

CLERK'S OFFICE

APPROVED

Date: 12-17-03

Submitted by: Assemblymember Shamberg

Prepared by: Assembly Department

For reading: November 18, 2003

ANCHORAGE, ALASKA

AO NO. 2003-157

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING**
2 **ANCHORAGE MUNICIPAL CODE SECTION 9.28.030, INSURANCE OR OTHER SECURITY**
3 **REQUIRED, AND SECTION 9.48.130, VEHICULAR OFFENSES AMENABLE TO**
4 **DISPOSITION WITHOUT COURT APPEARANCE, TO ALLOW FOR PAYMENT OF THE**
5 **FIFTY DOLLAR FINE AND PRODUCTION OF PROOF OF SECURITY TO THE**
6 **ANCHORAGE POLICE DEPARTMENT.**

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9 THE ANCHORAGE ASSEMBLY ORDAINS:

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11 **Section 1.** Anchorage Municipal Code section 9.28.030 is amended to read: (*Other sections and*
12 *subsections are not affected and therefore not set out.*)

13
14 **9.28.030 Insurance or other security required.**

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16 A. The owner or operator of a motor vehicle shall have a current motor vehicle liability
17 policy, or other security that complies with Alaska Statutes Title 28, when operating the
18 vehicle within the municipality.

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20 B. It is unlawful:

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22 1. For any person to operate a motor vehicle without proof of the required
23 security in the vehicle;

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25 2. For any person to fail to produce proof of security to a police officer upon
26 demand; or

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28 3. For any person to operate a motor vehicle without the required security in
29 effect at the time of operation.

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31 C. A person convicted of violating subsections B.1. or B.2. shall pay a fine of \$100.00
32 unless the person produces [IN COURT] to an authorized representative of the Anchorage Police
33 Department, or at trial, proof of the required security and the security had been issued to the
34 person prior to the time of the offense and was valid at the time of the offense, in which instance
35 the fine shall be \$50.00.
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(CAC 9.12.010; AO No. 267-76; AO No. 78-72; AO No. 78-230(S); AO No. 83-168, 10-17-83; AO No. 89-52; AO No. 91-57(S); AO No. 2001-139, § 1, 7-1-02; AO No. 2002-125, § 7, 8-20-02; AO No. 2002-175, § 1, 1-14-03; AO No. 2003-73, §§ 15, 16, 4-22-03)

Section 2. Anchorage Municipal Code section 9.48.130 is amended to read: (*Other sections and subsections are not affected and therefore not set out.*)

9.48.130 Vehicular offenses amenable to disposition without court appearance by payment of a fine, offenses requiring court appearance, or offenses correctable without fine or appearance.

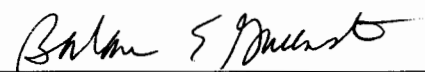
In accordance with AS 28.05.151, a citation issued for violation of any of the following sections of this title shall be subject to disposition with payment of a fine in lieu of a court appearance or as otherwise prescribed. Violations committed within highway work zones shall be subject to double the fine amount indicated.

Title	Section	Fee Amount
Driving w/o proof of security	9.28.030C	\$50.00

PASSED AND APPROVED by the Anchorage Assembly this 17th day of December, 2003.


Chair

ATTEST:


Municipal Clerk



MUNICIPALITY OF ANCHORAGE ASSEMBLY MEMORANDUM

AM 921-2003

Meeting Date: November 18, 2003

From: Assemblymember Janice Shamberg


Subject: Vehicle Liability Proof and Payment of Fines

Under the provisions of Anchorage Municipal Code Section 9.28.030, a person operating a motor vehicle with insurance in effect, but unable to produce proof of that security upon demand by a police officer, shall present that proof *in court* and pay a required fine of \$50.00 for failure to have it in their immediate possession. Since the passage of this ordinance in 2001, this process of presentation of proof of insurance "in court" has resulted in an enormous burden on the municipal prosecutor's office and the court system, as these citations issued by police officers are not "correctable offenses."

The effect of deleting the language "in court" and substituting "at trial" will allow for the Anchorage Police Department to collect the fine without an "in court appearance" – a more expedient process. Presentation of proof of security and payment of the fine can be routinely handled as directed by APD, unless there is a "Not Guilty" plea.

This minor amendment to 9.28.030 should provide a more efficient and economical processing of these cases, saving the City money.

Respectfully submitted,


Janice Shamberg
Assemblymember Section 6



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

NO. AM 1008-2003

Meeting Date: December 16, 2003

1 **From:** Assemblymember Shamberg
2 **Subject:** **SUMMARY OF ECONOMIC EFFECTS FOR AO 2003-157: AN**
3 **ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING**
4 **ANCHORAGE MUNICIPAL CODE 9.28.030, INSURANCE OR OTHER**
5 **SECURITY REQUIRED, AND SECTION 9.48.130, VEHICULAR OFFENSES**
6 **AMENABLE TO DISPOSITION WITHOUT COURT APPEARANCE, TO**
7 **ALLOW FOR PAYMENT OF THE FIFTY DOLLAR FINE AND**
8 **PRODUCTION OF PROOF OF SECURITY TO THE ANCHORAGE POLICE**
9 **DEPARTMENT.**

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13 Attached is the Summary of Economic Effects for AO 2003-157. The fiscal impact of the
14 ordinance will be minimal, but will free the Prosecutor's Office from minor cases.
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19 Respectfully submitted,

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21 *Brian Shamberg*
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23 Assemblymember Shamberg
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Prepared by

Mike Gutierrez, Utility Analyst

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2003-157

Title: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY
AMENDING ANCHORAGE MUNICIPAL CODE 9.28.030, INSURANCE OR
OTHER SECURITY REQUIRED, AND SECTION 9.48.130, VEHICULAR
OFFENSES AMENABLE TO DISPOSITION WITHOUT COURT
APPEARANCE, TO ALLOW FOR PAYMENT OF THE FIFTY DOLLAR FINE
AND PRODUCTION OF PROOF OF SECURITY TO THE ANCHORAGE
POLICE DEPARTMENT.

Sponsor: Shamberg

Preparing Agency: Assembly

Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:					
(In Thousands of Dollars)					
	FY03	FY04	FY05	FY06	FY07
Operating Expenditures					
1000 Personal Services					
2000 Non-Labor					
3900 Contributions					
4000 Debt Service					
TOTAL DIRECT COSTS:					
Add: 6000 Charges from Others					
Less: 7000 Charges to Others					
FUNCTION COST:					
REVENUES:					
CAPITAL:					
POSITIONS: FT/PT and Temp					
PUBLIC SECTOR ECONOMIC EFFECTS:					
Fiscal impact to the Municipality will be minimal. Staff in the Prosecutor's Office will be freed from these cases. District courts will see a reduced case load.					

PRIVATE SECTOR ECONOMIC EFFECTS:

Private citizens will also benefit from a time savings by paying a fine without having to automatically go to court.

Prepared by: Mike Gutierrez - Budget and Legislative Services

Telephone: 343-4763

**MINNEAPOLIS POLICE DEPARTMENT
ADMINISTRATIVE SERVICES
FUNDING DOCUMENT CONTROL SHEET**

AY 1000-2003

1	SUBJECT OF AGENCY DOCUMENT		DATE PREPARED 12/15/03
	SUMMARY OF ECONOMIC EFFECTS FOR AY 2003-157		INDICATE DOCUMENTS ATTACHED AR
2	DEPARTMENT NAME Assembly		CONTRACTOR NAME Don Ford
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY M. Gustafson		PHONE NUMBER 84763
4	COORDINATED WITH AND REVIEWED BY	DATE	DATE
	Mayor		
	Heritage Land Bank		
	Merrill Field Airport		
	Municipal Light & Power		
	Port of Anchorage		
	Solid Waste Services		
	Water & Wastewater Utility		
	Municipal Manager		
	Cultural & Recreational Services		
	Employee Relations		
	Finance, Chief Fiscal Officer		
	Fire		
	Health & Human Services		
	Office of Management and Budget		
	Management Information Services		
	Police		
	Planning, Development & Public Works		
	Development Services		
	Facility Management		
	Planning		
	Project Management & Engineering		
	Street Maintenance		
	Traffic		
	Public Transportation Department		
	Purchasing		
	Municipal Attorney		
	Municipal Clerk		
	Other		
5	SPECIAL INSTRUCTIONS/COMMENTS		
	APPENDIX - NEW PUBLIC HEARINGS For AY 2003-157		

MDA
 2003 DEC 15 AM 11:11
 CLERK'S OFFICE

7-20-02

1	An Ordinance Amending All Ordinances Governing the City of Anchorage to Allow for Payment of the City Sales Tax and Provision of Proof of Shopping to the City of Anchorage	11/18/03																																																																																							
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2	Assembly Council	11/18/03																																																																																							
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3	Administrative Management Services Council	11/18/03																																																																																							
4	<table border="1"><thead><tr><th>COORDINATING AGENCY</th><th>RECEIVED</th><th>DATE</th></tr></thead><tbody><tr><td>Mayor</td><td></td><td></td></tr><tr><td>Health & Human Services</td><td></td><td></td></tr><tr><td>Marine Field Office</td><td></td><td></td></tr><tr><td>Municipal Utility Board</td><td></td><td></td></tr><tr><td>Port of Anchorage</td><td></td><td></td></tr><tr><td>Sold Works Division</td><td></td><td></td></tr><tr><td>Water & Wastewater Dept</td><td></td><td></td></tr><tr><td>Municipal Planning</td><td></td><td></td></tr><tr><td>Culture & Recreation</td><td></td><td></td></tr><tr><td>Employee Relations</td><td></td><td></td></tr><tr><td>Finance, Office of</td><td></td><td></td></tr><tr><td>Fire</td><td></td><td></td></tr><tr><td>Health & Human Services</td><td></td><td></td></tr><tr><td>Office of Management & Information</td><td></td><td></td></tr><tr><td>Management Information Systems</td><td></td><td></td></tr><tr><td>Police</td><td></td><td></td></tr><tr><td>Planning, Development & Public Works</td><td></td><td></td></tr><tr><td>Development Services</td><td></td><td></td></tr><tr><td>Facility Management</td><td></td><td></td></tr><tr><td>Parking</td><td></td><td></td></tr><tr><td>Project Management & Construction</td><td></td><td></td></tr><tr><td>Street Maintenance</td><td></td><td></td></tr><tr><td>Traffic</td><td></td><td></td></tr><tr><td>Public Transportation Department</td><td></td><td></td></tr><tr><td>Purchasing</td><td></td><td></td></tr><tr><td>Municipal Attorney</td><td></td><td></td></tr><tr><td>Municipal Clerk</td><td></td><td></td></tr><tr><td>Other</td><td></td><td></td></tr></tbody></table>	COORDINATING AGENCY	RECEIVED	DATE	Mayor			Health & Human Services			Marine Field Office			Municipal Utility Board			Port of Anchorage			Sold Works Division			Water & Wastewater Dept			Municipal Planning			Culture & Recreation			Employee Relations			Finance, Office of			Fire			Health & Human Services			Office of Management & Information			Management Information Systems			Police			Planning, Development & Public Works			Development Services			Facility Management			Parking			Project Management & Construction			Street Maintenance			Traffic			Public Transportation Department			Purchasing			Municipal Attorney			Municipal Clerk			Other			
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