



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
NO. AM 56-2010

Meeting Date: February 2, 2010

1 **From:** ASSEMBLY MEMBER Ossiander
2 **Subject:** **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY**
3 **AMENDING ANCHORAGE CODE SECTION 9.28.035, ABATEMENT OF**
4 **VEHICLES OPERATED BY DELINQUENT OFFENDERS, TO ALLOW A**
5 **NEW DEFENSE TO VEHICLE IMPOUNDMENT**
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7 The purpose of this ordinance is to change the application of AMC subsection 9.28.035L.
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9 In removing the word "NOT" as shown at line 29, page 2 of the proposed ordinance, the
10 rightful registered owner or lienholder of a vehicle will not be penalized for operation of the
11 vehicle by someone else in violation of AMC 9.28.035L, when the rightful registered owner
12 or lienholder has proof he or she did in fact lack knowledge, or could not have reasonably
13 known, that the vehicle was being operated by another person in violation of AMC
14 9.28.035.
15

16 There are now too many incidents where application of AMC 9.28.035 is shifting the
17 burden away from the unlawful operator, and shifting it to a vehicle owner or lienholder
18 who could not have reasonably known that the vehicle was being operated by another
19 person in violation of AMC 9.28.035.
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21 In the proposed ordinance, a typographical error is also corrected in subsection 9.28.035L,
22 where "known" should be replaced by "know".
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24 Respectfully submitted:
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27 Debbie Ossiander
28 Assembly Member, Section 2
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