to patrons of a business as a regular amenity without direct compensation.

(a) For purposes of this definition:

(1) "*Business*" means a person whose primary commercial service is one or more of the following:

(A) Commercial lodging facilities, meaning a structure or portions of a structure occupied or intended or designed for occupancy by transients for dwelling, lodging, or sleeping purposes and includes any hotel, motel, inn, bed and breakfast, or similar structure.

(B) Tours or experiences, but not sightseeing in the vehicle;

(C) Automobile repair.

(2) "*Patron*" means a member of the public purchasing a primary service of the business. Persons who are neither patrons nor employees of the business may not be transported in the courtesy vehicle.

(3) "*Regular amenity*" means the passenger service is offered to all patrons for the purpose of rendering the primary service more attractive or convenient, but is not itself the primary purpose of the business and no separate charge is made to patrons for the amenity.

"*Dispatch*" means to receive requests for, arrange for, coordinate or direct, the delivery of commercial passenger vehicle services.

"*Drive*" means to be in, and "*driver*" means the person in, physical control of a commercial passenger vehicle.

"*Endorsement*" means a certificate notation authorizing the holder to provide one of the following types of commercial passenger vehicle services: Class A, Class B, or Class C.

"*Holder*" means the person to whom a certificate of convenience and necessity has been issued.

"*Knowingly permit*" means to be aware of an action or condition, to have the ability and opportunity to prevent or end it, and to allow or fail to prevent or end it. There is a rebuttable presumption that a person is aware of an action or condition which a reasonable person in the same position would be aware of.

"*Limousine services*" means the limousine endorsement, which shall authorize transportation services available only by advance reservation, at an hourly rate, provided by a bona fide limousine company and marketed primarily for the luxury quality of the experience;

"*Permit*" used as a noun means a professional driver's permit or Class C driver's permit issued under article II of this chapter, a vehicle approval issued under article III of this chapter, or a certificate of public convenience and necessity issued under article IV of this chapter.

"*Permittee*" means a person who has been issued a permit, such as the driver.

"*Person*" means a natural person, partnership, corporation, association, or other legal entity.

"*Provide commercial passenger vehicle services*" means to offer, advertise for, solicit for sale, dispatch, or direct transportation in, or own or drive a commercial passenger vehicle.

"*Revoke*" and "*revocation*" mean that a permit is permanently voided and the permittee to whom it was issued may not be issued any other permit under this chapter for a period of one year from the date the revocation is effective.

"*Suspend*" and "*suspension*" mean that a permit is ineffective for a specified portion of its term, and the permittee to whom it was issued may not be issued any other permit under this chapter during the suspension period. A suspension may be conditioned on correction of a status or condition of a person or a vehicle.

20.40.130 Administrator~~, regulations~~.

(a) The ~~chief of police~~ manager or manager designee shall designate an employee of the police department as the commercial passenger vehicle administrator. The commercial passenger vehicle administrator shall exercise all powers necessary to the administration and regulation of commercial passenger vehicles, subject to the general supervision of the chief of police and in accordance with this chapter.

~~(b) Regulations. The manager shall adopt regulations in compliance with chapter 01.60 as necessary to carry out the provisions of this chapter.~~

20.40.140 Permit application, issuance, ~~and~~ amendment, and fees.

(a) *Application.* Applications for permits must be submitted on forms provided by the administrator, who shall reject applications which are incomplete, unsigned, or unaccompanied by the required fee, or for a permittee that has unpaid commercial passenger vehicle fines or fees. The ~~administrator may require an~~ applicant shall ~~to~~ submit evidence of authority to submit an application and provide a copy of an Alaska business license issued to the applicant.

(b) *Issuance.* Permits shall be issued to qualified applicants by the administrator in accordance with this chapter.

(c) *Amendment and transfer.* Permits may be amended or transferred only upon written application subject to the requirements provided in subsection (a) of this section and as authorized by this chapter and regulations issued under this chapter. No permit may be sold, assigned, leased, rented, mortgaged, or otherwise transferred except as part of a transfer of the transferor's entire business interest in activities conducted under the permit. The transferor's business interest includes all assets used in the business conducted under the permit. A transferred permit is not valid until the transfer has been approved by the administrator. An amendment to a permit becomes a part of the permit amended.

(d) *Fees.*

(1) *Driver's permits:*

(A) Professional driver's permit, two-year permit: $75.00.

(B) Class C driver's permit: $25.00.

(2) *Vehicle approval:*

(A) Inspection fee per motorized vehicle: $50.00.

(B) Re-inspection fee (required for missed bi-annual inspection): $25.00.

(C) Application fee per non-motorized vehicle: $25.00.

(3) *Certificate of public convenience and necessity and endorsement fees:*

(A) Engage in business:

(i) Class A and Class B: $1,500.00.

(ii) Class C: $750.00.

(B) Registration and filing fees:

(i) Registration of vehicle to a certificate: $50.00.

(ii) Registration of driver on certificate application: No charge.

(iii) Notice to amend conditions of an endorsement, other than adding a driver or vehicle to a certificate (20 CBJAC 40.500(e)): $25.00.

(C) Application to transfer a certificate: $500.00.

(e) Appeal fee: $100.00.

(f) Late application fee: $50.00.

20.40.150 Reserved.

20.40.160 Administrative sanctions and permit denials.

(a) ~~A permit may be denied, suspended or revoked if the permittee has violated any provision of this chapter, failed to comply with a lawful written order of the commercial passenger vehicle administrator, or has committed any criminal offense, infraction, or regulatory violation specified in regulations issued pursuant to this chapter as grounds for denial, suspension or revocation.~~ The manager or manager designee may revoke, suspend, or deny a permit upon a finding that any of the following has occurred:

(1) The permittee secured the permit through deceit, fraud, or intentional misrepresentation;

(2) The permittee engaged in deceit, fraud, or intentional misrepresentation in the course of providing commercial passenger vehicle services;

(3) The permittee is a driver who during the permit period receives a bail forfeiture, conviction, or other final adverse finding of any of the following offenses in the course of providing commercial passenger vehicle services:

(A) Driving while license canceled, suspended, or revoked, or in violation of license limitation;

(B) Driving while intoxicated;

(C) Reckless driving;

(D) Speed contest or racing;

(E) Fleeing or attempting to elude a police officer;

(F) Leaving the scene of an accident;

(G) Any assault charge under CBJ 42.10.010 or AS 11.41.230;

(H) Receiving 3 or more commercial passenger vehicle citations in the past 12 months.

(4) The permittee is a holder, or a holder's owner, officer, managing partner, general partner or principal, who receives a bail forfeiture, conviction, or other final adverse finding involving crimes directly related to the holder or applicant's ability to conduct a commercial passenger vehicle business, including but not limited to prostitution, embezzlement, racketeering, the Uniform Controlled Substances Act, narcotics, gambling, fraud, larceny, extortion, or income tax evasion. If an owner, officer, director, managing partner, general partner, or principal of an organization holding a certificate is subject to this subsection and is removed immediately from all operational or management duties or authority and is divested of all ownership in the organization, the certificate may be reinstated;

(5) The permittee is a driver who is no longer qualified under the standards established in CBJ 20 40.310 or CBJ 20 40.320;

(6) The permittee is a holder who has provided commercial passenger vehicle services with a person or vehicle not registered to that holder's certificate;

(7) The permittee allowed another person to use the permittee's permit;

(8) The permittee operated or attempted to operate under a suspended or revoked permit; or

(9) The permittee has committed a violation of these regulations for which permit revocation is specified as a sanction.

(b) An application shall be denied or revoked, or a permit immediately suspended, upon the administrator's receipt of a criminal charging document or verifiable information disclosing the circumstances of an arrest or conviction of the applicant or permittee for criminally sexual behavior, defined as the offenses set forth in Article 4 of AS 11.41.410-470, or substantially similar offenses under the laws of another jurisdiction within the United States.

(c) *Suspension until correction*. The administrator may condition a suspension upon correction by the permittee of a status or condition upon a finding that:

(1) The permittee is a holder who knew or had reason to know of a violation of section CBJ 20.40.160(a) by a driver registered to that holder's certificate and failed to report the same in writing to the administrator within five business days;

(2) The permittee has violated a section CBJ 20.40.160 for which permit suspension is specified as a sanction.

(d) Any inspection required to confirm the correction shall be subject to a fee paid by the permittee.

20.40.170 Procedure for permit denials and administrative sanctions.

(a) The administrator may summarily suspend or revoke a permit without notice or hearing upon a written determination that grounds for permit suspension or revocation exist and that summary suspension or revocation is necessary to prevent a clear, substantial, and imminent hazard to life, safety, or property.

(b) Except as provided in subsection (a) of this section, an application may be denied, or a permit may be suspended or revoked, only after notice, an opportunity for a hearing before the ~~chief of police~~ manager or manager designee and a written finding that grounds for the denial or sanction have been established by a preponderance of the evidence. Upon a written request filed within seven days after the date of the determination, notice, or denial, the chief of police shall set a hearing date and time.

~~(c) A finding by the chief of police regarding denial of an application or revocation of a permit shall be in writing, and shall comprise a final administrative decision of the City and Borough of Juneau, which may be appealed to the Superior Court if such appeal is brought within 30 days.~~

~~(d)~~(c) Hearings before the ~~chief of police~~ manager or manager designee under this section shall be informal. Relevant evidence must be admitted if it is probative of a material fact in controversy. Irrelevant and unduly repetitious evidence shall be

excluded. Any hearing conducted pursuant to this section shall be held by the manager or manager designee, provided that the designee may not be a person who directly supervises the official who issued the notice of suspension or revocation.

~~(c)~~(d) For purposes of permit denial or revocation under this section, a criminal violation or infraction may be established either by evidence of a conviction or bail forfeiture in criminal court or by a preponderance of the evidence in a hearing under this section.

(e) Except for summary action under (a), the procedure for the imposition of administrative sanctions against a driver or certificate holder, or a permit denial shall be as follows:

(1) The administrator shall give written notice to the affected driver and permit holder or applicant seven days in advance of imposing an administrative sanction or denial. The notice shall include the following information:

(A) The grounds for sanction or reasons for denial; and

(B) That the permittee or applicant has an opportunity for a hearing before the chief of police to respond to the notice and introduce evidence to refute or mitigate the denial, suspension, or revocation. Upon written request filed within seven days after the date of the determination, notice, or denial, the chief of police shall set a hearing date and time.

(2) The administrator shall at the same time give written notice to the holder of the certificate to which the driver is registered.

(3) All notices directed to a driver or certificate holder may be served by personal delivery or first-class mail, and addressed to the permittee (driver) and/or certificate holder or applicant at the address of record provided by the permittee or applicant to the administrator.

(4) After the hearing, the chief of police shall issue a written final administrative decision of the City and Borough, which may be appealed to the Superior Court if such appeal is brought within 30 days.

(f) Except for summary action under (a), the procedure for the imposition of administrative sanctions against a certificate holder shall be as follows:

(1) The administrator shall give written notice to the affected certificate holder 30 days in advance of imposing an administrative sanction. The notice shall include the following information:

(A) The grounds for sanction; and

(B) A scheduled date for a hearing before the chief of police to respond to the notice and introduce evidence to refute or mitigate the denial, suspension, or revocation.

(2) Notices must be served either by personal delivery or certified mail to the certificate holder at the address of record provided by the holder to the administrator.

(3) A hearing before the manager or manager designee must be scheduled within 30 days of sending the notice to the certificate holder. After the scheduled hearing, the manager or manager designee shall issue a written

ruling including factual findings and conclusion, with supporting reasons, affirming, modifying, or reversing the notice. The decision shall be mailed by certified mail to the permittee and/or the holder of a certificate to which the permit is registered at the permittee's or holder's address of record, which may be appealed to the Superior Court if such appeal is brought within 30 days.

(g) Any hearing conducted pursuant to (a) or (b) or (c) shall be recorded by electronic means provided by the manager or manager designee. A party may be represented by a lawyer or other spokesperson, but neither sworn testimony nor cross-examination of witnesses shall be required.

(h) Operations pending final decision. Except in the case of a summary suspension or revocation as provided in subsection (a) of this section, or denial of an application, whenever a timely appeal is filed pursuant to subsection (b) or (c) of this section, a permittee may continue to engage in the activity for which the permit is required pending a final decision by the manager or manager designee or the Superior Court.

20.40.180 No vested rights.

(a) This chapter is enacted for the benefit of the public and may be repealed or amended at any time for the same purpose without liability for the effect such repeal or amendment may have on the profits or losses of any person. No vested rights are created by this chapter or any permit issued by authority of this chapter. No interest in any permit, license, or other type of permission granted under this

chapter may be amended, used, transferred, or modified in any way except as allowed by this chapter.

(b) The grant or denial of a permit, or any act or omission by the City and Borough with respect to such permit is not intended to regulate the private business relationships or to protect the business interests of one party against another. ~~It shall be the individual responsibility of those regulated to enforce their rights and liabilities through civil actions or such other private relief as may be available.~~

ARTICLE II. DRIVER STANDARDS AND LICENSES

20.40.200 Professional driver's permit and registration required.

(a) Drivers of Class A licensed vehicles must obtain a professional driver's permit. Drivers of Class B licensed vehicles must obtain a professional driver's permit, unless the driver holds a current commercial driver's license.

(b) A driver shall visibly display the driver's permit to passengers. ~~as required by regulation.~~

(c) It is unlawful for a certificate holder to allow a person who does not hold a current professional driver's permit, or a commercial driver's license if operating a Class B vehicle, to drive a commercial passenger vehicle.

(d) Violation of subsection (a), (b), or (c) of this section is an infraction.

20.40.210 Professional driver's permit qualifications and application.

(a) In order to qualify for a professional driver's permit, an applicant must possess a current state driver's license pursuant to current State of Alaska law.

(b) *Application.* An application for a professional driver's permit shall be made in writing upon an approved form filed with the administrator and shall include all

required attachments. Renewal applications shall be submitted 30 days prior to the expiration date of the current permit. The form shall require at least the following information from the applicant:

(1) Name and address;

(2) Place or places of residence for the past ten years;

(3) Age, height, color of eyes and hair;

(4) Reserved;

(5) A statement that the applicant has read CBJ 20.40.

(6) A complete criminal history and driving record covering the past ten years, provided by the State of Alaska and any other jurisdiction as necessary as well as a record of any conviction at any time for criminally sexual behavior, defined as the offenses set forth in Article 4 of AS 11.41.410-470 or substantially similar offenses under the laws of another jurisdiction within the United States; and

(7) Health certificates, which shall be provided as follows:

(A) Applicants holding current commercial driver's licenses must show proof of valid Alaska Commercial Driver's License health certificate and must carry that certificate at all times when operating a commercial passenger vehicle.

(B) Applicants holding a current out of state commercial driver's license must show proof of a valid Commercial Driver's License health

certificate and must carry that certificate at all times when operating a commercial passenger vehicle. Pursuant to AS 28.33.100, a person who has been an Alaska resident for 30 days or longer may not drive a commercial motor vehicle under the authority of a commercial driver's license issued by another jurisdiction. After the 30-day period the out of state commercial driver's license will not be honored.

(C) Applicants without current commercial driver's licenses, a health certificate on a form approved by the administrator and signed by a physician or health care practitioner licensed to practice in the State of Alaska, based upon a physical exam of the applicant within 90 days of the application. The physical exam shall meet the same requirements established by the State of Alaska for holders of commercial driver's licenses.

~~(b)~~(c) In order to qualify for a professional driver's permit, a driver shall not have been convicted of a felony within the preceding ten years or more than three misdemeanors within the preceding five years, or had an operator's license suspended more than once or revoked at any time within the preceding three years; provided, however, that if the crime for which the driver is convicted is for criminally sexual behavior, as defined as the offenses set forth in Article 4 of AS 11.41.410-470 or substantially similar offenses of the laws of another jurisdiction within the United States, or a felony for which the driver is convicted in any way involved a commercial passenger vehicle, the police department shall not issue a

professional driver's permit to that person, regardless of when the conviction occurred.

(d) *Approval.* The administrator shall approve the application and issue a professional driver's permit if the administrator finds that the applicant:

(1) Is at least 21 years of age;

(2) Is able to understand the English language;

(3) Meets the standards set forth in CBJ 20.40.200-210;

(4) Was not subject within the preceding two years to administrative sanctions under this chapter which resulted in a permit revocation; and

(5) Has submitted a complete application, with appropriate fees.

(e) *Issuance.* Upon approval of an application for a professional driver's permit, the administrator shall issue to the applicant a permit, which shall bear the name, address, age, signature, and photograph of the applicant. Such permit shall be in effect for 24 months from date of approval.

20.40.220 Class C driver's permit and registration required.

(a) Drivers of Class C licensed vehicles must obtain a Class C driver's permit.

(b) A driver shall display the driver's permit visible to passengers. ~~as required by regulation.~~

(c) It is unlawful for a certificate holder to allow a person who does not hold a Class C driver's permit to drive a Class C commercial passenger vehicle.

(d) Violation of subsection (a), (b), or (c) of this section is an infraction.

20.40.230 Class C driver's permit qualifications and application.

(a) In order to qualify for a Class C driver's permit, an applicant must possess a current state driver's license.

(b) *Application.* An application for Class C driver's permit shall be made in writing upon an approved form filed with the administrator and shall include all required attachments. Renewal applications shall be submitted by March 15. The form shall require at least the following information from the applicant:

(1) Name and address;

(2) Place or places of residence for the past ten years;

(3) Age, height, color of eyes and hair;

(4) A statement that the applicant has read CBJ 20.40; and

(5) A complete driving record covering the past ten years, provided by the State of Alaska and any other jurisdiction as necessary.

(c) *Approval.* The administrator shall approve the application and issue a Class C driver's permit if the administrator finds that the applicant:

(1) Is at least 18 years of age;

(2) Is able understand the English language;

(3) Meets the standards set forth in CBJ 20.40.220—20.40.230;

(4) Was not subject within the preceding two years to administrative sanctions under this chapter which resulted in a permit revocation; and

(5) Has submitted a complete application, with appropriate fees.

(d) *Issuance.* Upon approval of an application for a Class C driver's permit, the administrator shall issue to the applicant a permit, which shall bear the name, address, age, signature, and photograph of the applicant. Such permit shall be in effect from April 15 to October 15.

~~(b)~~(e) In order to qualify for a Class C driver's permit, a driver shall not have had an operator's license suspended more than once, or revoked at any time, within the preceding three years

ARTICLE III. VEHICLE STANDARDS AND INSPECTIONS

20.40.300 Vehicle approval required.

(a) Application for year-round operations shall be submitted twice a year, in April and October.

(b) Application for summer operation only shall be submitted in April of the year it plans to operate.

(c) The administrator shall issue a commercial passenger vehicle approval to the holder of the certificate to which the vehicle is registered upon satisfactory proof that the vehicle meets the requirements of this section.

~~(a)~~(d) No holder shall provide, or knowingly permit another to provide, commercial passenger vehicle services with a vehicle that is not currently approved by the administrator. This section .300 applies to vehicles operating under a Class A or Class C endorsement, and to vehicles operating under a Class B endorsement which are not subject to state regulation.

~~(b)~~(e) A vehicle approval shall be issued by the administrator to the holder of the certificate upon proof that the vehicle has been inspected by the police department and otherwise meets all requirements set forth in this chapter and in regulations issued pursuant to this chapter.

~~(e)~~(f) A vehicle shall be subject to unannounced inspection ~~(i)~~ if the administrator or any police officer has reasonable suspicion that the vehicle creates an imminent danger to the public, ~~or (ii) under a program set forth by regulation.~~

~~(d)~~(g) Violation of subsection (a) of this section is an infraction. Each day of operation is a separate offense.

20.40.310 Vehicle standards.

(a) ~~The Manager shall issue regulations establishing safety and operational standards for commercial passenger vehicles and commercial passenger vehicle businesses.~~ All commercial passenger vehicles shall be maintained in conformity with the following standards, provided, however, that state regulated buses are exempt from all standards but (a)(1) and (a)(3):

(1) *Safety standards.* Each commercial passenger vehicle shall be maintained in safe working order and in conformity with local, state, and federal vehicle equipment requirements generally applicable to that type of vehicle. All factory installed safety devices must be adequately maintained.

(2) *Operational standards.*

(A) The interior shall be maintained free of litter, dust, noxious odors, and any substance that could stain the clothing of a passenger;

(B) The exterior shall be sufficiently clean so that the vehicle markings can be read; and

(C) During periods of inclement weather, the requirements of this subsection shall be relaxed as necessary to allow that amount of snow, ice, water and road grime that could reasonably be expected to accumulate in and on a vehicle in three days of normal use.

(3) *Marking standards.* Each commercial passenger vehicle, including state regulated buses, shall be marked as required in this subsection:

(A) *Generally.* The marking system for all vehicles registered to a certificate shall:

(i) Be designed and implemented on each side of the vehicle as to ensure that it can be distinguished from that of any other commercial passenger vehicle certificate at a distance of 300 feet; and

(ii) Include the company name and current working phone number on the back of the vehicle in letters that are clearly readable and each letter and number must be at least six inches high. (B) No markings shall be on the vehicle except as authorized by this section and indicated in the vehicle approval.

(C) *Service endorsement markings.*

(i) A Class A vehicle shall be equipped with a top light in the form of a box illuminated from within showing the single word

"taxi" or the word "taxicab" or the word "cab" facing forward, and which may show any other message in similar lettering on the back of the sign. The top light shall be lit when the vehicle is available for service and unlit when the vehicle is not available for service. The taxi toplight must be clearly visible.

(ii) A Class B vehicle must at all times display a sign, in letters at least six inches high, indicating which type of service it is providing. If the vehicle is a 15-passenger van or smaller, signs must be posted on both side body panels and the rear door panel.

(4) *Optional markings.* In addition to the markings required by this section, a commercial passenger vehicle may display:

(A) A description of the particular services provided by the vehicle in letters no more than four inches high, not exceeding a total of 144 inches, and consistent with the vehicle's marking system. For vehicles with a Class A or B endorsement, the markings shall be on the same body panel as the service endorsement.

(B) Vehicles with a Class A or B endorsement may display signage, whether or not related to the services provided by the vehicle, not to exceed eight square feet in total. Such signage shall be attached to the trunk, roof, or, in the case of a van or similar vehicle, the back body panel. Signs may not obscure the driver's vision.

(C) Vehicles with a Class C endorsement may display signage, whether or not related to the services provided by the vehicle, not to exceed three square feet. Such signage shall be attached in a manner that does not obscure the driver's vision or interfere with the safe operation of the vehicle.

(5) *Documentation standards.* Each commercial passenger vehicle shall display in the manner required by the conditions of any endorsement pursuant to which the vehicle is operating:

(A) A certificate of insurance establishing that it is covered as required by 20 CBJ 40.440;

(B) A copy of the certificate of public convenience and necessity under which the vehicle is authorized and all other required documentation; and

(C) A vehicle approval.

(6) *Taximeter standards.* A taximeter in a vehicle operated pursuant to a Class A endorsement:

(A) Shall be engaged whenever the vehicle is operated for compensation.

(B) Shall be sealed, tested, and certified by the administrator under standards adopted by the State of Alaska as part of the annual taxicab certification.

(C) Shall be programmable to calculate at least two rates.

(D) Shall be fitted with non-resettable totalizers for all of the following values:

(i) The total distance traveled by the taxi;

(ii) The total distance traveled when hired;

(iii) The total number of hirings;

(iv) The total amount of money charged as extras;

(v) The total amount of money charged at standard rates;

(vi) The total amount of money charged at taxi tour rates.

(E) Shall be connected to the top light in such a manner as to ensure that the top light will be lit (on) when the taximeter is in the non-recording position and not lit (off) when the taximeter is in the recording position.

(7) *Violation of standards listed in this section is an infraction.* In addition, violation of subsection (a)(1), safety, or (a)(6), taximeter, shall warrant summary action pursuant to 20 CBJAC 40.250(a).

(b) No person may provide commercial passenger vehicle services in a vehicle which is in violation of the regulations promulgated under this section. Violation of this section is an infraction.

20.40.315 Vehicle Inspections

(a) *Mechanical inspections.* Prior to issuance of a vehicle approval of any commercial passenger vehicle under the provisions of this chapter, the vehicle shall be

thoroughly examined, inspected, and approved as safe by a mechanic certified by the National Institute of Automotive Services Excellence or, by a certified inspector authorized by the vehicle's manufacturer. This section does not apply to a bus subject to and in compliance with commercial motor vehicle statutes and regulations of the State of Alaska.

(b) *Vehicle safety, cleanliness, and administrative compliance.* Vehicles may be inspected in any of the following circumstances:

(1) *Biannual inspections.* Prior to issuance of a vehicle approval in April and annually in October, the administrator or the administrator's designee shall inspect vehicles.

(A) Each commercial passenger vehicle shall be maintained in safe working order and in conformity with local, state, and federal vehicle requirements applicable to that type of vehicle.

(B) As applicable, the administrator may issue citations for equipment violations under CBJ Title 72, which will allow the operator to correct the violation, post bail, or appear in court (CBJ 72.04.007(a)).

(C) The vehicle shall not be used to provide commercial passenger services if the vehicle has:

(i) A broken windshield that impairs driver vision (CBJ 72.04.225); or

(ii) Defective brakes (CBJ 72.04.205); or

(iii) Tires with unsatisfactory tread depth (CBJ 72.04.230); or

(iv) Other equipment or safety violations which provide reasonable cause to believe the vehicle is unsafe.

(D) The administrator shall record the totalized values from the taximeter as set forth in CBJ 20.40.310.

(2) *Unannounced inspection program.* Commercial passenger vehicles are subject to unannounced safety inspections by the administrator or designee, as follows:

(A) When the administrator or designee contacts the company owner or driver of a vehicle on duty, the vehicle shall be brought to the Juneau Police Department for inspection within two hours. If the vehicle to be inspected is not on duty, it shall be scheduled for an inspection within 24 hours with the administrator or designee.

(B) No more than four unannounced inspections may be conducted on any one vehicle in a calendar year. Failed inspections shall not be counted toward this total.

(C) Unannounced inspections shall be conducted using the same form and method as biannual inspections.

(D) Unannounced inspections do not replace required biannual inspections.

(c) *Suspension of approval.* A vehicle approval may be suspended by the manager or manager designee based on the results of an inspection conducted pursuant to this section if the inspection establishes a violation of safety standards established by section CBJ 20.40.315.

20.40.320 Radar detectors, radio scanners, excess passengers prohibited.

(a) It shall be unlawful for any person to provide commercial passenger vehicle services in a vehicle equipped with any device, passive or active, to detect or purposefully interfere with any radar, laser, or other device employed by law enforcement personnel to measure the speed of motor vehicles for law enforcement purposes.

(b) It shall be unlawful for any person to provide commercial passenger vehicle services in a vehicle carrying more than the maximum passenger capacity specified by the administrator for that vehicle. Each excess passenger is a separate offense.

(c) It shall be unlawful for the driver of a taxicab or the holder of a certificate endorsed for taxi service to provide services in a vehicle equipped with a device capable of monitoring the radio communications of another holder or the City and Borough police department. This subsection shall not apply to a taxicab vehicle not in service and lawfully marked as such.

(d) Violation of this section is an infraction.

20.40.330 Reserved.

20.40.340 Reserved.

ARTICLE IV. CERTIFICATES AND ENDORSEMENTS

20.40.400 Certificate of public convenience and necessity required.

(a) It is unlawful for any person to provide or attempt to provide commercial passenger vehicle services, or knowingly permit another to do so, except under the authority of a current certificate of public convenience and necessity issued by the City and Borough.

(b) The administrator shall issue certificates of public convenience and necessity. Each certificate shall be endorsed for Class A, Class B, or Class C.

(c) *Applications.*

(1) *Class A and B.* An application to renew a current certificate for continuous operation shall be submitted between December 1 and January 31 and shall become effective on March 15.

(2) *Class C.* An application to renew a current certificate shall be submitted by March 15 and shall become effective April 15.

(d) *Term.*

(1) *Class A and B.* Certificates with an effective date of March 15 shall be valid for one year. Any certificate with an effective date after March 15, and any endorsement thereto, shall be valid only until the following March 14.

(2) *Class C.* Certificates shall be valid only from April 15 to October 15.

(e) *Records.* Holders shall designate and maintain a single depository for all records required by this chapter and shall make such records available for inspection during normal business hours.

(f) *Amendment to conditions of endorsement.* Certificate holder shall notify the administrator in writing of changes in driver registration, vehicle registration, route, or stops.

(g) Late applications will be subject to a late fee and may take up to 30 days to process.

~~(b)~~(h) Violation of this section is an infraction; each vehicle, each day, shall be a separate offense.

20.40.410 Registration of drivers and vehicles.

(a) Each certificate shall identify the drivers and vehicles registered to that certificate.

(b) No holder shall provide, or knowingly permit another to provide, commercial passenger vehicle services with a driver or vehicle that is not registered to a certificate issued to that holder. Violation of this subsection is an infraction.

(c) The holder of a certificate shall report to the administrator any violation of this chapter, or regulations adopted pursuant to this chapter, by a driver registered to the certificate. The holder shall be responsible under this standard regardless of the legal or contractual relationship between the holder and any other person conducting the commercial passenger vehicle business, and regardless of whether the holder reported all violations.

20.40.420 Reserved.

20.40.430 Endorsements.

Each certificate of public convenience and necessity shall be endorsed for one or more of the types of service set out in this section. The endorsement shall set forth conditions. ~~Further conditions may be established by regulation.~~ An endorsement shall identify whether the service is Class A, Class B, or Class C. Each vehicle registered to a certificate of public convenience and

necessity shall carry a copy of the certificate, endorsements, and all current approved conditions and the driver shall make them available to any passenger, peace officer, or the administrator upon demand.

(a) *Class A endorsement.*

(1) *Purpose.* The Class A endorsement is for taxis and shall authorize unlimited services for the purpose of providing readily available transportation throughout the City and Borough 24 hours per day, seven days per week at a standard rate for passenger directed, dispatched services. A certificate endorsed for Class A service may not be endorsed for any other service unless authorized by the manager or designee.

(2) *Conditions.* The endorsement shall be subject to the conditions that it charges by taximeter or by the hour, in either case at a standard fare established by the manager ~~regulation~~ and that the service be available to provide transportation throughout the roaded service area to the general public 24 hours a day, 365 days a year.

(3) *Method of establishing fares.* The manager ~~Manager~~ shall ~~by regulation~~ establish a standard taximeter fare and a standard hourly fare to be charged by all taxis operating in the City and Borough after considering the following factors:

(A) The public need for readily available taxi service at a reasonable cost, in safe vehicles, by skilled and experienced drivers, providing revenue sufficient to cover all operating expenses including depreciation, rents, license fees and taxes.

(B) *CPI adjustment.* For each calendar year after 2024, the fee assessed in this section will be equal to the previous fiscal year's fee, adjusted by the Consumer Price Index - Urban Alaska (CPI) as reported by the Alaska Department of Labor and Workforce Development for the calendar year preceding April of each year. The manager may take action to keep the fee the same as the previous year or increase the fee in an amount less than the CPI adjustment.

(4) Taxicab passengers shall be charged only at the rates specified in this section.

(A) *Flag drop.* $4.00 shall be the initial starting fare to be charged for all taxicab services except for charter or battery jump services. No mileage, waiting time, or other charges are included in the charge for flag drop.

(B) *Mileage rate.* The rate of $0.25 for each one-tenth mile shall be charged and measured by taximeter.

(C) *Waiting time.* The rate of $0.75 for each minute of waiting time shall be measured by the taximeter and charged to the customer. Waiting time shall be charged when stopped and during traffic delays. Time and mileage shall be charged alternately and not concurrently.

(D) *Taxi tour rate.* The rate of $70.00 per hour shall be charged to a passenger for the reservation of the services of the vehicle. The minimum charge for a taxi tour is $35.00 for up to one half-hour of

service. For taxi tour service in excess of the minimum half-hour charge, the time may be calculated in ten-minute increments for which the charge is $12.00. No other units of time or charges are allowed.

(E) *Extra adult passenger.* A charge of $0.50 shall be added to the fare for each passenger over the age of 12 years and each bag in excess of two per passenger. This charge does not apply if there is only one passenger over the age of 12 years. This charge does not apply to the taxi tour rate.

(F) *Delivery charge.* A charge of $3.00 shall be added to the mileage rate for transport and delivery of items without a passenger. This does not apply to the taxi tour rate.

(G) *Battery jump.* The rate for providing an electrical boost to the battery of another vehicle shall be a charge of $20.00.

(H) *Cleaning fee.* The rate for cleaning of taxi made necessary by any passenger shall be a charge of $100.00.

(5) Every taxicab operated under the provisions of this chapter shall be equipped with a rate card provided by the city, setting forth the schedule of fares and charges. The rate card shall be posted inside the vehicle in a location visible to passengers.

(6) Taxis shall be limited to vehicles designed to carry no more than fourteen passengers including the driver.

(7) The holder of a certificate endorsed for Class A service shall maintain one central place of business owned or leased by the holder and operated by the holder at which all business records shall be available for inspection, and from which all of the holder's taxis and no other taxis shall be dispatched. The central place of business is not required by these regulations to be available for walk-in service to the public.

(8) A wheelchair accessible vehicle registered to a certificate endorsed for taxi service shall entitle the holder to a waiver of the registration fees for that vehicle, and to a ten percent reduction in the Class A endorsement fee. Except for reasonable time for maintenance, not to exceed 30 days annually, the vehicle must be one of the three vehicles available for Class A service to qualify for the reduction in fees.

~~(4)~~ (9) *Infractions.* It shall be an infraction for a person driving a commercial passenger vehicle pursuant to a Class A endorsement to charge, or to knowingly permit another to charge, for such services in an amount other than that established by the manager ~~Manager~~.

(b) *Class B endorsement.*

(1) *Purpose.* The Class B endorsement includes commercial passenger vehicles, other than taxis, providing tours, limousine services, and similar services.

(2) *Conditions.* ~~The service shall be subject to conditions established by regulation specifying stops, routes, forms of passenger pickup, or other limitations~~. Class B endorsement shall authorize operation of one or more commercial passenger vehicles subject to the following conditions:

(A) A Class B vehicle may be endorsed as a tour, shuttle, or limousine. This provision does not apply to vehicles owned, operated, or contracted by a cruise line or airline when transporting the cruise line's or airline's own passengers.

(B) Operators of Class B vehicles operating as shuttles shall:

(i) Submit a map of their current route to the administrator.

(ii) Carry and follow the map submitted under (a)(2)(A) of this section.

(iii) Not stop for passengers at any location not depicted as a stop on the map submitted under (a)(2)(A) of this section. For the purposes of the route map, loading zones serving cruise ship docks in the downtown area shall be considered one stop.

(iv) Not stop in the downtown area except for posted CPV stops.

(v) Post rates in plain view of the customer in letters no less than one-half-inch high.

(3) *Infractions.* It shall be an infraction for a driver operating pursuant to a Class B endorsement to stop a vehicle to pick up or discharge a passenger at a place not authorized by the endorsement.

(c) *Class C endorsement.*

(1) *Purpose.* The Class C endorsement is for human-powered vehicles.

(2) *Conditions.* The services shall be subject to the following conditions ~~established by regulation~~ specifying stops, routes, forms of passenger pickup, or other limitations~~:~~.

(A) Operation of Class C vehicles shall be limited to daylight hours. Class C vehicles are restricted to the downtown area, from the intersection of 10th Street and Egan Drive to Mill Street, excluding Egan Drive from Glacier Avenue to 10th Street.

(B) Operators of Class C vehicles may not stop for passengers at any location that obstructs traffic or causes a safety hazard to passengers or others.

(C) Operation of a Class C vehicle is prohibited between October 16 and April 14.

(3) *Infractions.* It shall be an infraction for a driver operating pursuant to a Class C endorsement to stop a vehicle to pick up or discharge a passenger at a place not authorized by the endorsement.

(d) Operating a commercial passenger vehicle or knowingly permitting another to operate a commercial passenger vehicle, in violation of its endorsement, or conditions of its endorsement, is an infraction.

20.40.440 Insurance.

A holder, vehicle owner, or driver shall provide commercial passenger vehicle services only in a vehicle covered by one or more liability insurance policies in amounts and for risks

~~established by the manager by regulation~~ set forth below. ~~Violation of this section is a Class A misdemeanor and cause for suspension or revocation of a permit issued under this chapter~~.

(a) *Commercial general liability for Class A and B vehicles.* No certificate of public convenience and necessity shall be issued or continued in operation unless there is in full force and effect automobile insurance policies issued by one or more insurance companies licensed to do business in the state of Alaska and covering all motorized vehicles authorized under the certificate. The policy shall provide coverage for each motorized vehicle authorized in the amount as required by the manager. This insurance policy is to contain, or be endorsed to contain, additional insured status for the City and Borough, its officers, officials, employees, and volunteers.

(b) *Commercial general liability insurance for Class C vehicles.* The holder must maintain commercial general liability insurance in an amount it deems reasonably sufficient to cover any suit that may be brought against the operator andin the amount as required by the manager. This insurance policy is to contain, or be endorsed to contain, additional insured status for the City and Borough, its officers, officials, employees, and volunteers.

(c) Each policy shall contain a clause that it may not be canceled or terminated or allowed to expire by insurer without 30 days' notice to the City and Borough. A certificate showing issuance of the policy and containing statements as to coverage and cancellation shall be filed annually with the administrator.

(d) The administrator may allow the holder to file individual liability insurance policies for each vehicle registered to the certificate. If the owner of a vehicle registered to a certificate is not the holder, the owner may purchase the policy. It is the responsibility of the holder to have at all times on file with the administrator the individual certificates of insurance.

(e) Violation of this section is a Class A misdemeanor and cause for suspension or revocation of a permit issued under this chapter

20.40.450 City and Borough taxes and issuance.

(a) An application may be denied, or a permit may be suspended or revoked, if the applicant is delinquent in any City and Borough fee levied under this chapter, sales or business personal property tax, penalty, or interest. In addition, an application may be denied, or a permit may be suspended or revoked, for an entity in which the applicant, as an owner, operator, permittee, director, shareholder, officer, partner, manager, assignor, seller, or transferor of any business, which required a certificate of public convenience and necessity, regardless of its form of legal entity, is delinquent in the payment of any City and Borough fee levied under this chapter, sales or business personal property tax, penalty, or interest pursuant to CBJ 20.40.170 (b)—(e).

(b) An application shall not be denied nor a permit be suspended or revoked under subsection (a) if the applicant or permit holder has entered into a confession of judgement for the unpaid fee, tax, penalty, or interest, and remains in compliance with the terms of the associated stipulation.

(c) A holder is responsible to collect and remit the City and Borough sales taxes for compensation paid for commercial passenger vehicle services that are set forth in this section provided under the holder's certificate. ~~The Manager shall prescribe Tax record-keeping requirements by regulation.~~

(d) *Certificate holder with Class A endorsement.* Holder shall maintain and preserve supporting records as are necessary to determine the correct amount of tax liability for which the holder is liable under CBJ 69.05 and 69.10. Supporting records include daily taximeter activity logs on forms provided by the administrator submitted by each driver. In addition, the records must include an accounting for each taximeter reading at the beginning of the first day of each month.

(1) Holder shall require a driver permitted to operate under the holder's certificate to:

(A) Submit a taximeter activity log report to the holder that includes the beginning and ending readings from each shift of the taximeters for all of the following non-resettable totalized values:

(i) Total distance traveled by the taxi;

(ii) Total distance traveled when hired; and

(iii) Total amount charged.

(B) Calculate the sales tax collected for each shift.

(C) Surrender the sales tax collected to the permit holder at the end of each shift.

(2) Holder shall:

(A) Verify the taximeter reading and the accuracy of the driver's tax calculation.

(B) Collect the sales tax at the end of each shift from each driver.

(C) Accumulate the total sales on the Permit Holder Taximeter Activity Report Form provided by the administrator, calculate the net taxable sales and sales tax due and remit the sales tax as required in CBJ 69.05.070.

(3) Subsection (a) may be waived or partially waived by the CPV administrator upon demonstration by the certificate holder of tax accounting procedures adequate to satisfy the requirements of the City and Borough of Juneau sales tax code as determined by the sales tax administrator.

(e) *Certificate holder with Class B or Class C endorsement.* Holder shall maintain and preserve supporting records as are necessary to determine the correct amount of tax liability for which the holder is liable under CBJ 69.05 and 69.10 on forms approved by the sales tax administrator.

(f) *Issuance.* The CPV administrator shall issue the certificate upon a finding that:

(1) All vehicles registered to the certificate are the subject of a current vehicle approval, if required;

(2) All drivers registered to the certificate are in possession of a current professional drivers' permit or commercial drivers' license, as required.

(3) Required insurance policies are in place;

(4) All fees have been paid; and

(5) All other requirements of this chapter have been satisfied.

ARTICLE V. MISCELLANEOUS PROVISIONS

20.40.500 Intercepting service call.

It shall be unlawful for any person to provide commercial passenger vehicle services in response to a request unless the request was directed to that person. Violation of this section is an infraction.

20.40.510 Application of traffic laws.

In the event of a conflict between the provisions of this chapter and other traffic laws, this chapter shall control.

20.40.520 Official traffic control devices.

The manager may install signs or other official traffic control devices which limit stopping, standing, parking, or other operations by commercial passenger vehicles.**Section 3** CBJAC 20.40 Commercial Passenger Vehicles Regulations is hereby repealed in its entirety.**Section 4. Effective Date.** This ordinance shall be effective 30 days after its adoption.

Adopted this 9th day of June, 2025.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk