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Services
For reading: July 15, 2008

CLERK'S OFFICE
AMENDED AND APPROVED

Date: 7-15-08

ANCHORAGE, ALASKA
AO NO. 2008-84(S)

1 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY REPEALING
2 AO 2007-122(S) IN ITS ENTIRETY; REINSTATING AND AMENDING
3 ANCHORAGE MUNICIPAL CODE CHAPTERS 15.80 AND 15.85, AND
4 SECTIONS 9.30.155E. AND 14.60.030, AND AMENDING TITLE 12 TO ADD A
5 NEW CHAPTER, ALL REGARDING PROCEDURES, FEES AND
6 REQUIREMENTS FOR VEHICLE I/M TESTING AND RELATED INSPECTIONS,
7 LICENSING, REGISTRATION, EXEMPTIONS, I/M PROGRAM CHANGES, AND
8 FINES; AND ESTABLISHING EFFECTIVE DATES.

9
10 THE ANCHORAGE ASSEMBLY ORDAINS:

11
12 **Section 1.** Assembly Ordinance No. 2007-122(S), passed and approved by the
13 Assembly on November 6, 2007, is repealed in its entirety.

14
15 **Section 2.** Anchorage Municipal Code chapter 15.80, Vehicle Inspection and
16 Maintenance Program, is reinstated.

17
18 **Section 3.** Anchorage Municipal Code chapter 15.85, Requirements,
19 Specifications, and Procedures for Motor Vehicle Emissions Inspection and
20 Maintenance (I/M) program, is reinstated.

21
22 **Section 4.** Anchorage Municipal Code section 9.30.155E. is reinstated to read
23 as follows:

24
25 **9.30.155 Vehicle license plates and registration.**

26
27 *** *** ***

28 E. A motor vehicle that is parked, stopped or left standing on a street or
29 private property open to the public for travel or parking, and does not
30 have current registration properly attached as required by subsection
31 A of this section, shall be considered prima facie to not have a
32 current emissions (I.M.) certification as specified in Section
33 15.80.010.

- 34
35 1. A citation issued under subsection E. of this section, may be
36 dismissed by the parking authority if an I.M. inspection
37 certificate, dated prior to the date of the violation, is provided

1 within 30 days of the violation, and shall omit the scheduled
2 penalty for the offense. Additionally, if the registered owner
3 does not principally utilize and/or garage the vehicle within the
4 municipality and provides the parking authority with proof of
5 residency, shall omit the scheduled penalty for the offense.
6 Such dismissals shall not apply to any late penalties or
7 collection charges.

- 8
9 2. A motor vehicle ticketed for violating this section shall not be
10 ticketed at the same time for both I.M. and registration
11 violations.

12
13 (CAC 9.44.020; AO No. 78-72; AO No. 80-4; AO No. 85-40; AO No. 92-28;
14 AO No. 92-134(S); AO No. 94-68(S), § 16, 8-11-94; AO No. 95-6, § 4, 5-16-
15 95; AO No. 2003-152S, § 3, 1-1-04)

16
17
18 **Section 5.** Anchorage Municipal Code section 14.60.030 is reinstated to
19 read as follows (*the remainder of the section is not affected and therefore*
20 *not set out*):

21
22 **14.60.030 Fine schedule.**

23 The fine schedule under this chapter is as follows:

24 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

25
26 *** **

27 (AO No. 93-167(S-1), § 1, 4-13-94; AO No. 94-108, § 1, 10-5-94; AO No. 94-134,
28 § 2, 9-8-94; AO No. 95-42, § 2, 3-23-95; AO No. 95-67(S), § 9, 7-1-95; AO No. 95-
29 102, § 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 6. Anchorage Municipal Code section 15.80.010, General Provisions, is amended to read as follows:

15.80.010 General provisions.

A. *Inspection and maintenance required.* Every motorist operating [OF (SIC)] a vehicle registered, principally located or principally used within the municipality shall have each such vehicle inspected and maintained in accordance with the requirements specified in the I/M program design as amended by AO 96-154, [AND] AO 99-160 and **AO 2008-84(S)**.

Note: Text of sections indexed available from the department of health and human services.

*** *** ***

E. Certification of inspection stations. The I/M program administrator shall certify mechanics, vehicle test and repair facilities (stations) and testing, equipment as necessary to meet all certification requirements specified in the I/M program design.

1. Beginning January 1, 2010, the I/M administrator shall charge a fee for inspection station certification in accordance with section 15.85.400.

*** *** ***

(AO No. 84-110; AO No. 85-8; AO No. 87-27; AO No. 87-35; AO No. 88-154(S); AO No. 88-184; AO No. 93-216(S), § 1, 2-15-94; AO No. 94-195, § 1, 10-25-94; AO No. 96-137(S), §§ 1--6, 1-2-97; Ord. No. 96-154, § 1, 1-2-

1 97; AO No. 99-160, § 1, 1-11-00; AO No. 2000-92, § 1, 8-15-00; AO No.
2 2003-44, § 1, 3-18-03; AO No. 2006-13, § 1, 2-14-06)

3 *Editor's note:* The February 14, 2006 effective date of AO 2006-13 was
4 subject to State of Alaska approval of the I/M program amendments
5 pursuant to 18 AAC 52.035, and the state approved on May 15, 2006.
6

7 **Section 7.** Anchorage Municipal Code section 15.85.100, Summary, is
8 amended to read as follows (*portions of section 15.85.100 are set out without*
9 *amendment for context only*):

10
11 **15.85.100 Summary.**

12
13 A. This chapter contains the requirements, specifications, and
14 procedures for a motor vehicle emissions inspection and
15 maintenance (I/M) program administered by the municipality under
16 Chapter 15.80. The information contained herein is relatively
17 technical in nature and is principally intended for use by the
18 operators of certified I/M stations, certified mechanics, and
19 departmental or contractor staff involved in administering the I/M
20 program. Separate publications are available from the I/M program
21 administration office that describes more concisely the requirements
22 of the program for the general public. The basis for these
23 requirements can also be found in state regulations under 18 AAC
24 52.

25
26 B. Under the I/M program, owners or operators of non-exempt vehicles
27 are required to have their vehicles inspected for emissions problems
28 at least biennially, upon initial registration of a used vehicle in the
29 state, or upon change of ownership if the vehicle is not currently in
30 compliance. Vehicles must be I/M certified prior to the initial
31 registration or renewal of registration by the state department of
32 administration, division of motor vehicles (DMV).
33

34 *** **

35 (AO No. 99-160, § 7, 1-11-00)
36

37 **Section 8.** Anchorage Municipal Code section 15.85.220, Vehicles Requiring
38 Certificate of Inspection, is amended to read as follows (*portions of the section are*
39 *set out without amendment for context only*):

40
41 **15.85.220 Vehicles requiring certificate of inspection.**
42

1 A. *Program area.* Vehicles subject to this I/M program are passenger
2 cars and trucks registered, principally used, or principally located,
3 within the following zip codes or any other zip codes assigned to the
4 Municipality of Anchorage by the U.S. Postal Service:
5

6 TABLE INSET:
7

99501	99506	99511	99516	99521	99567
99502	99507	99512	99517	99522	99577
99503	99508	99513	99518	99523	99587
99504	99509	99514	99519	99524	
99505	99510	99515	99520	99540	

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1. A person, including a person in military service, who temporarily resides in Alaska for more than 30 days and who owns or leases a vehicle that is principally located or operated in this I/M area, shall obtain a valid certificate of inspection for that vehicle, even if the vehicle is not required to be registered in Alaska. A temporary resident shall obtain the certificate of inspection within 30 days after entering the state. In addition to the requirements of this section, a motorist who lives in an area where a vehicle emissions inspection and maintenance program (I/M program) is implemented or administered, a motorist whose vehicle is principally located or operated in an I/M area, and a motorist who commutes into the municipality shall use specific maintenance practices for the motor vehicle ECS to reduce air pollution, including the practices described in this chapter.
 2. Motorists operating vehicles not subject to the provisions of this section are encouraged to obtain an emission inspection, sticker and repairs as part of the regular maintenance performed on their vehicles.
 3. Vehicles powered by diesel engines are required to have a windshield sticker only.
 4. New vehicles as defined by B.4. of this section, are required to have windshield stickers

1 B. *Exemptions.* Notwithstanding the requirements of Section
2 15.85.220A., the following vehicles are exempt from the
3 requirements of the I/M program:
4

5 1. Any 1967 model year or older vehicle [~~vehicle with a model~~
6 ~~year 25 years or greater than the current calendar year.~~
7 ~~In calendar year 2010, 1985 and older model year vehicles~~
8 ~~are exempt from testing];~~
9

10 2. Any vehicle not principally used or located in the municipality
11 and not certificated by the state;
12

13 3. Motorcycles, golf carts, ATV vehicles, snow machines, and
14 mopeds;
15

16 4. A model year 2004 or newer vehicle, except these vehicles
17 shall have their first I/M inspection when the current calendar
18 year equals the vehicle model year plus six [FOUR] years,
19 and subsequent inspections every two years thereafter.
20

21 5. All vehicles above 12,000 pounds unladen weight.
22

23 6. Vehicles that are not registered in the municipality and not
24 operated or located in the municipality for more than 30
25 cumulative days during the vehicle's registration period.
26

27 7. Any vehicle solely powered by electric battery.
28

29 8. Any vehicle with valid historic vehicle or custom collector
30 plates issued by the Alaska Department of Motor Vehicles
31 under AS 28.10.181.
32

33 *** **

34 (AO No. 99-160, § 7, 1-11-00; AO No. 2000-92, § 5, 8-15-00; AO No. 2006-
35 13, § 5, 2-14-06)
36

37 **Section 9.** Anchorage Municipal Code section 15.85.390, Referee Facility, is
38 repealed in its entirety, and renamed and re-enacted to read as follows (*sections*
39 *without amendments are set out for context only*):
40

41 **15.85.390 Referee services.**
42

43 **A. The I/M program administrator shall provide referee services.**

1 **These services shall be provided directly, through I/M program**
2 **staff or through one or more service providers. These services**
3 **shall include but are not limited to:**
4

5 **1. Determination of whether a repair cost waiver or other**
6 **special waiver should be issued for a vehicle;**
7

8 **2. Assistance in the resolution of disputes between**
9 **motorists and certified I/M stations;**
10

11 **3. Inspection of vehicles rejected from testing at certified**
12 **I/M stations because of engine or fuel changes; and**
13

14 **4. Other services to the general public as delegated by the**
15 **program administrator.**
16

17 **B. Subject to the approval of the program administrator, a facility**
18 **contracted to perform referee services may charge a fee of up**
19 **to \$100.00 plus the cost of a certificate, if issued, for referee**
20 **services.**
21

22 **C. The program administrator shall establish procedures for**
23 **facilities certified to provide referee services.**
24

25 **1. Facilities shall be equipped with instrumentation and**
26 **other equipment and supplies necessary to determine**
27 **whether a vehicle passes or fails an inspection test**
28 **performed in accordance with Section 15.85.600.**
29

30 **2. Facilities shall be required to re-certify at intervals not**
31 **more than two years.**
32

33 **3. The I/M administrator shall regularly review the**
34 **performance of certified referee service providers and**
35 **may withdraw certification for unsatisfactory**
36 **performance.**
37

38 **D. The program administrator shall require certification**
39 **procedures for mechanics performing referee services.**
40

41 **1. Certification procedures may require mechanics to attend**
42 **training and pass certification tests.**
43

1 **2. Mechanics shall be required to re-certify at intervals not**
2 **more than two years.**

3
4 **3. The I/M administrator shall regularly review the**
5 **performance of mechanics certified to provide referee**
6 **services and may withdraw certification for**
7 **unsatisfactory performance.**

8
9 **E. Repair Cost Waiver. Upon referral by a certified I/M station, a**
10 **motorist may apply to a certified referee services provider for**
11 **approval of a repair cost waiver for a vehicle, subject to the**
12 **provisions of Section 15.85.240B. Upon verification that all**
13 **applicable requirements have been met, the I/M administrator or**
14 **certified referee service provider shall approve a waiver and**
15 **issue a certificate of inspection for the vehicle. The I/M**
16 **administrator shall monitor the yearly status of a vehicle**
17 **receiving a repair cost waiver until the vehicle is brought into**
18 **full compliance with I/M program requirements.**

19
20 **1. A repair cost waiver is valid for one inspection cycle.**

21
22 **F. Special Waiver. A motorist may apply to a certified referee**
23 **services provider for approval of a special waiver for a vehicle,**
24 **subject to the provisions of Section 15.85.235B. Upon**
25 **verification that all applicable requirements have been met, the**
26 **I/M administrator or certified referee service provider shall**
27 **approve a waiver and issue a certificate of inspection for the**
28 **vehicle.**

29
30 **1. A special waiver is valid for one inspection cycle.**

31
32 **G. Motorist disputed results.**

33
34 **1. In the case of a dispute between a motorist and a certified**
35 **I/M station or certified I/M mechanic, the motorist may**
36 **schedule an appointment within to bring a vehicle to the**
37 **I/M administrator to verify the results of an inspection**
38 **performed at a certified I/M station.**

39
40 **a. The I/M administrator may utilize the services of a**
41 **certified referee service provider not involved in**
42 **the dispute to re-inspect and test the vehicle to**
43 **verify the results of the initial inspection.**

1 **b.** **If an inspection on the vehicle cannot be**
2 **performed, the I/M administrator may issue a**
3 **special circumstances waiver for the vehicle, as**
4 **provided in Section 15.85.235B.**

5 **c.** **No waiver shall be issued to a vehicle that is**
6 **untestable due to correctable defects, such as a**
7 **repairable water pump, fuel leak, or noisy engine**
8 **condition. The motorist is required to repair such**
9 **defects before a certified referee services provider**
10 **performs an emission inspection on the vehicle.**

11
12 **H.** **Fuel system modifications.**

13
14 **1.** **Upon motorist application, a certified referee service**
15 **provider shall issue a certificate of inspection for a**
16 **vehicle converted to dual or alternate fuel use, if the**
17 **conversion system:**

18
19 **a.** **Meets the EPA guidelines enumerated in the**
20 **September 4, 1997 addendum to Mobile Source**
21 **Enforcement Memorandum 1-A, or any subsequent**
22 **EPA guidelines; and**

23 **b.** **If the vehicle meets the emission standards**
24 **adopted by the I/M program for the vehicle in its**
25 **unmodified configuration, when tested on all fuels**
26 **that the vehicle has been modified to burn.**

27 **c.** **Where documentation is provided that a**
28 **conversion system was installed prior to**
29 **September 4, 1997 and the system met the criteria**
30 **for certification by the EPA, CARB, or the State of**
31 **Colorado at the time of installation, the system**
32 **shall be accepted.**

33 **d.** **Copies of the current EPA guidelines shall be**
34 **available for public inspection at the I/M**
35 **administration office.**

36
37 **2.** **If the vehicle was originally catalyst-equipped, the**
38 **original catalytic converter, or a replacement catalytic**
39 **converter approved by the I/M program administrator,**
40 **must still be on the vehicle and be fully functional.**

41
42 **I.** **Engine switching.**

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- 1. Upon motorist application, a certified referee service provider shall issue a certificate of inspection for a vehicle retrofitted with a replacement gasoline engine if the following requirements are met:**

 - a. The resulting engine-chassis configuration has been certified by either the EPA or the CARB to have the same or lower emissions as the make and model year of the engine-chassis configuration originally installed in the vehicle; and**
 - b. All emission controls originally installed on the resulting engine-chassis configuration, as certified by EPA or CARB, are retained; and**
 - c. If the vehicle was originally equipped with one or more catalytic converters, the retrofitted vehicle must be equipped with either:**

 - i. The catalytic converter(s) certified by EPA or CARB for the resulting engine/chassis combination; or**
 - ii. A replacement catalytic converter approved by the I/M program administrator; and**
 - d. If the vehicle was originally equipped with an O2 sensor and an evaporative ECS and/or an EGR system, the evaporative ECS and the EGR system must remain functional on the retrofitted vehicle.**
- 2. In lieu of meeting the above requirements, a motorist may submit the results of an emissions test performed on a retrofitted vehicle using the federal test procedure or an alternate loaded mode mass emissions test procedure previously approved by the program administrator. The program administrator shall issue a certificate of inspection upon the submittal of adequate proof the retrofitted vehicle has the same or lower mass emission rate as the engine-chassis configuration originally installed in the vehicle.**
- 3. When a certified referee service provider is unable to show a vehicle has a non-direct replacement engine, the I/M program administrator shall assume the vehicle has the original engine or a direct replacement engine and not a switched engine. When such an assumption is made, the vehicle shall be tested in accordance with Section**

1 **15.85.600.**
2

3 **J. Engine modifications.**
4

5 1. **Engine modifications, including the use of aftermarket**
6 **parts, are allowed provided the modifications are**
7 **included on a list of approved parts or engine**
8 **modifications adopted by the program administrator. A**
9 **current copy of this list shall be available for public**
10 **review at the I/M program administration office. This list**
11 **includes all modifications approved for use by the CARB,**
12 **except those deleted by the program administrator due to**
13 **cold temperature operational issues.**
14

15 2. **Application for the approval of modifications not included**
16 **on the list may be made to CARB, subject to the approval**
17 **of the I/M program administrator.**
18

19 **K. Kit cars and custom-manufactured vehicles.**
20

21 1. **All kit cars and custom-manufactured vehicles registered**
22 **prior to January 1, 1993, are subject to the emission**
23 **cutpoints for 1974 model year vehicles.**
24

25 2. **All vehicles first registered after December 31, 1992, but**
26 **before January 1, 1998, are required to use engines and**
27 **evaporative ECS from vehicles of the same class (e.g.,**
28 **passenger car) certified to meet federal emission**
29 **standards applicable to 1988 model year vehicles.**
30

31 3. **All vehicles first registered after December 31, 1997, are**
32 **required to use engines and evaporative ECS from**
33 **vehicles of the same class (e.g., passenger car) certified**
34 **to meet federal emission standards, including cold**
35 **temperature CO standards, applicable to 1996 model year**
36 **vehicles.**
37

38 a. **All exhaust emission controls originally intended to**
39 **be used with the engine (including the computer**
40 **and feedback control system) must be installed.**

41 b. **The vehicle must also use the same catalyst used**
42 **with the engine in a certified vehicle, or an**
43 **aftermarket catalyst approved by the I/M program**

administrator for the certified vehicle.

L. Gray market vehicles.

1. Except as otherwise provided in this section, a certified referee service provider shall:
 - a. Inspect a gray market vehicle in accordance with importation documents issued by EPA or the manufacturers' emission decal; and
 - b. Issue a certificate of inspection, if the gray market vehicle passes the visual and functional inspection and the tailpipe emissions standards as required by Part IV of the state I/M program manual as referenced in 18 AAC 52.005(e)(1); and
 - c. A certified referee service provider may place a decal on the vehicle to allow it to be tested in the field in the future.
 - d. A copy of Part IV of the state I/M program manual referenced 18 AAC 52.005(e)(1) shall be available at the I/M program administration office for public review.

2. If the importation documents or the manufacturers' emissions decal are not available, but the gray market vehicle has a U.S. title and has not been modified to comply with EPA emissions requirements a certified referee service provider shall:
 - a. Inspect the vehicle according to the model year of the vehicle and the ECS present on the vehicle at manufacturing; and
 - b. Issue a certificate of inspection, if the vehicle passed the tailpipe emissions standards as required by Part IV of the program manual as referenced in 18 AAC 52.005(e)(1); and
 - c. A certified referee service provider may place a decal on the vehicle to allow it to be tested in the field in the future.

3. If the importation documents or the manufacturers' emissions decal are not available, but the gray market vehicle has a U.S. title and has been modified to comply with EPA emissions requirements a certified referee service provider shall:

- a. Inspect the vehicle according to the model year of the vehicle and the ECS present on the vehicle at inspection; and
- b. Issue a certificate of inspection, if the vehicle passed the tailpipe emissions standards as required by Part IV of the program manual as referenced in 18 AAC 52.005(e)(1); and
- c. A certified referee service provider may place a decal on the vehicle to allow it to be tested in the field in the future.
 1. If the importation documents or the manufacturers' emission decal are not available, and the gray market vehicle does not have a U.S. title, a certified referee services provider shall not inspect the vehicle.
 2. This section does not relieve a motorist from any duty to obtain importation documents issued by EPA and the U.S. Department of Transportation.

M. Repair of non-complying vehicles.

1. Based on guidance issued by the program administrator, a certified referee service provider shall specify repair procedures for a vehicle that does not comply with the requirements above.
 - a. For a gray market vehicle, repair of defective emission control components may be required, but retrofit of emission control components not originally installed on the vehicle shall not be required by the municipality.
2. A certified referee service provider shall issue a certificate of inspection when a vehicle has been modified so as to comply with the above requirements, or when an applicable repair cost minimum criteria, as specified in Sections 15.85.240B. or 15.85.240C., has been violated.
3. If a vehicle fails the inspection and does not meet the requirements for a repair cost waiver, a certified referee

1 services provider may provide the motorist with an
2 official referee repair form, describing the repairs that
3 must be made within 60 days. If so directed by a certified
4 referee services provider, the motorist shall return the
5 vehicle to a certified referee services provider for
6 verification of the repairs.

7
8 **N. Documented vehicles.**

- 9
10 1. At the discretion of the I/M program administrator, a
11 certified referee service provider may verify and
12 document the status of a vehicle's ECS and emission
13 levels prior to the vehicle being taken by program
14 administration staff or other individuals designated by
15 the program administrator to a certified I/M station for an
16 overt or covert performance audit of the certified I/M
17 station or a certified I/M mechanic.
- 18
19 2. At the discretion of the program administrator, a certified
20 referee service provider may also determine the results of
21 emission repairs made on a documented vehicle at a
22 certified I/M station. A copy of the description of the
23 alterations performed by a certified referee services
24 provider shall be given to the certified station/mechanic
25 at the completion of the overt or covert audit.

26
27 **O. Warranty assistance.**

- 28
29 1. A vehicle that fails an emission inspection at a certified
30 I/M station, and is covered by a manufacturer's emission
31 warranty, as provided under Sections 207(a) or 207(b) of
32 the Clean Air Act (42 U.S.C.A. § 7541(a) and (b)), may, at
33 the vehicle owner's option, be inspected at a certified
34 referee service provider for verification and
35 documentation of the inspection failure.
- 36
37 2. The vehicle owner may, at the owner's option,
38 subsequently return to a certified referee service provider
39 for verification that I/M-related repairs were performed
40 properly.

41
42 [REFEREE FACILITY.

43 A. THE I/M PROGRAM ADMINISTRATOR, EITHER DIRECTLY OR

1 THROUGH A CONTRACTOR, SHALL MAINTAIN AND OPERATE
2 A VEHICLE TEST FACILITY, HEREINAFTER REFERRED TO AS
3 THE REFEREE FACILITY.

4 1. THE REFEREE FACILITY SHALL BE USED TO
5 DETERMINE IF A REPAIR COST WAIVER OR OTHER
6 SPECIAL WAIVER SHOULD BE ISSUED FOR A VEHICLE,
7 AND TO ASSIST IN THE RESOLUTION OF DISPUTES
8 BETWEEN MOTORISTS AND CERTIFIED I/M STATIONS.

9 2. THE REFEREE FACILITY SHALL ALSO BE USED TO
10 INSPECT VEHICLES THAT HAVE BEEN REJECTED FROM
11 TESTING AT CERTIFIED I/M STATIONS BECAUSE OF
12 ENGINE OR FUEL CHANGES, AND TO PROVIDE OTHER
13 SERVICES TO THE GENERAL PUBLIC AS DELEGATED
14 BY THE PROGRAM ADMINISTRATOR. SUBJECT TO THE
15 APPROVAL OF THE PROGRAM ADMINISTRATOR, THE
16 REFEREE FACILITY MAY CHARGE A FEE OF UP TO
17 \$50.00 PLUS THE COST OF A CERTIFICATE, IF ISSUED,
18 FOR INSPECTING A VEHICLE NOT PREVIOUSLY
19 INSPECTED.

20 3. THE FACILITY SHALL BE EQUIPPED WITH
21 INSTRUMENTATION AND OTHER EQUIPMENT AND
22 SUPPLIES NECESSARY TO DETERMINE WHETHER A
23 VEHICLE PASSES OR FAILS AN INSPECTION TEST
24 PERFORMED IN ACCORDANCE WITH SECTION
25 15.85.600.

26 4. A MOTORIST REFERRED TO THE REFEREE FACILITY
27 MAY CALL THE FACILITY TO MAKE AN APPOINTMENT
28 FOR AN EMISSION INSPECTION. INSPECTIONS MAY
29 ALSO BE PERFORMED WITHOUT APPOINTMENT ON A
30 TIME-AVAILABLE BASIS.

31 B. REPAIR COST WAIVER. UPON REFERRAL BY A CERTIFIED I/M
32 STATION, A MOTORIST MAY APPLY TO THE REFEREE
33 FACILITY FOR APPROVAL OF A REPAIR COST WAIVER FOR A
34 VEHICLE, SUBJECT TO THE PROVISIONS OF SECTION
35 15.85.240.B. UPON VERIFICATION THAT ALL APPLICABLE
36 REQUIREMENTS HAVE BEEN MET, THE REFEREE FACILITY
37 SHALL APPROVE A WAIVER AND ISSUE A CERTIFICATE OF
38 INSPECTION FOR THE VEHICLE. THE REFEREE FACILITY
39 SHALL MONITOR THE YEARLY STATUS OF A VEHICLE
40 RECEIVING A REPAIR COST WAIVER UNTIL THE VEHICLE IS
41 BROUGHT INTO FULL COMPLIANCE WITH I/M PROGRAM
42 REQUIREMENTS. THE WAIVER IS VALID FOR ONE
43 INSPECTION CYCLE.

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- C. **SPECIAL WAIVER. A MOTORIST MAY APPLY TO THE REFEREE FACILITY FOR APPROVAL OF A SPECIAL WAIVER FOR A VEHICLE, SUBJECT TO THE PROVISIONS OF SECTION 15.85.235.B. UPON VERIFICATION THAT ALL APPLICABLE REQUIREMENTS HAVE BEEN MET, THE REFEREE FACILITY SHALL APPROVE A WAIVER AND ISSUE A CERTIFICATE OF INSPECTION FOR THE VEHICLE. THE WAIVER IS VALID FOR ONE INSPECTION CYCLE.**
- D. **MOTORIST-DISPUTED TEST RESULTS.**
 - 1. **IN THE CASE OF A DISPUTE BETWEEN A MOTORIST AND A CERTIFIED I/M STATION OR CERTIFIED I/M MECHANIC, THE MOTORIST SHOULD MAKE AN APPOINTMENT TO BRING A VEHICLE TO THE REFEREE FACILITY FOR AN EMISSION INSPECTION, TO VERIFY THE RESULTS OF AN INSPECTION PERFORMED AT A CERTIFIED I/M STATION.**
 - A. **IF THE REFEREE FACILITY IS UNABLE TO PERFORM AN INSPECTION ON THE VEHICLE, A SPECIAL CIRCUMSTANCES WAIVER MAY BE ISSUED FOR THE VEHICLE, AS PROVIDED IN SECTION 15.85.235.B.**
 - B. **NO WAIVER SHALL BE ISSUED TO A VEHICLE THAT IS UNTESTABLE DUE TO CORRECTABLE DEFECTS SUCH AS A REPAIRABLE WATER PUMP, FUEL LEAK, OR NOISY ENGINE CONDITION. THE MOTORIST SHALL BE REQUIRED TO REPAIR SUCH DEFECTS BEFORE THE REFEREE FACILITY PERFORMS AN EMISSION INSPECTION ON THE VEHICLE.**
 - 2. **IF THE VEHICLE PASSES THE INSPECTION, THE REFEREE FACILITY SHALL COLLECT A FEE TO PAY FOR THE CERTIFICATE OF INSPECTION AND THE COST OF THE INSPECTION, IF APPLICABLE, AND ISSUE A CERTIFICATE OF INSPECTION FOR THE VEHICLE TO THE MOTORIST.**
 - 3. **IF THE VEHICLE FAILS THE INSPECTION AND DOES NOT MEET THE APPLICABLE REQUIREMENTS FOR A REPAIR COST WAIVER, THE REFEREE FACILITY SHALL PROVIDE THE MOTORIST WITH A REQUIRED REPAIR FORM THAT DESCRIBES THE REPAIRS NECESSARY TO MEET THE APPLICABLE PROGRAM REQUIREMENTS.**
- E. **REFEREE/MOTORIST DISPUTES.**
 - 1. **IF THE MOTORIST DISPUTES THE RESULTS OF A**

- 1 Failing inspection performed by the referee
2 facility, the referee facility may perform
3 additional functional tests to verify the
4 reason for failure. The motorist shall be
5 responsible for the cost of any such
6 additional tests.
- 7 2. If the referee facility is unable to resolve
8 the complaint, the motorist shall be given a
9 referee facility comment/complaint form.
- 10 A. The motorist may complete the form and
11 deliver or mail it to the I/M program
12 administrator, or leave it with the
13 referee facility for delivery to the I/M
14 program administrator.
- 15 B. If the form is left with the referee
16 facility, the referee facility shall submit
17 the form to the I/M program
18 administrator with their referee facility
19 action report for review.
- 20 F. FUEL SYSTEM MODIFICATIONS.
- 21 1. Upon motorist application, the referee
22 facility or a certified station that has been
23 approved by ADEC to test dual-fuel or
24 alternate fuel vehicles shall issue a
25 certificate of inspection for a vehicle that
26 has been converted to dual fuel use if the
27 conversion system meets the EPA guidelines
28 enumerated in the September 4, 1997 addendum
29 to mobile source enforcement memorandum 1-
30 A, or in such subsequent memoranda, and if the
31 vehicle meets the emission standards adopted
32 by the I/M program for the vehicle in its
33 unmodified configuration, when tested on all
34 fuels that the vehicle has been modified to
35 burn. Where documentation is provided that a
36 conversion system was installed prior to
37 September 4, 1997 and the system met the
38 criteria for certification by the EPA, CARB, or
39 the state of Colorado at the time of
40 installation, the system shall be accepted.
41 Copies of the current EPA guidelines shall be
42 kept available for public inspection at the I/M
43 administration office.

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2. IF THE VEHICLE WAS ORIGINALLY CATALYST-EQUIPPED, THE ORIGINAL CATALYTIC CONVERTER, OR A REPLACEMENT CATALYTIC CONVERTER APPROVED BY THE I/M PROGRAM ADMINISTRATOR, MUST STILL BE ON THE VEHICLE AND BE FULLY FUNCTIONAL.
3. IF THE VEHICLE FAILS THE TAILPIPE TEST AND THE INSPECTOR FINDS NO OTHER FAULTS, THE INSPECTOR MAY REQUEST THE REFEREE TO EVALUATE THE CATALYTIC CONVERTER FOR EFFICIENCY.

G. ENGINE SWITCHING.

1. UPON MOTORIST APPLICATION, THE REFEREE FACILITY SHALL ISSUE A CERTIFICATE OF INSPECTION FOR A VEHICLE THAT HAS BEEN RETROFITTED WITH A REPLACEMENT GASOLINE ENGINE IF THE FOLLOWING REQUIREMENTS ARE MET:
 - A. THE RESULTING ENGINE-CHASSIS CONFIGURATION HAS BEEN CERTIFIED BY EITHER THE EPA OR THE CARB TO HAVE THE SAME OR LOWER EMISSIONS AS THE MAKE AND MODEL YEAR OF THE ENGINE-CHASSIS CONFIGURATION ORIGINALLY INSTALLED IN THE VEHICLE;
 - B. ALL EMISSION CONTROLS ORIGINALLY INSTALLED ON THE RESULTING ENGINE-CHASSIS CONFIGURATION, AS CERTIFIED BY EPA OR CARB, ARE RETAINED;
 - C. IF THE VEHICLE WAS ORIGINALLY EQUIPPED WITH ONE OR MORE CATALYTIC CONVERTERS, THE RETROFITTED VEHICLE MUST BE EQUIPPED WITH EITHER
 - (1) THE CATALYTIC CONVERTER(S) CERTIFIED BY EPA OR CARB FOR THE RESULTING ENGINE/CHASSIS COMBINATION; OR
 - (2) A REPLACEMENT CATALYTIC CONVERTER APPROVED BY THE I/M PROGRAM ADMINISTRATOR; AND
 - D. IF THE VEHICLE WAS ORIGINALLY EQUIPPED WITH AN O2 SENSOR AND AN EVAPORATIVE ECS AND/OR AN EGR SYSTEM, THE EVAPORATIVE ECS AND THE EGR SYSTEM MUST REMAIN FUNCTIONAL ON THE RETROFITTED VEHICLE.
2. IN LIEU OF MEETING THESE REQUIREMENTS, A MOTORIST MAY SUBMIT THE RESULTS OF AN

1 **EMISSIONS TEST PERFORMED ON A RETROFITTED**
2 **VEHICLE USING THE FEDERAL TEST PROCEDURE OR**
3 **AN ALTERNATE LOADED MODE MASS EMISSIONS TEST**
4 **PROCEDURE PREVIOUSLY APPROVED BY THE**
5 **PROGRAM ADMINISTRATOR. THE PROGRAM**
6 **ADMINISTRATOR SHALL ISSUE A CERTIFICATE OF**
7 **INSPECTION UPON THE SUBMITTAL OF ADEQUATE**
8 **PROOF THAT THE RETROFITTED VEHICLE HAS THE**
9 **SAME OR LOWER MASS EMISSION RATE AS THE**
10 **ENGINE-CHASSIS CONFIGURATION ORIGINALLY**
11 **INSTALLED IN THE VEHICLE.**

- 12 **3. WHEN THE I/M PROGRAM REFEREE FACILITY CANNOT**
13 **SHOW THAT A VEHICLE HAS A NON-DIRECT**
14 **REPLACEMENT ENGINE, THE I/M PROGRAM**
15 **ADMINISTRATOR SHALL ASSUME THAT THE VEHICLE**
16 **HAS THE ORIGINAL ENGINE OR A DIRECT**
17 **REPLACEMENT ENGINE AND NOT A SWITCHED ENGINE.**
18 **WHEN SUCH AN ASSUMPTION IS MADE THE VEHICLE**
19 **SHALL BE TESTED IN ACCORDANCE WITH SECTION**
20 **15.85.600.**

21 **H. ENGINE MODIFICATIONS.**

- 22 **1. ENGINE MODIFICATIONS, INCLUDING THE USE OF**
23 **AFTERMARKET PARTS, ARE ALLOWED PROVIDED**
24 **THAT THEY ARE INCLUDED ON A LIST OF APPROVED**
25 **PARTS OR ENGINE MODIFICATIONS ADOPTED BY THE**
26 **PROGRAM ADMINISTRATOR. A CURRENT COPY OF**
27 **THIS LIST WILL BE KEPT AVAILABLE FOR PUBLIC**
28 **REVIEW AT THE I/M PROGRAM ADMINISTRATION**
29 **OFFICE. THIS LIST INCLUDES ALL MODIFICATIONS**
30 **APPROVED FOR USE BY THE CARB, EXCEPT THOSE**
31 **DELETED BY THE PROGRAM ADMINISTRATOR DUE TO**
32 **COLD TEMPERATURE OPERATIONAL ISSUES.**
33 **2. APPLICATION FOR THE APPROVAL OF MODIFICATIONS**
34 **NOT INCLUDED ON THE LIST CAN BE MADE TO CARB,**
35 **SUBJECT TO THE APPROVAL OF THE I/M PROGRAM**
36 **ADMINISTRATOR.**

37 **I. KIT CARS AND CUSTOM-MANUFACTURED VEHICLES.**

- 38 **1. ALL KIT CARS AND CUSTOM-MANUFACTURED**
39 **VEHICLES REGISTERED PRIOR TO JANUARY 1, 1993,**
40 **ARE SUBJECT TO THE EMISSION CUTPOINTS FOR 1974**
41 **MODEL YEAR VEHICLES.**
42 **2. ALL SUCH VEHICLES FIRST REGISTERED AFTER**
43 **DECEMBER 31, 1992, BUT BEFORE JANUARY 1, 1998,**

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**ARE REQUIRED TO USE ENGINES AND EVAPORATIVE
ECS FROM VEHICLES OF THE SAME CLASS (E.G.,
PASSENGER CAR) CERTIFIED TO MEET FEDERAL
EMISSION STANDARDS APPLICABLE TO 1988 MODEL
YEAR VEHICLES.**

**3. ALL SUCH VEHICLES FIRST REGISTERED AFTER
DECEMBER 31, 1997, ARE REQUIRED TO USE ENGINES
AND EVAPORATIVE ECS FROM VEHICLES OF THE SAME
CLASS (E.G., PASSENGER CAR) CERTIFIED TO MEET
FEDERAL EMISSION STANDARDS, INCLUDING COLD
TEMPERATURE CO STANDARDS, APPLICABLE TO 1996
MODEL YEAR VEHICLES.**

**A. ALL EXHAUST EMISSION CONTROLS ORIGINALLY
INTENDED TO BE USED WITH THE ENGINE
(INCLUDING THE COMPUTER AND FEEDBACK
CONTROL SYSTEM) MUST BE INSTALLED.**

**B. THE VEHICLE MUST ALSO USE THE SAME
CATALYST USED WITH THE ENGINE IN A
CERTIFIED VEHICLE OR AN AFTERMARKET
CATALYST APPROVED BY THE I/M PROGRAM
ADMINISTRATOR FOR THE CERTIFIED VEHICLE.**

J. GRAY MARKET VEHICLES.

**1. EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION
THE REFEREE FACILITY WILL:**

**A. INSPECT A GRAY MARKET VEHICLE IN
ACCORDANCE WITH IMPORTATION DOCUMENTS
ISSUED BY EPA OR THE MANUFACTURERS'
EMISSION DECAL; AND**

**B. ISSUE A CERTIFICATE OF INSPECTION IF THE
GRAY MARKET VEHICLE PASSES THE VISUAL
AND FUNCTIONAL INSPECTION AND THE
TAILPIPE EMISSIONS STANDARDS AS REQUIRED
BY PART IV OF THE STATE I/M PROGRAM
MANUAL AS REFERENCED IN 18 AAC 52.005(E)(1),
AND**

**C. THE REFEREE MAY PLACE A DECAL ON THE
VEHICLE TO ALLOW IT TO BE TESTED IN THE
FIELD IN THE FUTURE.**

**D. A COPY OF PART IV OF THE STATE I/M PROGRAM
MANUAL REFERENCED 18 AAC 52.005(E)(1) WILL
BE MADE AVAILABLE AT THE I/M PROGRAM
ADMINISTRATION OFFICE FOR PUBLIC REVIEW.**

2. IF THE IMPORTATION DOCUMENTS OR THE

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- MANUFACTURERS' EMISSIONS DECAL ARE NOT AVAILABLE, BUT THE GRAY MARKET VEHICLE HAS A U.S. TITLE AND HAS NOT BEEN MODIFIED TO COMPLY WITH EPA EMISSIONS REQUIREMENTS THE REFEREE FACILITY WILL,**
- A. INSPECT THE VEHICLE ACCORDING TO THE MODEL YEAR OF THE VEHICLE AND THE ECS PRESENT ON THE VEHICLE AT MANUFACTURING; AND**
 - B. ISSUE A CERTIFICATE OF INSPECTION IF THE VEHICLE PASSED THE TAILPIPE EMISSIONS STANDARDS AS REQUIRED BY PART IV OF THE PROGRAM MANUAL AS REFERENCED IN 18 AAC 52.005(E)(1), AND**
 - C. THE REFEREE FACILITY MAY PLACE A DECAL ON THE VEHICLE TO ALLOW IT TO BE TESTED IN THE FIELD IN THE FUTURE.**
- 3. IF THE IMPORTATION DOCUMENTS OR THE MANUFACTURERS' EMISSIONS DECAL ARE NOT AVAILABLE, BUT THE GRAY MARKET VEHICLE HAS A U.S. TITLE AND HAS BEEN MODIFIED TO COMPLY WITH EPA EMISSIONS REQUIREMENTS THE REFEREE FACILITY WILL;**
- A. INSPECT THE VEHICLE ACCORDING TO THE MODEL YEAR OF THE VEHICLE AND THE ECS PRESENT ON THE VEHICLE AT INSPECTION; AND**
 - B. ISSUE A CERTIFICATE OF INSPECTION IF THE VEHICLE PASSED THE TAILPIPE EMISSIONS STANDARDS AS REQUIRED BY PART IV OF THE PROGRAM MANUAL AS REFERENCED IN 18 AAC 52.005(E)(1), AND**
 - C. THE REFEREE FACILITY MAY PLACE A DECAL ON THE VEHICLE TO ALLOW IT TO BE TESTED IN THE FIELD IN THE FUTURE.**
- 1. IF THE IMPORTATION DOCUMENTS OR THE MANUFACTURERS' EMISSION DECAL ARE NOT AVAILABLE, AND THE GRAY MARKET VEHICLE DOES NOT HAVE A U.S. TITLE THE REFEREE FACILITY WILL NOT INSPECT THE VEHICLE.**
- 2. THIS SECTION DOES NOT RELIEVE A MOTORIST FROM ANY DUTY TO OBTAIN IMPORTATION DOCUMENTS ISSUED BY EPA AND THE U.S. DEPARTMENT OF TRANSPORTATION.**

1 **K. REPAIR OF NON-COMPLYING VEHICLES.**

- 2 1. **BASED ON GUIDANCE ISSUED BY THE PROGRAM**
3 **ADMINISTRATOR, THE REFEREE FACILITY SHALL**
4 **SPECIFY REPAIR PROCEDURES FOR A VEHICLE THAT**
5 **DOES NOT COMPLY WITH THE REQUIREMENTS ABOVE.**
6 **(FOR A GRAY MARKET VEHICLE, REPAIR OF**
7 **DEFECTIVE EMISSION CONTROL COMPONENTS MAY**
8 **BE REQUIRED, BUT RETROFIT OF EMISSION CONTROL**
9 **COMPONENTS NOT ORIGINALLY INSTALLED ON THE**
10 **VEHICLE SHALL NOT BE REQUIRED BY THE**
11 **MUNICIPALITY.)**
- 12 2. **THE REFEREE FACILITY SHALL ISSUE A CERTIFICATE**
13 **OF INSPECTION WHEN A VEHICLE HAS BEEN MODIFIED**
14 **SO AS TO COMPLY WITH THE ABOVE REQUIREMENTS,**
15 **OR WHEN AN APPLICABLE REPAIR COST MINIMUM**
16 **CRITERIA, AS SPECIFIED IN SECTIONS 15.85.240.B OR**
17 **15.85.240.C, HAS BEEN VIOLATED.**
- 18 3. **IF A VEHICLE FAILS THE INSPECTION AND DOES NOT**
19 **MEET THE REQUIREMENTS FOR A REPAIR COST**
20 **WAIVER, THE REFEREE FACILITY MAY PROVIDE THE**
21 **MOTORIST WITH AN OFFICIAL REFEREE FACILITY**
22 **REQUIRED REPAIR FORM THAT DESCRIBES THE**
23 **REPAIRS THAT MUST BE MADE WITHIN 60 DAYS. IF SO**
24 **DIRECTED BY THE REFEREE FACILITY, THE MOTORIST**
25 **SHALL RETURN THE VEHICLE TO THE REFEREE**
26 **FACILITY FOR VERIFICATION OF THE REPAIRS.**

27 **L. DOCUMENTED VEHICLES.**

- 28 1. **AT THE DISCRETION OF THE I/M PROGRAM**
29 **ADMINISTRATOR, THE REFEREE FACILITY MAY VERIFY**
30 **AND DOCUMENT THE STATUS OF A VEHICLE'S ECS**
31 **AND EMISSION LEVELS PRIOR TO THE VEHICLE BEING**
32 **TAKEN BY PROGRAM ADMINISTRATION STAFF OR**
33 **OTHER INDIVIDUALS DESIGNATED BY THE PROGRAM**
34 **ADMINISTRATOR TO A CERTIFIED I/M STATION FOR AN**
35 **OVERT OR COVERT PERFORMANCE AUDIT OF THE**
36 **CERTIFIED I/M STATION OR A CERTIFIED I/M MECHANIC.**
- 37 2. **AT THE DISCRETION OF THE PROGRAM**
38 **ADMINISTRATOR, THE REFEREE FACILITY MAY ALSO**
39 **DETERMINE THE RESULTS OF EMISSION REPAIRS**
40 **MADE ON A DOCUMENTED VEHICLE AT A CERTIFIED**
41 **I/M STATION. A COPY OF THE DESCRIPTION OF THE**
42 **ALTERATIONS PERFORMED BY THE REFEREE FACILITY**
43 **SHALL BE GIVEN TO THE CERTIFIED**

1 **STATION/MECHANIC AT THE COMPLETION OF THE**
2 **OVERT OR COVERT AUDIT.**

3 **M. WARRANTY ASSISTANCE.**

- 4 1. **A VEHICLE THAT FAILS AN EMISSION INSPECTION AT A**
5 **CERTIFIED I/M STATION, AND THAT IS COVERED BY A**
6 **MANUFACTURER'S EMISSION WARRANTY, AS**
7 **PROVIDED UNDER SECTIONS 207(A) OR 207(B) OF THE**
8 **CLEAN AIR ACT (42 U.S.C.A. § 7541(A) AND (B)), MAY, AT**
9 **THE VEHICLE OWNER'S OPTION, BE INSPECTED AT THE**
10 **REFEREE FACILITY FOR VERIFICATION AND**
11 **DOCUMENTATION OF THE INSPECTION FAILURE.**
- 12 2. **THE VEHICLE OWNER MAY, AT HIS OR HER OPTION,**
13 **SUBSEQUENTLY RETURN TO THE REFEREE FACILITY**
14 **FOR VERIFICATION THAT I/M-RELATED REPAIRS WERE**
15 **PERFORMED PROPERLY.]**

16
17 (AO No. 99-160, § 7, 1-11-00)

18
19 **Section 10.** Anchorage Municipal Code section 15.85.620, Preliminary Inspection
20 and Safety Check, is amended to read as follows:

21
22 **15.85.620 Preliminary inspection and safety check.**

23
24 *** *** ***

25 B. The owner or operator of the certified station, or a certified mechanic
26 employed by the station shall inform the motorist that an inspection is
27 not required for

- 28
29 1. A vehicle that is exempt under 15.85.220B.;
- 30
31 2. A vehicle with a registration renewal date more than 90 days
32 in the future [, EXCEPT FOR CHANGE OF OWNERSHIP];
33 and
- 34
35 3. A vehicle that does not require an I/M test unless requested
36 by the motorist or required by the I/M program administrator
37 because of a pending enforcement action.

38
39 *** *** ***

40 C. The owner or operator of an I/M station, or a certified I/M mechanic
41 employed by the station, shall refer the following vehicles to the
42 referee facility [FOR INSPECTION, OR] to verify qualification for a
43 waiver under Section 15.85.235:

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2 *** **

3
4 5. A vehicle equipped with an engine other than the engine
5 originally installed in the vehicle, except that:

6
7 *** **

8
9 [C. FOR A 1974 OR EARLIER MODEL YEAR VEHICLE
10 WITH A DIFFERENT ENGINE, THAT VEHICLE MAY
11 BE I/M-TESTED;]

12
13 (AO No. 99-160, § 7, 1-11-00; AO No. 2006-13, § 11, 2-14-06)

14
15
16 **Section 11.** Anchorage Municipal Code section 15.85.710, Visual and Functional
17 Checks, is amended to read as follows:

18
19 **15.85.710 Visual and functional checks.**

20
21 A. 1975 through 1995 [1975 AND LATER] [~~1995 and older~~] model-
22 year vehicles for which emission inspections are specified under
23 Section 15.85.720 shall be visually inspected to determine whether
24 vehicles that were originally factory-equipped with the following ECS
25 components have such components properly installed and
26 unmodified:

27 *** **

28
29 B. In addition, 1975 through 1995 [~~1995 and older~~] [~~1975~~] [~~through~~
30 ~~1995~~] [1975 AND LATER] model-year vehicles for which emission
31 inspections are specified under Section 15.85.720 shall be
32 functionally checked to determine whether the following components
33 are correctly operating on those vehicles that were originally factory-
34 equipped with such components:

35 *** **

36
37 C. Except as provided in section 15.85.650, any vehicle 1975 through 1995 on
38 which any of the above systems are removed, disconnected, modified, or
39 defective, shall fail the visual and/or functional inspections.

40
41 *** **

42 (AO No. 99-160, § 7, 1-11-00)

43

1 **Section 12.** **Anchorage Municipal Code section 15.85.400, Mechanic**
2 **Certification, is amended to read as follows (the remainder of the section is**
3 **not affected and therefore not set out):**

4
5 **15.85.400 Certification procedures.**

6
7 *** **

8 **G. The I/M administrator shall charge a \$10,000 fee for the initial**
9 **certification of a new inspection facility or location. The fee for**
10 **recertification shall be based on the volume of tests conducted in the**
11 **preceding two-year certification period in accordance with the**
12 **following schedule:**

13

<u>Number of Tests Conducted by I/M Test Facility in Preceding Two-Year Certification Period</u>	<u>Certification Fee (every 2 years)</u>
<u>10,000 or more</u>	<u>\$10,000</u>
<u>More than 2,000 and less than 10,000</u>	<u>\$5,000</u>
<u>2,000 or less</u>	<u>\$2,000</u>

14 (AO No. 99-160, § 7, 1-11-00)

15
16
17 **Section 13 [12].** The Department of Health and Human Services, through the
18 I/M Administrator, shall submit approved amendments to the ADEC in accordance
19 with applicable regulations of the Alaska Administrative Code.

20
21 **Section 14 [13]. Sections 1 through 7, inclusive, and Sections 10, 11, and**
22 **13 of this ordinance shall become effective immediately upon passage and**
23 **approval by the Assembly.**

24
25 ~~**[Sections 1 through 5, inclusive, and Section 12 of this ordinance shall**~~
26 ~~**become effective immediately upon passage and approval by the**~~
27 ~~**Assembly.]**~~

28
29 **Section 15 [14]. Sections 8, 9, and 12 of this ordinance shall become**
30 **effective on January 1, 2010.**


31
32 ~~**[Sections 6 through 11 of this ordinance shall become effective thirty**~~
33 ~~**(30) days after ADEC provides written notice to the I/M Administrator**~~
34 ~~**that ADEC and EPA have duly accepted and approved the**~~
35 ~~**amendments.]**~~

36
37 **Section 16.** **The Department of Health and Human Services is directed**
38 **to work with the State of Alaska to implement the provisions of this**
39 **ordinance by removing the I/M program as a requirement in the State**


1 Implementation Plan (SIP) for air quality, with a stipulation that it be retained
2 as a local option and not be subject to further SIP revision if future local
3 action results in changes to or discontinuation of the program.

4
5 Section 17. By July 1, 2010 the Anchorage Health and Human
6 Services Commission shall review and report to the Assembly of its need to
7 continue the I/M Program as well as other options and then every three years
8 thereafter.

9
10 PASSED AND APPROVED by the Anchorage Assembly this 15th day of
11 July, 2008.

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17 Chair

18 ATTEST:

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22 Municipal Clerk

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MUNICIPALITY OF ANCHORAGE
ASSEMBLY INFORMATION MEMORANDUM
NO. AIM 58-2008

Meeting Date: July 15, 2008

From: Assemblymember Claman

Subject: Summary of Economic Effects for AO 2008-84(S)

Attached to this memo is the Summary of Economic Effects for Ordinance No. 2008-84(S) AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY REPEALING AO 2007-122(S) IN ITS ENTIRETY; REINSTATING AND AMENDING ANCHORAGE MUNICIPAL CODE CHAPTERS 15.80 AND 15.85, AND SECTIONS 9.30.155 E. AND 14.60.030, AND AMENDING TITLE 12 TO ADD A NEW CHAPTER, ALL REGARDING PROCEDURES, FEES AND REQUIREMENTS FOR VEHICLE I/M TESTING AND RELATED INSPECTIONS, LICENSING, REGISTRATION, EXEMPTIONS, I/M PROGRAM CHANGES, AND FINES; AND ESTABLISHING EFFECTIVE DATES.

Prepared By: Guadalupe Marroquin, Election & Budget Coordinator

Reviewed By: Barbara E. Gruenstein, Municipal Clerk

Submitted By: Assemblymember Claman

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MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

2008 JUL -9 PM 3:31

Title:
 CLERK'S OFF:

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY REPEALING AO 2007-122(S) IN ITS ENTIRETY; REINSTATING AND AMENDING ANCHORAGE MUNICIPAL CODE CHAPTERS 15.80 AND 15.85, AND SECTIONS 9.30.155 E. AND 14.60.030, AND AMENDING TITLE 12 TO ADD A NEW CHAPTER, ALL REGARDING PROCEDURES, FEES AND REQUIREMENTS FOR VEHICLE I/M TESTING AND RELATED INSPECTIONS, LICENSING, REGISTRATION, EXEMPTIONS, I/M PROGRAM CHANGES, AND FINES; AND ESTABLISHING EFFECTIVE DATES..

AO Number: 2008-84(S)

Sponsor: Assemblymember Claman
 Preparing Agency: Department of Assembly
 Others Impacted: Motor Vehicle Emissions Inspection & Maintenance (I/M) Program

CHANGES IN EXPENDITURES AND REVENUES:

(In Thousands of Dollars)

	FY09	FY10	FY11	FY12	FY13
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:	\$ (507)	\$ (507)	\$ (507)	\$ (507)	\$ (507)

CAPITAL:

POSITIONS: FT/PT and Temp

PUBLIC SECTOR ECONOMIC EFFECTS:

The ordinance will exempt additional vehicles from I/M testing requirements. The new car exemption will be extended from four to eight years and vehicles with historical plates will no longer be tested. For each test, there is an \$18 certificate fee; revenues from the fee support the Municipal I/M and Air Quality Programs. DHHS estimates that an additional 34,000 vehicles will be exempted each year from testing requirements as a result of the ordinance. Thus the Municipality will lose 34,000 x \$18 = \$612,000 in fee revenue. This will be partially offset by new fee revenue from I/M test stations of \$105,000 annually. Net effect is \$507,000 reduction in revenue. SEE is based on a comparison of the program currently in place.

PRIVATE SECTOR ECONOMIC EFFECTS:

According to Health & Human Services, the private sector I/M test and repair industry anticipate business losses due to the the increase in vehicles exempted from testing requirements. Based on an estimate of 34,000 fewer vehicles tested each year with an average inspection cost of \$40, income loss is estimated \$1.36M per year (\$40 x 34,000) from I/M testing. The I/M repair industry is also projected to lose revenues due to decreased repairs with fewer vehicles failing I/M tests. The fail rate among vehicles that will become "newly" exempt is projected to be 4%. Thus, the number of vehicles not be repaired annually is estimated to be (34,000 x 0.04) = 1,360. Assuming an average I/M repair cost of \$285 the estimated private sector loss in income from repairs is \$285 x 1,360 = \$387,600. Estimated combined loss in private sector receipts for Inspections (\$1.4M) and repairs (\$0.4M) totals \$1.4M per year. (Note that, in turn, the general public will realize \$1.4M per year in avoided I/M inspection and repair costs.) I/M stations may also lose other business not directly associated with I/M such as windshield wiper, oil and air filter changes and other business. SEE

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MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
NO. AM 483-2008

Meeting Date: July 15, 2008

1 **From:** Assembly Chair Matt Claman
2 **Subject:** **AO 2008-84(S) — AN ORDINANCE OF THE ANCHORAGE MUNICIPAL**
3 **ASSEMBLY REPEALING AO 2007-122(S) IN ITS ENTIRETY; REINSTATING AND**
4 **AMENDING ANCHORAGE MUNICIPAL CODE CHAPTERS 15.80 AND 15.85, AND**
5 **SECTIONS 9.30.155E. AND 14.60.030, ALL REGARDING PROCEDURES, FEES AND**
6 **REQUIREMENTS FOR VEHICLE I/M TESTING AND RELATED INSPECTIONS,**
7 **LICENSING, REGISTRATION, EXEMPTIONS, I/M PROGRAM CHANGES, AND FINES;**
8 **AND ESTABLISHING EFFECTIVE DATES.**
9

10 AO 2008-84(S) extends the new car testing exemption to six years and will still require
11 vehicles model year 1968 or newer to be tested unless they have valid historic or classic car
12 plates. Under the modifications proposed in AO 2008-84(S), modeling suggests that the
13 Anchorage I/M Program will provide greater reductions in motor vehicle emissions than AO
14 2008-84 and AO 2008-67 at a lower cost to the public. Vehicles with classical or historical
15 registration pursuant to state regulations would be exempt from testing, regardless of age.
16

17 AO 2008-84(S) incorporates a permit fee for I/M test stations. Those businesses that
18 participate in the I/M testing program will pay costs associated with the Municipality licensing,
19 permitting, and inspecting their operations. This cost-causer/cost-payer approach changes the
20 program by allocating costs of the program to participating businesses. AO 2008-84(S) would
21 establish a biennial certification fee for private I/M testing stations. A sliding scale fee of
22 \$10,000, \$5,000, or \$2,000 would be assessed every two years and is based on the volume of
23 tests performed in the preceding two-year period. DHHS anticipates that it could collect an
24 additional \$105,000 in annual revenue from this fee.
25

26 AO 2008-84(S) also establishes the flexibility to restructure the way required "referee" services
27 are provided. Currently, services such as reviewing non-stock engine modifications and
28 resolving disputes between stations and clients must be provided by a single referee facility.
29 The current contract cost for these services is \$377,000. DHHS hopes to realize \$200,000 to
30 \$300,000 in cost savings by changing the way these services are provided. DHHS believes
31 that some of these referee services could be provided by specially-certified I/M test facilities at
32 much lower cost.
33

34 In reviewing this program, there has been discussion about whether a 6-year or an 8-year
35 exemption is more reasonable for the new car exemption. Table 1 attached compares the two
36 ordinances with the status quo and their associated CO reductions. For 2008-84(S), the table
37 compares a 6-year exemption with an 8-year exemption. With the reduced costs to the
38 program and savings to the Municipality from changing the referee station function, the 6-year
39 exemption results in a program that will not require raising fees paid by vehicle owners for I/M
40 testing and certification, and is projected to eliminate a budget shortfall in the program. Table 2
41 and Table 3 illustrate 2006 data by age of vehicle.
42

43 Respectfully submitted:
44 Matt Claman, Assemblymember Section 3

Table 1 – Comparison of Four I/M Alternatives

	Status Quo 1 st test @ 4 yrs, 25 yr+ vehicles not exempted	AO 2008-67 & 2008-84 1 st test @ 6 yrs exempt 25 yr+ vehicles	AO-2008-84(S) 25 yr+ vehicles not exempted except for historic and classic vehicles
Vehicles 2 years old	Exempt	Exempt	1 st test @ 6 yrs Exempt
Vehicles 4 year old	Test Required	Exempt	Exempt
Vehicles 6 years old	Test Required	Test Required	Test Required
Vehicles 8 years old	Test Required	Test Required	Test Required
Vehicles 25 years and older**	Test Required	Exempt	Test Required
Total Number of Vehicles Tested per Year	90,000	71,000	74,000
Number of Vehicles Exempted from I/M	17,000	36,000	33,000
Projected Fail Rate Among Tested Vehicles	11.3%	12.9%	13.2%
Hypothetical Fail Rate Among Exempted Vehicles	1.5%	3.5%	2.2%
Estimated Cost to Public	\$8.1 M/yr	\$6.7 M/yr	\$7.0 M/yr
CO Reduced (tons per day)	9.4	7.2	8.6
CO reduced per 1,000 vehicles tested (lbs/day)	210	200	240
Amount of CO reduced per \$1M (lbs per day)	2,320	2,140	2,460
MOA I/M Certification Fee Revenue (\$18/cert)	\$1.62 M/yr	\$1.28 M/yr	\$1.31 M/yr
MOA Revenue Loss from Status Quo	---	\$340,000/yr	\$310,000/yr

Methods to Address Revenue Shortfall in AO 2008-84(S)

Enact permit fee for I/M test stations	\$105,000
Change Referee Services function	Assume \$200,000 savings
Remaining Shortfall	~ \$0
	~\$300,000/yr

** Vehicles model year 1967 and older are exempt under all four alternatives. Under 2008-84(S) vehicles with historical or classical vehicle plates would also be exempt from testing regardless of age.

DHHS
 July 11, 2008

Table 2 – I/M Fail Rate by Age of Vehicle in 2006

For each category, the table below shows the number of vehicles tested and failed. It also shows the percentage of all failures that occur in each age category.

For example, there were a total of 16,302 vehicles tested in 2006 that were 6 years of age. Of these, 887 failed I/M; a failure rate of 5.4%. The total number of I/M failures among all vehicles tested in 2006 was 10,142. Therefore, 6 year old vehicles accounted for $887/10,142 = 8.7\%$ of all failures.

Age of Vehicle Tested	Number of Vehicles Tested in Age Category	Number Pass	Number Fail	% Failing within Age Category	% of All Failing Vehicles
4	17,229	16,724	505	2.9%	5.0%
6	16,302	15,415	887	5.4%	8.7%
8	13,767	12,692	1,075	7.8%	10.6%
10	10,333	9,029	1,304	12.6%	12.9%
12	10,030	8,429	1,601	16.0%	15.8%
14	6,903	5,958	945	13.7%	9.3%
16	6,507	5,421	1,086	16.7%	10.7%
18	3,453	2,626	827	24.0%	8.2%
20	1,919	1,296	623	32.5%	6.1%
22	1,494	917	577	38.6%	5.7%
24	607	402	205	33.8%	2.0%
25+	1,335	828	507	38.0%	5.0%
All	89,879	79,737	10,142	11.3%	100.0%

Table 3 on the next page shows the number of vehicles tested and passed by age category in 2006.

Table 3 – Number of Vehicles Passing and Failing I/M by Age Category in 2006

