

CLERK'S OFFICE

APPROVED

Date: 8-29-06

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Transportation Inspection
For reading: August 15, 2006

ANCHORAGE, ALASKA
No. AO 2006- 117

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION
2 11.30.040 TO PROHIBIT INDIVIDUALS REQUIRED TO REGISTER AS SEX
3 OFFENDERS OR CHILD KIDNAPPERS, PURSUANT TO AS 12.63.010, FROM
4 OBTAINING A CHAUFFEUR LICENSE.

5
6 THE ANCHORAGE ASSEMBLY ORDAINS:

7
8 **Section 1.** Anchorage Municipal Code section 11.30.040 is amended as follows
9 *(the remainder of the section is not affected, and therefore not set out):*

10
11 **11.30.040 Issuance of chauffeur's license.**

12
13 The Transportation Inspector shall issue a Municipal chauffeur's license to
14 an applicant only if:


15 *** **

16
17
18 **G. The applicant is not required to register as a sex offender or child**
19 **kidnapper pursuant to AS 12.63.010.**


20
21 (AO No. 57-75; AO No. 78-177; AO No. 79-58; AO No. 80-19(S); AO No.
22 84-18; AO No. 85-87; AO No. 87-8; AO No. 87-126(S); AO No. 98-51(S),
23 § 3, 5-4-99)

24
25
26 **Section 2.** This ordinance shall be effective immediately upon passage and
27 approval.

28
29 PASSED AND APPROVED by the Anchorage Assembly this 29th day of
30 August, 2006.

31
32
33 
34 Chair

35
36 ATTEST:

37
38 
39
40 Municipal Clerk

MUNICIPALITY OF ANCHORAGE

Summary of Economic Effects -- General Government

AO Number: 2006- 117

Title: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 11.30.040 TO PROHIBIT INDIVIDUALS REQUIRED TO REGISTER AS SEX OFFENDERS OR CHILD KIDNAPPERS, PURSUANT TO AS 12.63.010, FROM OBTAINING A CHAUFFEUR LICENSE.

Sponsor: Mayor
 Preparing Agency: Transportation Inspection
 Others Impacted: None

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)			
	FY06	FY07	FY08	FY09	FY10
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	0	0	0	0	0

PUBLIC SECTOR ECONOMIC EFFECTS:

No economic effect upon the public sector is anticipated.

PRIVATE SECTOR ECONOMIC EFFECTS:

Registered sex offenders will be denied a license to chauffeur regulated vehicles (taxicabs, limousines, and vehicles for hire) but no measurable private sector economic effect is anticipated.

Prepared by: Brent G. Fraser, Transportation Inspector

Telephone: 786-8525



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 563 -2006

Meeting Date: August 15, 2006

1 **From: MAYOR**

2
3 **Subject: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE**
4 **SECTION 11.30.040 TO PROHIBIT INDIVIDUALS REQUIRED TO**
5 **REGISTER AS SEX OFFENDERS OR CHILD KIDNAPPERS,**
6 **PURSUANT TO AS 12.63.010, FROM OBTAINING A CHAUFFEUR**
7 **LICENSE.**

8
9
10 The purpose of this memorandum is to request Assembly approval of a revision to Anchorage
11 Municipal Code section 11.30.040 to deny a chauffeur license to a person required to register
12 on the State of Alaska registry of sex offenders. Public hearing on this issue was held by the
13 Anchorage Transportation Commission on July 24, 2006, after which the Commission voted
14 unanimously to propose this amendment for Assembly approval.

15
16 The Municipality currently regulates the grant or denial of chauffeur licenses for those
17 operating regulated vehicles within the Municipality. AMC 11.30.040, Issuance of
18 chauffeur's license, addresses the requirements an applicant must meet to obtain a chauffeur's
19 license. Among these is a provision stating a chauffeur license shall not be granted to a
20 person convicted of certain types of felonies or misdemeanors within the past five years,
21 including prostitution, drug offenses, burglary, crimes which include an element of force, and
22 sexual crimes, among others.

23
24 Under the Alaska Sex Offender Registration Act, AS 12.63.010, any sex offender or child
25 kidnapper incarcerated in the State must register with the Department of Corrections within
26 30 days before release. If the individual is at liberty, he/she must register with local law
27 enforcement authorities within one working day of the conviction or of entering the State. If
28 convicted of a single, nonaggravated sex crime, the offender must provide annual verification
29 of the submitted information for 15 years. If convicted of an aggravated sex offense or of
30 two or more sex offenses, the offender must register for life and verify the information
31 quarterly. The offender's information is forwarded to the Department of Public Safety, which
32 maintains a central registry of offenders. The offender's name, aliases, address, photograph,
33 physical description, license and identification numbers of motor vehicles, place of
34 employment, date of birth, crime, date and place of conviction, length and conditions of
35 sentence, and a statement as to whether the offender is in compliance with the Registration

1 Act's update requirements or cannot be located are published over the Internet.

2
3 According to the U.S. Supreme Court in *Smith v. Doe*, 538 U.S. 84, 93 (2003), the legislative
4 intent behind the Alaska Sex Offender Registration Act was to release "certain information
5 about sex offenders to public agencies and the general public to assist in protecting the public
6 safety." The high risk of re-offense noted by the legislature and the U.S. Supreme Court
7 justifies the registration requirements of the Registration Act. The risk sought to be avoided
8 by the Registration Act and the purpose of this proposed ordinance amendment are
9 substantially the same: Protecting the public from a class of offender considered as a high risk
10 to re-offend.

11
12 This ordinance amendment to deny chauffeur licenses to those designated as sex offenders,
13 proposed to protect vulnerable passengers such as unaccompanied children and intoxicated
14 persons, is reasonably related to the protection of public safety and welfare.

15
16 THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE TO
17 PROHIBIT FROM OBTAINING A CHAUFFEUR LICENSE THOSE INDIVIDUALS
18 REQUIRED TO REGISTER AS SEX OFFENDERS OR CHILD KIDNAPPERS
19 PURSUANT TO AS 12.63.010.

20
21 Prepared by: Transportation Inspection
22 Approved by: Brent G. Fraser, Transportation Inspector
23 Concur: Frederick H. Boness, Municipal Attorney
24 Concur: Denis C. LeBlanc, Municipal Manager
25 Respectfully submitted: Mark Begich, Mayor

Content Information

Content ID : 004223

Type: Ordinance - AO

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 11.30.040 TO PROHIBIT INDIVIDUALS REQUIRED TO

Title: REGISTER AS SEX OFFENDERS OR CHILD KIDNAPPERS, PURSUANT TO AS 12.63.010, FROM OBTAINING A CHAUFFEUR LICENSE.

Author: fraserbg

Initiating Dept: TransportInspec

AN ORDINANCE AMENDING AMC 11.30.040 TO PROHIBIT

Description: INDIVIDUALS REQUIRED TO REGISTER AS SEX OFFENDERS OR CHILD KIDNAPPERS, UNDER AS 12.63.010, FROM OBTAINING A CHAUFFEUR LICENSE.

Date Prepared: 8/1/06 3:05 PM

Assembly

Meeting Date 8/15/06

MM/DD/YY:

Public Hearing

Date MM/DD/YY: 8/29/06

M.O.A.
2006 AUG -7 PM 1:15
CLERKS OFFICE

Workflow History

Workflow Name	Action Date	Action	User	Security Group	Content ID
AllOrdinanceWorkflow	8/1/06 3:19 PM	Checkin	fraserbg	Public	004223
TransportInspec_SubWorkflow	8/1/06 3:21 PM	Approve	fraserbg	Public	004223
OMB_SubWorkflow	8/1/06 4:24 PM	Approve	mitsonjl	Public	004223
AllOrdinanceWorkflow	8/1/06 5:02 PM	Reject	fehlenrl	Public	004223
AllOrdinanceWorkflow	8/2/06 9:53 AM	Checkin	fraserbg	Public	004223
TransportInspec_SubWorkflow	8/2/06 9:54 AM	Approve	fraserbg	Public	004223
OMB_SubWorkflow	8/2/06 12:48 PM	Approve	mitsonjl	Public	004223
Legal_SubWorkflow	8/2/06 4:29 PM	Approve	fehlenrl	Public	004223
MuniManager_SubWorkflow	8/4/06 8:11 AM	Approve	leblancdc	Public	004223
MuniMgrCoord_SubWorkflow	8/4/06 11:38 AM	Approve	abbottmk	Public	004223