

CLERK'S OFFICE

APPROVED

2-14-06

Submitted by: Chair of the Assembly At
The Request of the Mayor
Prepared by: Department of Health and
Human Services
For reading: January 24, 2006

ANCHORAGE, ALASKA
AO NO. 2006-13

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTERS 15.80 AND
2 15.85 TO COMPLY WITH STATE I/M REGULATIONS AND TO COMPLY WITH DMV
3 ELECTRONIC PROCEDURES.

4
5 THE ANCHORAGE ASSEMBLY ORDAINS:

6
7 **Section 1.** Anchorage Municipal Code section 15.80.010 is hereby amended to read as follows
8 (*the remainder of the section is not affected and therefore not set out*):
9

10 **15.80.010** **General provisions.**

11 *** *** ***
12

13
14 C. *Certificate of inspection.* [BEGINNING ON OR AFTER JANUARY 1, 2000, TWO
15 VERSIONS OF T] The certificate of inspection shall [WILL] be [UTILIZED]:

16
17 1 [2]. [A]A windshield sticker which is affixed to the lower left side portion of the
18 interior front windshield.

19 [A PAPER CERTIFICATE OF INSPECTION THAT IS PRINTED BY THE
20 EIS AND VALIDATED IN A MANNER IDENTIFIED BY THE I/M
21 PROGRAM ADMINISTRATOR.]

22
23 2. A certificate of inspection [AND] windshield sticker issued in accordance
24 with the procedures specified in this chapter [THE I/M PROGRAM
25 DESIGN], not more than ninety (90) days previous, shall be required prior to
26 vehicle registration or vehicle registration renewal with the state division of
27 motor vehicles for all vehicles subject to the requirements of this chapter
28 [THE I/M PROGRAM DESIGN].
29

30 *** *** ***

31 (AO No. 84-110; AO No. 85-8; AO No. 87-27; AO No. 87-35; AO No. 88-154(S); AO No.
32 88-184; AO No. 93-216(S), § 1, 2-15-94; AO No. 94-195, § 1, 10-25-94; AO No. 96-137(S),
33 §§ 1--6, 1-2-97; Ord. No. 96-154, § 1, 1-2-97; AO No. 99-160, § 1, 1-11-00; AO No. 2000-
34 92, § 1, 8-15-00; AO No. 2003-44, § 1, 3-18-03)

35 *Editor's note:* AO 2000-92 (amended and approved 8-15-00) contains changes to this section
36 conditioned and effective upon State approval.

1
2 **Section 2.** Anchorage Municipal Code section 15.80.020 is hereby amended to read as follows:

3
4 **15.80.020 Referee station.**

5
6 The I/M program [DESIGN IS TO PROVIDE THAT THE] referee station [ANTICIPATED
7 IN THE I/M PROGRAM DESIGN] shall be offered for operation either directly or by the
8 private sector.

9
10 (AO No. 84-110; AO No. 99-160, § 2, 1-11-00)

11
12 **Section 3.** Anchorage Municipal Code section 15.80.060 is hereby amended to read as follows
13 *(the remainder of the section is not affected and therefore not set out):*

14
15 **15.80.060 Waiver for seasonal use vehicles.**

16
17 *** **

18 B. An application for a seasonal use waiver may be completed at the I/M program office
19 and shall be signed by the applicant and notarized. Upon approval by the I/M
20 program administrator's office of the seasonal use waiver application, the applicant
21 shall be issued an I/M certificate of inspection seasonal waiver [AND A] windshield
22 sticker.

23
24 *** **

25 (AO No. 93-222(S), § 1, 8-1-94; AO No. 95-118, § 1, 9-1-95; AO No. 99-132, § 2, 11-9-99;
26 AO No. 99-160, § 6, 1-11-00)

27 *Editor's note:* AO 2000-92 § 3 (amended and approved 8-15-00) contains changes to this
28 section conditioned and effective upon State approval.

29
30 **Section 4.** Anchorage Municipal Code section 15.85.210 is hereby amended to read as follows
31 *(the remainder of the section is not affected and therefore not set out):*

32
33 **15.85.210 Certificate of inspection [AND STICKER].**

34
35 A. All vehicles requiring a certificate of inspection under section 15.85.220 shall obtain
36 a certificate of inspection [(BOTH PAPER AND WINDSHIELD VERSIONS)] at
37 least biennially. A certificate of inspection required under this chapter may be issued
38 only by the I/M program administrator, the referee facility, or a station certified under
39 section 15.85.420. [BEGINNING ON OR AFTER JANUARY 1, 2000, TWO
40 VERSIONS OF THE CERTIFICATE OF INSPECTION WILL BE UTILIZED:

41 1. A VALID PAPER CERTIFICATE OF INSPECTION THAT:

42 A. IS PRINTED BY THE EIS AND VALIDATED IN A MANNER
43 IDENTIFIED BY THE I/M PROGRAM ADMINISTRATOR;
44

- 1 B. IS SIGNED BY A CERTIFIED I/M MECHANIC WHO ATTESTS
2 THAT HE/SHE HAS INSPECTED THE VEHICLE AND THAT
3 THE VEHICLE HAS PASSED AN I/M TEST; AND
4 C. BEARS THE STATEMENT ABOVE THE MECHANIC'S
5 SIGNATURE THAT FALSE STATEMENTS,
6 REPRESENTATIONS, OR CERTIFICATIONS MAY BE
7 PUNISHABLE BY LAW.]
8

9 [2.] The certificate of inspection shall be a windshield sticker [WHICH IS] affixed to
10 the lower left side portion of the interior front windshield of a vehicle that has passed
11 an I/M test or has received an I/M waiver or I/M exemption.
12

13 B. Visual identification of certificate of inspection
14

- 15 1. The [WINDSHIELD VERSION OF THE] certificate of inspection:
16

17 *** **

- 18 c. shall [MUST] be affixed on a vehicle at the time of inspection by the
19 certified mechanic who performs the inspection and correspond to the
20 valid electronic record [PAPER VERSION OF THE CERTIFICATE
21 OF INSPECTION]; and
22

23 *** **

- 24 2. The I/M program administrator shall:
25

- 26 a. hold each certified station accountable for all [WINDSHIELD
27 VERSIONS OF THE] certificates of inspection that were issued to
28 that station by the municipality; and
29
30 b. establish procedures in this chapter for appropriate enforcement
31 action to be taken against a station for any windshield certificates of
32 inspection that are missing and cannot be accounted for.
33

34 (AO No. 99-160, § 7, 1-11-00; AO No. 2000-92, § 4, 8-15-00)

35 *Editor's note:* AO 2000-92 (amended and approved 8-15-00) contains changes to this
36 section conditioned and effective upon State approval.
37

38 **Section 5.** Anchorage Municipal Code section 15.85.220 is hereby amended to read as follows
39 *(the remainder of the section is not affected and therefore not set out):*
40

41 **15.85.220 Vehicles requiring certificate of inspection.**
42

43 *** **

- 44 B. *Exemptions.* Notwithstanding the requirements of section 15.85.220A., the following
45 vehicles are exempt from the requirements of the I/M program:

1
2 *** **

3 4. a model year 2004 or newer vehicle, except these vehicles shall have their
4 first I/M inspection when the current calendar year equals the vehicle model
5 year plus four years, and subsequent inspections every two years thereafter.
6 [A MODEL YEAR VEHICLE EQUAL TO THE CURRENT CALENDAR
7 YEAR OR THE CURRENT CALENDAR YEAR MINUS ONE.
8 THEREFORE, IN CALENDAR YEAR 1997, MODEL YEAR 1997 AND
9 MODEL YEAR 1996 (1997 - 1) VEHICLES ARE EXEMPT.]

10
11 *** **

12 C. *Frequency of inspections.* All non-exempt vehicles are required to be inspected in
13 accordance with this chapter [I/M PROGRAM DESIGN].

- 14
15 1. Motorists operating non-exempt vehicles shall obtain a certificate of
16 inspection [AND STICKER] not more than ninety (90) days prior to initial
17 registration with DMV. Unless specifically approved by the program
18 administrator, non-exempt vehicles shall obtain a certificate of inspection
19 [AND STICKER] not more than ninety (90) days prior to the registration
20 [RENEWAL] expiration date [OR NOT MORE THAN ONE YEAR (365
21 DAYS) PRIOR TO CHANGE OF OWNERSHIP DATE].
- 22
23 2. Motorists operating non-exempt vehicles shall have their vehicles inspected
24 at a certified station by a certified mechanic and shall obtain a valid
25 certificate of inspection [AND STICKER] within thirty (30) days of entering
26 the municipality.
- 27
28 3 [4]. Failure to comply with these emission inspection requirements may result in a
29 fine of \$50.00 to \$1,000.00 as provided under section 15.05.120A of this
30 title.

31
32 [A MOTOR VEHICLE DEALER MAY USE A CERTIFICATE OF
33 INSPECTION THAT WAS ISSUED WITHIN THE PREVIOUS 12
34 MONTHS TO REGISTER A USED MOTOR VEHICLE IF:

- 35 A. THE DEALER USES THE CERTIFICATE TO REGISTER THE
36 VEHICLE IN THE PURCHASER'S NAME;
37 B. AND THE CERTIFICATE WAS ISSUED WHILE THE VEHICLE
38 WAS HELD IN THE DEALER'S INVENTORY FOR SALE.
39 C. AFTER THE VEHICLE IS REGISTERED UNDER THIS
40 SUBSECTION, THE CERTIFICATE IS INVALID AND MAY NOT
41 BE USED TO REGISTER THE VEHICLE AGAIN OR TO RENEW
42 VEHICLE REGISTRATION.]

43
44 D. *Transfer of ownership.* Sellers of non-exempt vehicles [, MODEL YEAR 1987 OR
45 OLDER,] are required to provide buyers of said vehicles with current I/M certificates

of inspection or noncompliance. Specifically:

1. Prior to the delivery of the vehicle to the buyer, the seller of a non-exempt vehicle shall provide [PRESENT] to the purchaser of the vehicle either:

a. A current [VALID] I/M certificate of inspection issued not more than two [ONE] years prior to the date of sale and/or date of delivery to the purchaser; [,] or [:]

*** **

2. Sellers of vehicles sold through an impound sale in accordance with AS 28.10.502, or sections 9.28.026 and 9.50.020 of this code, are exempt from the above I/M requirement provided:

a. Vehicles are sold without license [CERTIFICATE] plates; [.] and[;]

*** **

(AO No. 99-160, § 7, 1-11-00; AO No. 2000-92, § 5, 8-15-00)

Editor's note: AO 2000-92 (amended and approved 8-15-00) contains changes to this section conditioned and effective upon State approval.

Section 6. Anchorage Municipal Code Section 15.85.230 is hereby amended to read as follows
(the remainder of the section is not affected and therefore not set out):

15.85.230 Initial inspections.

*** **

C. An initial inspection shall be performed at a certified I/M station on a vehicle [THAT IS] scheduled for an I/M test or [IS] within ninety (90) days of license or registration [CERTIFICATE] expiration before the vehicle is subjected to any emission-related repairs for which the charge is more than \$30.

(AO No. 99-160, § 7, 1-11-00)

Section 7. Anchorage Municipal Code section 15.85.235 is hereby amended to read as follows
(the remainder of the section is not affected and therefore not set out):

15.85.235 Special waivers.

*** **

C. Outside Use [UUE]. Upon receipt of required documentation, the I/M program administrator may approve a waiver and issue a certificate of inspection for a vehicle [THAT IS] registered in, but not operated or located in, the I/M program area. A windshield sticker shall [WILL] not be issued in conjunction with an outside use

1 waiver. A waiver issued under this subsection shall be valid for one inspection cycle.
2 *** **

3
4 E. *Parts unavailability.* Upon receipt of required documentation, supplied by the station
5 [WHICH] performing [ED] the I/M test and producing [ED] the estimate of repairs,
6 the referee may approve a waiver and issue a certificate for a vehicle that cannot be
7 repaired due to the unavailability of parts to repair the vehicle. A waiver issued
8 under this subsection shall be valid for one inspection cycle [, AS SPECIFIED
9 UNDER 18 AAC 52.070(D) AND 18 AAC 52.070(E)]. For a vehicle to qualify for a
10 waiver under this subsection, the vehicle shall be referred [BY THE STATION] to
11 the referee facility by means of a properly completed referee referral form.
12 *** **

13
14 (AO No. 99-160, § 7, 1-11-00; AO No. 2000-92, § 6, 8-15-00).

15 *Editor's note:* AO 2000-92 (amended and approved 8-15-00) contains changes to this section
16 conditioned and effective upon State approval.

17
18 **Section 8.** Anchorage Municipal Code section 15.85.270 is hereby amended to read as follows
19 *(the remainder of the section is not affected and therefore not set out):*

20
21 **15.85.270 Definitions [TERMINOLOGY].**

22
23 *** **

24 *Certificate of inspection* means [: A.] a [VALID PAPER VERSION USED FOR VEHICLE
25 REGISTRATIONS AT DMV, A] windshield sticker [VERSION THAT REPRESENTS
26 THE VISUAL IDENTIFICATION OF THE CERTIFICATE OF INSPECTION,] or an
27 electronic file version of the certificate [THAT IS] automatically transferred to DMV for
28 registration of the vehicle by phone or internet, issued to a motorist whose vehicle has
29 received a waiver; or whose vehicle passed the required [HAS RECEIVED A PASSING]
30 I/M test. The windshield sticker shall be affixed to the vehicle passing an I/M test or
31 receiving a waiver. [THE VALID PAPER VERSION IS A FORM THAT:

- 32 1. IS PRINTED BY THE EIS AND VALIDATED IN A MANNER
- 33 IDENTIFIED BY THE IMPLEMENTING AGENCY,
- 34 2. IS SIGNED BY A CERTIFIED MECHANIC WHO ATTESTS THAT HE
- 35 OR SHE HAS INSPECTED THE VEHICLE AND THAT THE VEHICLE
- 36 HAS PASSED AN I/M TEST, AND
- 37 3. BEARS THE STATEMENT ABOVE THE MECHANIC'S SIGNATURE
- 38 THAT FALSE STATEMENTS, REPRESENTATIONS, OR
- 39 CERTIFICATIONS MAY BE PUNISHABLE BY LAW;
- 40 B. THE WINDSHIELD VERSION IS TO BE AFFIXED TO THE VEHICLE THAT
- 41 HAS PASSED AN I/M TEST OR HAS RECEIVED A WAIVER.]

42 *** **

43
44 *Licensed* [CERTIFICATED] (vehicle) means a vehicle assigned a unique license
45 [CERTIFICATE] plate[S] [(TWO)] issued by DMV with a matching registration including

1 [THAT INCLUDES] a record of a current or expired license [CERTIFICATE] plate year tab
2 number.

3 *** **

4
5 OBD Test means an I/M inspection on a 1996 or newer model year vehicle equipped with a
6 manufacturer-installed on-board diagnostic system.

7 *** **

8
9 Registration or Registered (vehicle) means a registration record, computer or hard copy,
10 issued by the State of Alaska Division of Motor Vehicles (DMV) from an application
11 submitted by the vehicle owner. The record discloses information on the specific vehicle
12 including, but not limited to, the license [CERTIFICATE] number, vehicle identification
13 number, the registered owner(s) name, residence and mailing address and the expiration date
14 [STATUS] of the license [CERTIFICATE] plates [EXPIRATION].

15 *** **

16
17 (AO No. 99-160, § 7, 1-11-00; AO No. 2000-92, § 7, 8-15-00)

18 *Editor's note:* AO 2000-92 (amended and approved 8-15-00) contains changes to this section
19 conditioned and effective upon State approval.

20
21 **Section 9.** Anchorage Municipal Code section 15.85.350 is hereby amended to read as follows
22 *(the remainder of the section is not affected and therefore not set out):*

23
24 **15.85.350 Program evaluation and reporting.**

25
26 *** **

27 C. The program administrator shall prepare and submit an annual report to the ADEC
28 consistent with the reporting requirements of 18 AAC 52.037 [40[(K) AND 18 AAC
29 52.040(1)].

30
31 (AO No. 99-160, § 7, 1-11-00)

32
33 **Section 10.** Anchorage Municipal Code section 15.85.380 is hereby amended to read as follows
34 *(the remainder of the section is not affected and therefore not set out):*

35
36 **15.85.380 Certificates of inspection.**

37
38 *** **

39
40 E. Certified I/M stations shall sell replacement stickers for vehicles that have had the
41 current [ORIGINAL] sticker destroyed. The certified I/M station shall [MUST]
42 require proof that the current sticker has been destroyed. This proof may include
43 pieces of the sticker with identifying numbers or a receipt showing the windshield
44 has been replaced. After receiving satisfactory proof the mechanic shall follow the
45 instructions on the EIS, issue the new sticker [AND PAPER CERTIFICATE], and

1 install the sticker on the windshield.
2

3 (AO No. 99-160, § 7, 1-11-00; AO No. 2000-92, § 8, 8-15-00)

4 *Editor's note:* AO 2000-92 (amended and approved 8-15-00) contains changes to this section
5 conditioned and effective upon State approval.
6

7 **Section 11.** Anchorage Municipal Code section 15.85.620 is hereby amended to read as follows
8 *(the remainder of the section is not affected and therefore not set out):*
9

10 **15.85.620 Preliminary inspection and safety check.**
11

12 *** **

13 C. The owner or operator of an I/M station, or a certified I/M mechanic employed by the
14 station, shall refer the following vehicles to the referee facility for inspection, or to
15 verify qualification for a waiver under section 15.85.235:
16

17 *** **

18 6 [7]. a vehicle [THAT CAUSES THE EIS TO ABORT THE I/M TEST IF THE
19 CONDITION THAT CAUSED AN ABORT APPEARS] is [TO BE DUE
20 TO] incompatible with [INCOMPATIBILITY BETWEEN THE VEHICLE
21 AND] the EIS.
22

23 [A USED VEHICLE THAT WAS PURCHASED FROM A PERSON
24 ENGAGED IN THE BUSINESS OF SELLING USED VEHICLES AND
25 THAT REQUIRES A TRANSFER OF OWNERSHIP UNDER AS
26 45.45.400(A); FOR A VEHICLE DESCRIBED IN THIS PARAGRAPH,
27 THE CERTIFIED MECHANIC OR STATION SHALL REFER THE
28 MOTORIST TO THE DEALER WHO SOLD THE VEHICLE;]
29

30 *** **

31 (AO No. 99-160, § 7, 1-11-00)
32

33 **Section 12.** Anchorage Municipal Code section 15.85.660 is hereby amended to read as follows
34 *(the remainder of the section is not affected and therefore not set out):*
35

36 **15.85.660 Maintenance and calibration.**
37

38 A. A certified I/M station operator shall ensure [THAT] all equipment used in the
39 performance of emission repairs is properly maintained. EIS's shall [MUST] be
40 maintained and serviced by [UNDER A CONTRACT WITH] the vendor of the
41 system or a third party approved by the vendor of the system.
42

43 *** **

44 (AO No. 99-160, § 7, 1-11-00)
45

1 **Section 13.** Anchorage Municipal Code section 15.85.740 is hereby amended to read as follows
2 *(the remainder of the section is not affected and therefore not set out):*
3

4 **15.85.740 List of aftermarket parts.**

5
6 *** **

7 D. In addition to the listed aftermarket parts, certified I/M stations may use other
8 aftermarket replacement parts that are functionally identical to the original equipment
9 parts in all respects that in any way affect emissions. An example of such a part
10 would be a replacement engine hose [NOSE]. Explicit approval of such a
11 replacement part by either the CARB or the I/M program administrator is not
12 required, although the CARB does require the manufacturers of such parts to
13 maintain records such as test data to substantiate that the replacement parts are
14 functionally identical to the original equipment parts.

15
16 *** **

17 (AO No. 99-160, § 7, 1-11-00)

18
19 **Section 14.** This ordinance shall become effective immediately upon passage and approval by the
20 Assembly, subject to approval of these Municipal I/M Program amendments by the State of Alaska,
21 Department of Environmental Conservation.

22
23 PASSED AND APPROVED by the Assembly this 14th day of February, 2006.

24
25
26 Anna J. Fairclough
27 Chair
28

29 ATTEST:

30 Shirley S. Duenst
31
32 Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2006 -13

Title: An ordinance amending Anchorage Municipal Code Chapter 15.80 and 15.85 to comply with state I/M regulations and to comply with DMV electronic procedures

Sponsor: Mayor
 Preparing Agency: Department of Health and Human Services
 Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:								(In Thousands of Dollars)
	FY04	FY05	FY06	FY07	FY08	FY09	FY10	
Operating Expenditures								
1000 Personal Services			(\$62)	(\$172)	no further reductions anticipated			
2000 Non-Labor			(\$10)	-				
3900 Contributions			-	-				
4000 Debt Service			-	-				
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ (72)	\$ (172)	\$ -	\$ -	\$ -	
Add: 6000 Charges from Others								
Less: 7000 Charges to Others								
FUNCTION COST:	\$ -	\$ -	(\$72)	\$ (172)	\$ -	\$ -	\$ -	
REVENUES:			(\$72)	(\$172)	no further reductions anticipated			
CAPITAL:								
POSITIONS: FT/PT and Temp			-1	-2				

PUBLIC SECTOR ECONOMIC EFFECTS:

As a result of this ordinance, in 2006 and in 2007 two-year old vehicles will not be I/M tested for the first time. Due to the mid-year implementation of changing I/M test frequency from annual to biennial in 1997, the number of vehicles tested in a typical even year is somewhat higher than in an odd year.

Reorganization of I/M and air quality staff as well as reduction in other direct and indirect charges will be necessary.

	2004	2005	2006	2007	2008	2009	2010
Current Ordinance -							
# Vehicles Tested	100,840	96,000	104,900	101,400	109,900	106,400	114,900
Proposed Ordinance -							
# Vehicles Tested	100,840	96,900	100,900	91,850	105,900	96,850	110,900
Difference - #							
Vehicles Tested	0	0	(4,000)	(9,550)	(4,000)	(9,550)	(4,000)
Revenue Change @							
\$18 Pr/Test	\$0	\$0	(\$72,000)	(\$172,000)			

PRIVATE SECTOR ECONOMIC EFFECTS:

The I/M test industry will see similar reductions in number of vehicles to be I/M tested. There may also be decreases in numbers of repairs performed on new vehicles, however many new vehicle repairs will continue to be performed by dealers on vehicles still under warranty. Vehicle owners may defer routine maintenance.

Owners of three and four most recent model year vehicles will save the cost of I/M tests and certificates. Should repairs and maintenance be deferred, those costs will also be saved.