

CS FOR SENATE BILL NO. 174(L&C)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 4/1/93

Referred: Rules

Sponsor(s): SENATORS KELLY, Taylor

A BILL

FOR AN ACT ENTITLED

1 "An Act exempting certain taxicab operators from coverage under the Alaska
2 Wage and Hour Act, the Alaska Employment Security Act, and the Alaska
3 Workers' Compensation Act; and providing for an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1. PURPOSE.** The purpose of this Act is to clarify existing law regarding the
6 application of the Alaska Wage and Hour Act, the Alaska Employment Security Act, and the
7 Alaska Workers' Compensation Act to taxicab drivers who receive compensation only from
8 customers and whose relationship with permit owners, operators, and dispatch companies is
9 based solely on a contractual flat fee payment by the driver.

10 * **Sec. 2.** AS 23.10.055 is amended by adding a new paragraph to read:

11 (13) an individual who drives a taxicab, is compensated for taxicab
12 services exclusively by customers of the service, and whose written contractual
13 arrangements with owners of taxicab vehicles, taxicab permits, or radio dispatch
14 services are based upon flat contractual rates and not based on a percentage share of

1 the individual's receipts from customers.

2 * Sec. 3. AS 23.20.526(a) is amended by adding a new paragraph to read:

3 (21) service performed by an individual who drives a taxicab whose
4 compensation and written contractual arrangements are as described in
5 AS 23.10.055(13).

6 * Sec. 4. AS 23.30.230(a) is amended to read:

7 (a) The following persons are not covered by this chapter:

- 8 (1) part-time baby-sitters;
9 (2) cleaning persons;
10 (3) harvest help and similar part-time or transient help;
11 (4) persons employed as entertainers on a contractual basis; [AND]
12 (5) commercial fishermen, as defined in AS 16.05.940; and
13 (6) individuals who drive taxicabs whose compensation and written
14 contractual arrangements are as described in AS 23.10.055(13).

15 * Sec. 5. AS 23.10.060(d)(7) is repealed.

16 * Sec. 6. The provisions of sec. 3 of this Act apply to determinations under AS 23.20 as
17 to the employment status of taxicab drivers for service before the effective date of this Act
18 if the employment status has not been the subject of a notice of determination under
19 AS 23.20.315.

20 * Sec. 7. SEVERABILITY. Under AS 01.10.030, if any provision of this Act, or the
21 application of a provision of this Act to any person or circumstance is held invalid, the
22 remainder of this Act and the application to other persons or circumstances shall not be
23 affected.

24 * Sec. 8. This Act takes effect immediately under AS 01.10.070(c).