

Submitted by: VICE CHAIR SELKREGG, ASSEMBLY  
MEMBER DRUMMOND  
Prepared by: Assembly Counsel  
For reading: June 24, 2008

**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.  
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8 THE ANCHORAGE ASSEMBLY ORDAINS:  
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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)  
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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*):

**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.

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(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



**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.**  
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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.  
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33       Respectfully submitted:

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