

Chapter 11.40 DISPATCH SERVICE¹

11.40.010 Dispatch service license required.

No person may dispatch taxicabs without first obtaining a dispatch service license from the Commission.
(AO No. 78-177; AO No. 98-51(S), § 4, 5-4-99)

11.40.020 Dispatch service license.

- A. An application for a dispatch service license shall be made to the transportation inspector.
- B. An application for a dispatch service license shall be submitted on a form approved by the transportation inspector and shall be accompanied by:
 - 1. The fee specified in section 11.10.160;
 - 2. Proof that the applicant has obtained and possesses one or both of the following:
 - a. A valid Federal Communications Commission frequency license and identification of those frequencies authorized to be used in the dispatch service; or
 - b. A computerized dispatch system approved by the transportation inspector;
 - 3. Identification of the digital dispatch system, if one is used by the dispatch service, and acknowledgment that the applicant must demonstrate its functionality and operability;
 - 4. Proof the applicant is a resident of, or domiciled in, the United States, and that it has a physical office location with regular business hours in the municipality;
 - 5. A proposed color scheme, name and markings to be used by taxicabs dispatched by the applicant which is substantially different from the color scheme, name and markings used or proposed for use by any other dispatch company licensed under this title;
 - 6. Proof that the applicant is at least 18 years of age; and
 - 7. A signed acknowledgement and acceptance of the license requirement to maintain, and to provide to the transportation inspector, records of dispatches, complaints, and complaint response.
- C. A dispatch service license shall be issued by the transportation inspector if the applicant complies with this section, is certified as required by section 11.10.170 and has not had a felony or misdemeanor conviction entered by a court of competent jurisdiction within five years of:
 - 1. Assignment, prostitution, solicitation for the purpose of prostitution, offering to secure another for the purpose of prostitution, maintaining a vehicle for the purpose of prostitution or accepting money from a prostitute for the aforementioned purposes; or
 - 2. Illegal sale, transportation, possession or use of any controlled substance as defined in AS 11.71 or any similar law of another jurisdiction.

¹Cross reference(s)—Drug and alcohol testing for chauffeurs, § 11.10.085.

(AO No. 57-75; AO No. 78-177; AO No. 79-58; AO No. 80-19(S); AO No. 84-18; AO No. 85-87; AO No. 87-126(S); AO No. 88-21; AO No. 98-51(S), § 4, 5-4-99; AO No. 2013-109(S-1), § 4, 12-3-13; AO No. 2018-6(S), § 4, 4-10-18)

11.40.030 Dispatch service license transfer.

- A. No person may transfer any interest in a dispatch service license or any interest in the corporation, joint venture, association, partnership or other entity which owns an interest in a dispatch service license unless that person obtains the prior approval of the commission.
- B. Only a dispatch service licensee can transfer his or her interest in a dispatch service license to another. An application for transfer shall be made to the transportation inspector on forms approved by the transportation inspector. If the transferee meets the requirements of this section and those of section 11.40.020, the commission shall approve the transfer. A dispute arising from the underlying contract of sale is not grounds upon which the commission can refuse to transfer a dispatch service license.

(AO No. 78-177; AO No. 79-58; AO No. 80-19(S); AO No. 98-51(S), § 4, 5-4-99; AO No. 2018-6(S), § 4, 4-10-18)

11.40.040 Provision of service; joint dispatch service.

- A. Except as otherwise provided in this section, a dispatch service shall serve all taxicab permittees and their chauffeurs who request dispatch service and meet the requirements of this section so long as the fee for such service has been paid.
- B. A dispatch service shall promulgate reasonable internal rules. These rules shall include provisions that allow, without penalty, subscribing permittees to suspend subscriptions for idle taxicab vehicles on a month-to-month basis so long as reasonable prior notice is given to the dispatch service and the transportation inspector. Reasonable prior notice shall be not more than 21 and not less than five days prior to the first day of the next calendar month.
- C. A dispatch service may only provide dispatch service to a permitted taxicab.
- D. A dispatch service may dispatch taxicabs from another taxicab company, but that company shall retain its own business name, style and color and shall be substantially different in its business name, style and color from that used by any other dispatch company.
- E. Each dispatch service shall establish a system for identifying and tracking the location in real time each taxicab which is dispatched through the dispatch service. The system shall be capable of identifying accessible taxicabs and distinguishing them from other permitted taxicabs.
- F. A dispatch service company shall provide a posting area within its physical office location in the municipality which contains information, policies, and procedures disseminated by the commission.

(AO No. 57-75; AO No. 78-177; AO No. 80-19(S); AO No. 84-18; AO No. 88-21; AO No. 91-22; AO No. 98-51(S), § 4, 5-4-99; AO No. 98-187, § 5, 6-13-99; AO No. 2013-109(S-1), § 4, 12-3-13; AO No. 2018-6(S), § 4, 4-10-18)

11.40.050 Dispatch service operation and duty to serve the public.

- A. Every dispatch service shall be able to provide service throughout the municipality, and have at least one physical office location with regular business hours within the municipality.
- B. Every dispatch service shall respond to and maintain radio or computerized dispatch communications with every taxicab subscribing to its service and have a dispatcher on duty and responding to these communications at all times for at least 20 hours during every 24-hour period. It is unlawful for a dispatch

service to give dispatch preference to taxicabs owned, leased, subleased or otherwise operated under the direct or indirect ownership interest of the dispatch company, or to give dispatch preference to taxicabs having owners in common with the owners of the dispatch company.

- C. No dispatch company may require payment of rates other than those established pursuant to this title. Sections 11.40.080 through 11.40.100 shall not apply to contract rates.
- D. Reserved.
- E. A dispatch company shall investigate customer complaints presented to the dispatch company, take appropriate action, and document the investigation, resolution, referral, and follow-up by the dispatch company regarding each complaint.
- F. A dispatch company shall diligently exercise the duty to serve the public and make every effort to respond to a request for a taxicab dispatch. A dispatch company shall report to the transportation inspector upon request a list of all taxicab requests which did not result in responsive taxicab service, any taxicab chauffeur refusing to respond to a call for service and the permit number of the taxicab the chauffeur was operating. The report of nonresponsive calls shall identify the calls for accessible vehicle service or an accessible taxicab. The report shall also identify nonresponsive calls for service to or from the Girdwood area and the Chugiak-Eagle River area.
- G. When a request for accessible vehicle service or an accessible taxicab is received and dispatched, if the chauffeur operating a taxicab permitted under section 11.20.037F. and not occupied by other passengers refuses or declines to respond without good cause, the dispatch service shall immediately cease all dispatch services to that chauffeur for the next 24 hours. The records required by section 11.40.060 shall include a report of chauffeur refusals to respond to dispatched calls for an accessible taxicab and resulting ineligibility for dispatch service.
- H. A dispatch service's recordkeeping shall comply with section 11.40.060.

(AO No. 57-75; AO No. 78-177; AO No. 85-87; AO No. 92-50; AO No. 98-51(S), § 4, 5-4-99; AO No. 2013-109(S-1), § 4, 12-3-13; AO No. 2016-124(S), § 15, 12-20-16; AO No. 2018-6(S), § 4, 4-10-18)

11.40.051 Caller identification required. (Repealed)

(AO No. 2013-109(S-1), § 4, 12-3-13)

11.40.052 Dispatcher and telephone assistant drug and alcohol testing. (Repealed)

(AO No. 98-51(S), § 4, 5-4-99; AO No. 98-187, § 7, 6-13-99; AO No. 2013-109(S-1), § 4, 12-3-13)

11.40.053 Communication requirement between dispatchers and taxicab chauffeurs.

- A. Each dispatch company licensed under this title must operate and maintain at least one of the following dispatch systems:
 - 1. *Two-way radio communication.* A two-way radio communications system between dispatchers and taxicab chauffeurs. The two-way communications system shall allow each chauffeur on a dispatch company radio frequency to monitor dispatcher transmissions and transmissions from other chauffeurs on that dispatch company radio frequency.

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2. *Computerized dispatch communication.* A GPS based electronic dispatch system which transmits digital communication to and from the dispatch center and its taxicabs. This system is not required to allow prospective passengers to request taxicab rides through the internet or a digital platform.
 - B. *Digital dispatch system.* A licensed dispatch service company may provide services with a digital dispatch system in addition to the other dispatch systems authorized by this section. For purposes of this section, a digital dispatch system means technology that connects a prospective passenger, indicating the passenger's location, with a taxicab for on demand transportation service using the internet or a digital platform and mobile interfaces such as a smartphone application.
 - C. Any dispatch company which has installed and is using a GPS based electronic dispatch system or digital dispatch system which transmits digital communications to and from its taxicabs is not required to have radio identifiers from the taxis to the dispatch when on voice.

(AO No. 98-187, § 8, 3-15-99; AO No. 98-51(S), § 4, 5-4-99; AO No. 2016-124(S), § 10, 12-20-16; AO No. 2018-6(S), § 4, 4-10-18)

11.40.054 Standardized training and certification programs, standardized emergency notification code, and biennial refresher training. (Repealed)

(AO No. 98-51(S), § 4, 5-4-99; AO No. 98-187, § 9, 6-13-99; AO No. 2018-6(S), § 4, 4-10-18)

11.40.057 Compliance with Federal Communications Commission regulations. (Repealed)

(AO No. 98-187, § 10, 2-13-99; AO No. 98-51(S), § 4, 5-4-99; AO No. 2018-6(S), § 4, 4-10-18)

11.40.060 Dispatch service records.

- A. Every dispatch service shall maintain a current and accurate record, in a form approved by the transportation inspector, of:
 1. The permit number, name and address of the permittee for each taxicab dispatched and the number of daily hours each such taxicab is operated during every calendar month;
 2. Daily dispatch activity, which shall include:
 - a. The taxicab numbers;
 - b. The permit number pursuant to which the taxicab is operated, including whether it is an accessible taxicab;
 - c. The name or identification and license number of the operator of the taxicab;
 - d. The time of calls for service;
 - e. The service time requested by the passenger;
 - f. The time the request for service was fulfilled;
 - g. The place of passenger pickup and drop-off;
 - h. If the taxicab dispatched was not the nearest available taxicab subscribing to the dispatch service, or in the order of time in which the taxicabs have indicated that they are waiting in a taxicab zone for dispatch, a statement of the reason;

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- i. Whether the request was for wheelchair-accessible service or an accessible taxicab; and
 - j. Whether the request was for service other than passenger transportation.
 3. The fare as recorded from the taximeter or other than passenger transportation; and
 4. All complaints received from members of the public, with the investigation, resolution, referral, and follow-up for each complaint noted.
- B. The records maintained pursuant to subsection A. of this section shall be retained by the dispatch licensee for at least two years.
 - C. The records shall be open for review by the administrative hearing officer, the commission, the transportation inspector, the municipal department of law, or a police officer.
 - D. The dispatch service shall forward records to the transportation inspector upon request for good cause, and two times per year: annually at license renewal and six months after renewal. Good cause for the transportation inspector's request includes, but is not limited to, a service study being conducted, a reasonable basis to believe there are inconsistencies or inaccurate records, to track specific areas or types of service to focus on a specific problem or issue with on demand transportation services, or other good cause.

(AO No. 57-75; AO No. 78-177; AO No. 80-19(S); AO No. 98-51(S), § 4, 5-4-99; AO No. 2013-109(S-1), § 4, 12-3-13; AO No. 2018-6(S), § 4, 4-10-18)

11.40.070 Dispatch service rates.

Service rates for dispatch service provided to taxicab permittees subscribing to a particular dispatch company shall be set out as an internal rule of the dispatch service pursuant to section 11.40.040B. Dispatch service rates established by internal rule shall become effective no earlier than 30 days after notice of the change to the internal rule is sent to subscribing taxicab permittees and the transportation inspector.

(AO No. 89-63; AO No. 98-51(S), § 4, 5-4-99; AO No. 2013-109(S-1), § 4, 12-3-13; AO No. 2018-6(S), § 4, 4-10-18)

11.40.080 Dispatch service established taxicab fare rates.

A dispatch service may establish the fares the taxicabs that subscribe to it are to charge through a rate-setting rule by filing an application and by undertaking any other notices required by the transportation inspector. Dispatch-established taxicab fare rates shall become effective no earlier than 30 days after notice of the change to the internal rule is sent to subscribing taxicab permittees and the transportation inspector.

(AO No. 89-63; AO No. 89-97; AO No. 98-51(S), § 4, 5-4-99; AO No. 2013-109(S-1), § 4, 12-3-13; AO No. 2018-6(S), § 4, 4-10-18)

11.40.090 Dispatch service rates—Effective date of change. (Repealed)

(AO No. 89-63; AO No. 98-51(S), § 4, 5-4-99; AO No. 2013-109(S-1), § 4, 12-3-13; AO No. 2018-6(S), § 4, 4-10-18)

11.40.100 Dispatch rates—Establishment. [Repealed.]

Editor's note(s)—AO No. 98-51(S), § 4, adopted May 4, 1999, repealed § 11.40.100, which pertained to dispatch rates—establishment. See the Code Comparative Table.