

Submitted by: VICE CHAIR SELKREGG, ASSEMBLY  
MEMBER DRUMMOND

Prepared by: Assembly Counsel  
For reading: June 24, 2008

*Revised indefinitely 7/29/08*

ANCHORAGE, ALASKA  
AO NO. 2008-82

1 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING  
2 ANCHORAGE MUNICIPAL CODE SECTION 9.44.400, OWNER'S RESPONSIBILITY,  
3 AND SECTION 15.70.090, MOTOR VEHICLE NOISE EMISSION STANDARDS, TO  
4 REQUIRE VEHICLE NOISE AND SAFETY INSPECTIONS AND TO PROVIDE FOR  
5 PROGRAM IMPLEMENTATION, FEES AND FINES, AND EFFECTIVE DATES.  
6

7  
8 THE ANCHORAGE ASSEMBLY ORDAINS:

9  
10 **Section 1.** Anchorage Municipal Code subsection 9.44.400, Owner's responsibility, is  
11 hereby amended by adding a new subsection to read as follows (*language indicating no*  
12 *amendment is included for context only*):

13  
14 **9.44.400 Owner's responsibility.**

- 15  
16 A. It is unlawful for the owner or any other person employing or otherwise  
17 directing the driver of any vehicle to cause the operation of the vehicle  
18 upon a street in any manner contrary to this Code.  
19  
20 B. It is unlawful for an owner to request, cause or permit the operation of any  
21 vehicle which is not equipped as required by this Code.  
22  
23 C. It is the vehicle owner's responsibility to secure a biennial safety  
24 inspection of the vehicle, to include a compliance certificate verifying that  
25 the vehicle is safe to operate and the muffler meets the noise emission  
26 standards in AMC 15.70.090.  
27  
28 1. If the vehicle is subject to the motor vehicle emissions inspection  
29 and maintenance (I/M) program administered by the municipality,  
30 the IM inspection certificate will not be issued unless vehicle safety  
31 and muffler compliance are verified under regulations established  
32 by the department of health and human services.

33  
34 (CAC 9.44.400; AO No. 78-72; AO No. 80-4)

35  
36 **Section 2.** Anchorage Municipal Code subsection 15.70.090B, Motor vehicle noise  
37 emission standards, is hereby amended to read as follows (*language indicating no*  
38 *amendment is included for context only*):  
39

**15.70.090 Motor vehicle noise emission standards.**

A. No person shall operate or cause to be operated a motor vehicle or motorcycle on a public right-of-way at any time in such a manner that the sound level emitted by the motor vehicle or motorcycle exceeds the level set forth in table 2 when measured at 50 feet or more or an equivalent sound level at some other convenient distance according to testing procedures established pursuant to Section 15.70.040.B.1.

TABLE 2. MOTOR VEHICLE NOISE EMISSION STANDARDS

TABLE INSET:

Vehicle Class	In Speed Zones 35 mph or Less (dB(A))	In Speed Zones Over 35 mph (dB(A))	Stationary Run-up (dB(A))
Motor vehicle of GVWR or GCWR of 10,000 pounds or more engaged in interstate commerce	86	90	88
All other motor vehicles of GVWR or GCWR of 10,000 pounds or more	86	90	--
Any motorcycle	76	80	--
Any other motor vehicle and any combination of vehicles towed by such motor vehicle	76	80	--

B. No person shall operate or cause or allow to be operated any motor vehicle or motorcycle not equipped with a muffler or other sound-dissipative device in good working order and in constant operation. No person shall remove or render inoperative or cause or allow to be removed or rendered inoperative other than for purposes of maintenance, repair or replacement any muffler or sound-dissipative device on a motor vehicle or motorcycle. It is the vehicle owner's responsibility to secure a biennial safety inspection of the vehicle in compliance with AMC 9.44.400, to include a compliance certificate verifying that the vehicle is safe to

operate and the muffler meets the noise emission standards in AMC 15.70.090.

1. If the vehicle is subject to the motor vehicle emissions inspection and maintenance (I/M) program administered by the municipality, the IM inspection certificate will not be issued unless vehicle safety and muffler compliance are verified under regulations established by the department of health and human services.

2. Inspection fees for vehicle safety and muffler compliance shall be separate from IM program fees.

\*\*\* \*\*

(GAAB 16.85; AO No. 78-48)

**Section 3.** The department of health of human services shall provide for program implementation, administrative fees, and fines under proposed regulations in compliance with the requirements of Section 1 and 2 of this ordinance by no later than \_\_\_\_\_, for review and approval by the assembly.

**Section 4 .** Sections 1 and 2 of this ordinance shall be effective on the \_\_\_ day following adoption of regulations by the assembly.

**Section 5.** Section 3 of this ordinance shall become effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Municipal Clerk

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**MUNICIPALITY OF ANCHORAGE**  
**ASSEMBLY MEMORANDUM**  
**NO. AM 434-2008**

**Meeting Date: June 24, 2008**

1       **From:** Vice Chair Selkregg  
2       **Subject:** **AO 2008-82 — AN ORDINANCE OF THE ANCHORAGE MUNICIPAL**  
3                   **ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTION**  
4                   **9.44.400, OWNER'S RESPONSIBILITY, AND SECTION 15.70.090, MOTOR**  
5                   **VEHICLE NOISE EMISSION STANDARDS, TO REQUIRE VEHICLE NOISE**  
6                   **AND SAFETY INSPECTIONS AND TO PROVIDE FOR PROGRAM**  
7                   **IMPLEMENTATION, FEES AND FINES, AND EFFECTIVE DATES.**  
8

9       The purpose of AO 2008-82 is to ensure that the municipal department of health and  
10       human services will have the authority and direction from the Assembly to provide for a  
11       vehicle safety and muffler noise inspection and certification program.  
12

13       Municipal requirements related to vehicle safety are codified now in title 9 of the  
14       Anchorage Municipal Code. Muffler specifications are codified now in title 9, with  
15       specific noise level mandates in chapter 15.70.  
16

17       AO 2008-82 is independent from requirements and exemptions offered under the I/M  
18       program. AO 2008-82 is intended to allow the department of health and human  
19       services to provide program administration detail under departmental regulations to be  
20       reviewed and approved by the Assembly. Implementation of the compliance program  
21       under AO 2008-82 is intended to parallel proposed reinstatement and revision to the I/M  
22       program, with sufficient flexibility to foster coordination between programs.  
23

24       Vehicle noise pollution and unsafe vehicles are illegal now. The problem is getting  
25       worse because there is presently no avenue of viable enforcement. AO 2008-82  
26       proposes periodic mandatory inspection and certification of compliance, for vehicles  
27       now governed by title 9 and title 15, including motorcycles.  
28

29       AO 2008-82 is drafted in anticipation of the department and health and human services  
30       providing input as to timelines and effective dates, in the course of public hearing and  
31       assembly deliberation.  
32

33       Respectfully submitted:

34  
35       Sheila Selkregg, Ph.D.  
36       Assembly Member, Section 5



**MUNICIPALITY OF ANCHORAGE**  
**ASSEMBLY INFORMATION MEMORANDUM**  
**NO. AIM 57-2008**

**Meeting Date: July 15, 2008**

1 **From:** Assemblymember Selkregg  
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3  
4 **Subject:** Summary of Economic Effects for AO 2008-82  
5

6 Attached to this memo is the Summary of Economic Effects for AN ORDINANCE OF THE  
7 ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE  
8 SECTION 9.44.400, OWNER'S RESPONSIBILITY, AND SECTION 15.70.090, MOTOR  
9 VEHICLE NOISE EMISSION STANDARDS, TO REQUIRE VEHICLE NOISE AND  
10 SAFETY INSPECTIONS AND TO PROVIDE FOR PROGRAM IMPLEMENTATION, FEES  
11 AND FINES, AND EFFECTIVE DATES.  
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13 Prepared By: Guadalupe Marroquin, Election & Budget Coordinator

14 Reviewed By: Barbara E. Gruenstein, Municipal Clerk

15 Submitted By: Assemblymember Selkregg  
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**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects -- General Government**

2008 JUL -9 PM 3:33  
 Title:  
 CLEARANCE OFFICE

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTION 9.44.400, OWNER'S RESPONSIBILITY, AND SECTION 15.70.090, MOTOR VEHICLE NOISE EMISSION STANDARDS, TO REQUIRE VEHICLE NOISE AND SAFETY INSPECTIONS AND TO PROVIDE FOR PROGRAM IMPLEMENTATION, FEES AND FINES, AND EFFECTIVE DATES.

AO Number: 2008-82

Sponsor: Assemblymembers Selkregg & Drummond  
 Preparing Agency: Department of Assembly  
 Others Impacted: Municipal Dept of Health & Human Services, State Division of Motor Vehicles

<b>CHANGES IN EXPENDITURES AND REVENUES:</b>		<b>(In Thousands of Dollars)</b>				
	<b>FY09</b>	<b>FY10</b>	<b>FY11</b>	<b>FY12</b>	<b>FY13</b>	
<b>Operating Expenditures</b>						
1000 Personal Services	\$ -	\$ 300	\$ 300	\$ 300	\$ 300	
2000 Non-Labor	-	-	-	-	-	
3900 Contributions	150	-	-	-	-	
4000 Debt Service	-	-	-	-	-	
<b>TOTAL DIRECT COSTS:</b>	<b>\$ 150</b>	<b>\$ 300</b>	<b>\$ 300</b>	<b>\$ 300</b>	<b>\$ 300</b>	
Add: 6000 Charges from Others	\$ -	\$ -	\$ -	\$ -	\$ -	
Less: 7000 Charges to Others	-	-	-	-	-	
<b>FUNCTION COST:</b>	<b>\$ 150</b>	<b>\$ 300</b>	<b>\$ 300</b>	<b>\$ 300</b>	<b>\$ 300</b>	
<b>REVENUES:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	

**CAPITAL:**

**POSITIONS: FT/PT and Temp**

**PUBLIC SECTOR ECONOMIC EFFECTS:**

DHHS has preliminarily examined the public sector impacts of adding a noise and safety program. Assuming the program will be operated in a manner similar to the current I/M Program and will require administrative oversight of private noise and safety testing stations, they have assumed that an additional three FTEs will be required with an estimated on-going cost of approximately \$300,000. DHHS also estimates a cost of roughly \$150,000 in design and start-up costs. They anticipate the need for consulting services to assist in the design of noise and safety testing procedures prior to implementation in 2010. AO 2008-82 does not propose an inspection fee to recover these costs. Alaska DMV may also incur costs if registration is to be tied to a safety and noise inspection requirement.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

For the purpose of this analysis DHHS assumed the safety component of an inspection would cost approximately \$20, which is in the same cost range as programs in other States. The cost of the noise component of the inspection would be dependent on the scope of the noise test. Japan requires all vehicles with deteriorated and/or "non-stock" muffler systems to undergo an exhaust noise measurements to determine compliance. Using the Japanese test as a model, DHHS estimates that the average noise inspection would take approximately 20 minutes. At a shop rate of \$70/hr, a noise inspection would cost approximately \$23. The combined cost of a safety and noise inspection would therefore be approximately \$43. Assuming a biennial safety and noise inspection requirement applies only to vehicles 6-years and older that must also meet I/M requirements, the total cost is estimated to be (roughly) \$3M per year. Industry would have to purchase noise monitoring equipment and possibly construct a "semi-anechoic" noise testing chamber to perform tests. These costs are not known at this time but could exceed \$20,000 per inspection facility. The public would also incur costs from any required safety and noise-related repairs.

Prepared by: Guadalupe Marroquin, Election & Budget Coord

Telephone: 343-4376

Reviewed by: Linda L. Heim, Deputy Municipal Clerk

Telephone: 343-4314

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

AO 2008-82

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

<b>1</b>	SUBJECT OF AGENDA DOCUMENT	DATE PREPARED
	amending AMC 9.44.400, Owner's Responsibility and Section 15.70.090, Motor Vehicle Noise	6/20/08
	Emission Standards, to require vehicle noise and safety inspections ...	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	DIRECTOR'S NAME
	Assembly	Matt Claman, Assembly Chair
<b>3</b>	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY	HIS/HER PHONE NUMBER
	Julia Tucker, Assembly Counsel	343-4319
<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	
	Executive Manager	
	Planning Department	
	Chief Fiscal Officer	
	Heritage Land Bank	
	Information Technology Department	
	Project Management & Engineering	
	Purchasing	
	Other	
<b>5</b>	<b>Special Instructions/Comments</b>	
	Addendum - Consent Agenda-Introduction	
<b>6</b>	ASSEMBLY HEARING DATE REQUESTED	<b>7</b>
	6/24/08	
	PUBLIC HEARING DATE REQUESTED	
	8/12/08	

2008 JUN 20 PM 12:25  
 M O F