

CLERK'S OFFICE

APPROVED

Date: 11-6-07  
IMMEDIATE RECONSIDERATION  
FAILED 11-6-07

Submitted by: ASSEMBLY MEMBERS TRAINI,  
Starr, Ossiander, Sullivan

Prepared by: Assembly Counsel

For reading: October 9, 2007

ANCHORAGE, ALASKA

AO NO. 2007-122(S)

1 AN ORDINANCE REPEALING ANCHORAGE MUNICIPAL CODE CHAPTERS  
2 15.80 AND 15.85, RELATING TO MOTOR VEHICLE EMISSIONS INSPECTION  
3 AND MAINTENANCE (I/M) PROGRAM; AMENDING SECTION 9.30.155 TO  
4 REPEAL REFERENCE TO I/M CERTIFICATION; AND AMENDING THE FINE  
5 SCHEDULE AT SECTION 14.60.030.

---

6  
7 WHEREAS, since July 1985, the Municipality of Anchorage is designated  
8 as the acting "implementing agency" and administrator for the Vehicle Inspection  
9 and Maintenance Program (I/M) under the State Air Quality Control Plan and  
10 State Implementation Plan (SIP), as authorized under AS 46.14.510 and 18 AAC  
11 Chapter 52; and

12  
13 WHEREAS, under regulations promulgated by the Alaska Department of  
14 Environmental Quality (ADEC), any amendment to the SIP as submitted by the  
15 ADEC to the Environmental Protection Agency (EPA) shall be reviewed and  
16 approved by the EPA; and

17  
18 WHEREAS, pursuant to AAC 52.035(f), the Municipality must submit to  
19 the ADEC for its approval any amendment to the Municipality's I/M Program at  
20 least one year prior to the proposed implementation or amendment date; and

21  
22 WHEREAS, for purposes of AAC 52.035(f), termination of the program is  
23 a significant amendment; and

24  
25 WHEREAS, State Division of Air Quality Director Tom Chapple is  
26 committed to timely amendment of the State Implementation Plan to reflect  
27 repeal of the Municipality's I/M program;

28  
29 NOW THEREFORE, THE ANCHORAGE ASSEMBLY ORDAINS:

30  
31 **Section 1.** Anchorage Municipal Code chapter 15.80, Vehicle Inspection and  
32 Maintenance Program, is repealed in its entirety. As required by  
33 section 1.05.050B., the current text of chapter 15.80 is attached.

34  
35 **Section 2.** Anchorage Municipal Code chapter 15.85, Requirements,  
36 Specifications, and Procedures for Motor Vehicle Emissions Inspection and  
37 Maintenance (I/M) Program, is repealed in its entirety. As required by

section 1.05.050B., the current text of chapter 15.85 is attached.

**Section 3.** Anchorage Municipal Code section 9.30.155 is amended to delete all of subsection E. as follows *(the remainder of the section is not affected and therefore not set out)*:

**9.30.155      Vehicle license plates and registration.**

\*\*\*      \*\*\*      \*\*\*

[E.] [A MOTOR VEHICLE THAT IS PARKED, STOPPED OR LEFT  
STANDING ON A STREET OR PRIVATE PROPERTY OPEN TO  
THE PUBLIC FOR TRAVEL OR PARKING, AND DOES NOT  
HAVE CURRENT REGISTRATION PROPERLY ATTACHED AS  
REQUIRED BY SUBSECTION A OF THIS SECTION, SHALL BE  
CONSIDERED PRIMA FACIE TO NOT HAVE A CURRENT  
EMISSIONS (I.M.) CERTIFICATION AS SPECIFIED IN SECTION  
15.80.010.]

[1.] [A CITATION ISSUED UNDER SUBSECTION E OF THIS  
SECTION, MAY BE DISMISSED BY THE PARKING  
AUTHORITY IF AN I.M. INSPECTION CERTIFICATE,  
DATED PRIOR TO THE DATE OF THE VIOLATION, IS  
PROVIDED WITHIN 30 DAYS OF THE VIOLATION, AND  
SHALL OMIT THE SCHEDULED PENALTY FOR THE  
OFFENSE. ADDITIONALLY, IF THE REGISTERED  
OWNER DOES NOT PRINCIPALLY UTILIZE AND/OR  
GARAGE THE VEHICLE WITHIN THE MUNICIPALITY AND  
PROVIDES THE PARKING AUTHORITY WITH PROOF OF  
RESIDENCY, SHALL OMIT THE SCHEDULED PENALTY  
FOR THE OFFENSE. SUCH DISMISSALS SHALL NOT  
APPLY TO ANY LATE PENALTIES OR COLLECTION  
CHARGES.]

[2.] [A MOTOR VEHICLE TICKETED FOR VIOLATING THIS  
SECTION SHALL NOT BE TICKETED AT THE SAME TIME  
FOR BOTH I.M. AND REGISTRATION VIOLATIONS.]

(CAC 9.44.020; AO No. 78-72; AO No. 80-4; AO No. 85-40; AO No. 92-  
28; AO No. 92-134(S); AO No. 94-68(S), § 16, 8-11-94; AO No. 95-6, § 4,  
5-16-95; AO No. 2003-152S, § 3, 1-1-04)

**Section 4.** Anchorage Municipal Code section 14.60.030 is amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**14.60.030    Fine schedule.**

The fine schedule under this chapter is as follows:

TABLE INSET:

Code Section		Offense	Penalty/Fine
***		***	***
[15.80.010]	[A.]	[VEHICLE INSPECTION]	[200.00]
	[B.]	[VEHICLE INSPECTION]	[200.00]
	[F.]	[IMPROPER INSPECTION]	[75.00]
	[H.]	[IMPROPER ADVERTISEMENT]	[75.00]
[15.80.040]	[I/M COMPLIANCE]		[75.00]
[15.80.050]	[A. NON RESOLUTION]		[75.00]
	[B. OTHER VIOLATION]		[UP TO 300.00]

\*\*\*      \*\*\*      \*\*\*

(AO No. 93-167(S-1), § 1, 4-13-94; AO No. 94-108, § 1, 10-5-94; AO No. 94-134, § 2, 9-8-94; AO No. 95-42, § 2, 3-23-95; AO No. 95-67(S), § 9, 7-1-95; AO No. 95-102, § 1, 4-26-95; AO No. 95-118, § 3, 9-1-95; AO No. 95-163(S), § 21, 8-8-95; AO No. 95-195(S-1), 1-1-96; AO No. 96-51(S-1), § 2, 8-1-96; AO No. 96-96(S-1), § 2, 2-1-97; AO No. 96-126(S), § 3, 10-1-96; AO No. 96-137(S), § 9, 1-2-97; AO No. 97-88, § 3, 6-3-97; AO No. 97-107, § 3, 11-17-97; AO No. 97-133(S), § 1, 11-11-97; AO No. 98-27(S-1), § 2, 11-11-97; AO No. 98-160, § 2, 12-8-98; AO No. 99-13(S), 2-9-99; AO No. 99-91(S), § 4, 7-13-99; AO No. 2000-64, § 1, 4-18-00; AO No. 2000-116(S), § 4, 7-18-00; AO No. 2000-127(S), § 2, 10-14-00; AO No. 2000-129(S), § 26, 11-21-00; AO No. 2001-48, § 1, 3-13-01; AO No. 2001-74(S), § 2, 4-17-01; AO No. 2001-4, § 2, 2-6-01; AO No. 2001-145(S-1), § 11, 12-11-01; AO No. 2003-68, § 1, 9-30-03; AO No. 2003-97, § 4, 9-30-03; AO No. 2003-117, § 2, 1-28-03; AO No. 2003-130, § 8, 10-7-03; AO No. 2003-152S, § 10, 1-1-04; AO No. 2004-1, § 2, 1-1-03; AO No. 2004-99, § 2, 6-22-04; AO No. 2004-100(S-1), § 6, 1-1-05; AO No. 2004-171, § 1, 1-11-05; AO No. 2005-160, § 9, 11-1-05; AO No. 2005-84(S), § 3, 1-1-06; AO No. 2005-185(S), § 35, 2-28-06; AO No. 2005-124(S-1A), § 33, 4-18-06; AO No. 2006-39, § 6, 4-11-06; AO No. 2006-54, § 1, 5-2-06; AO No. 2006-80, § 1, 6-6-06)

**Section 5.** The Department of Health and Human Services, through the I/M Administrator, shall prepare a Termination Plan for submission to the ADEC as part of a revised State Implementation Plan (SIP) in accordance with applicable regulations of the Alaska Administrative Code.

**Section 6.** Sections 1 through 4 of this ordinance shall become effective December 31, 2009, or thirty (30) days after ADEC provides written notice to the I/M Administrator that both ADEC and EPA have duly accepted and approved termination of the I/M Program in accordance with amendments to the State Air Quality Control Plan and State Implementation Plan (SIP), if ADEC and EPA approval occurs first.

**Section 7.** Sections 5 and 6 of this ordinance shall become effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 6<sup>th</sup> day of November, 2007.

  
Chair

ATTEST:

  
Municipal Clerk

Municipality of Anchorage  
MUNICIPAL CLERK'S OFFICE  
**Agenda Document Control Sheet**

AO 2007-122(S)

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

<b>1</b>	SUBJECT OF AGENDA DOCUMENT S VERSION - I/M PROGRAM	DATE PREPARED 10/9/07	
		Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM	
<b>2</b>	DEPARTMENT NAME Assembly	DIRECTOR'S NAME Dan Coffey, Assembly Chair	
	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY Julia Tucker, Assembly Counsel	HIS/HER PHONE NUMBER 343-4419	
<b>4</b>	<b>COORDINATED WITH AND REVIEWED BY</b>	<b>INITIALS</b>	<b>DATE</b>
	Mayor		
	Municipal Clerk		
	Municipal Attorney		
	Employee Relations		
	Municipal Manager		
	Anchorage Parks & Recreation		
	Fire		
	Health & Human Services		
	Merrill Field Airport		
	Municipal Light & Power		
	Office of Management and Budget		
	Police		
	Port of Anchorage		
	Office of Economic & Community Development		
	Solid Waste Services		
	Public Transportation		
	Anchorage Water & Wastewater Utility		
	<b>Executive Manager</b>		
	Planning Department		
	Chief Fiscal Officer		
	Heritage Land Bank		
	Information Technology Department		
	Project Management & Engineering		
	Purchasing		
	<b>Other</b>		
<b>5</b>	<b>Special Instructions/Comments</b>		
	Laid on the Table Item - New Public Hearings		
<b>6</b>	ASSEMBLY HEARING DATE REQUESTED 10/9/07	<b>7</b>	PUBLIC HEARING DATE REQUESTED 10/9/07

2007 OCT - 9 PM 3:39  
 M.O.A.  
 CLERK'S OFFICE