

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

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Amended: 4/16/93  
Offered: 4/1/93

Sponsor(s): SENATORS KELLY, Taylor, Pearce

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, 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, and whose written contract with owners of  
2 taxicab vehicles, taxicab permits, or radio dispatch services specifically provides that  
3 the contract places no restrictions on hours worked by the individual or on areas in  
4 which the individual may work except to comply with local ordinances.

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

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

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

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

- 11 (1) part-time baby-sitters;  
12 (2) cleaning persons;  
13 (3) harvest help and similar part-time or transient help;  
14 (4) persons employed as entertainers on a contractual basis; [AND]  
15 (5) commercial fishermen, as defined in AS 16.05.940; and  
16 (6) individuals who drive taxicabs whose compensation and written  
17 contractual arrangements are as described in AS 23.10.055(13), unless the hours  
18 worked by the individual or the areas in which the individual may work are  
19 restricted except to comply with local ordinances.

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 AS 23.10.060(d)(7) is repealed.

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

25 \* Sec. 7. SEVERABILITY. Under AS 01.10.030, if any provision of this Act, or the  
26 application of a provision of this Act to any person or circumstance is held invalid, the  
27 remainder of this Act and the application to other persons or circumstances shall not be  
28 affected.

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