

Assembly Ordinance 99-087 Continuing the I/M Program

(1999)

H. Julie Shelton

By: Hank Hove, Mayor
 Richard Solie
 Garry Hutchison

Introduced: 11/18/99
 Advanced: 11/18/99
 Substituted: 12/09/99
 Adopted: 12/09/99
 Immediate Reconsideration
 Failed: 12/09/99
 Adopted: 12/09/99

ORDINANCE NO. 99-087

AN ORDINANCE AMENDING THE FAIRBANKS NORTH STAR BOROUGH INSPECTION/MAINTENANCE PROGRAM

WHEREAS, a portion of the Fairbanks North Star Borough is not in attainment with the national Ambient Air Quality Standard (NAAQS) for carbon monoxide; and

WHEREAS, the I/M program was begun in 1985 to insure maintenance of vehicle emission control devices in order to reduce carbon monoxide emissions; and

WHEREAS, the Fairbanks North Star Borough I/M Program Administrator has developed and maintained an I/M program that meets the requirements of State and Federal law, and has specified the components of the program in the Fairbanks North Star Borough I/M Program Handbook, and

WHEREAS, new vehicle emissions technologies, Y2K incompatibility, and rapidly decreasing serviceability are rendering the BAR-90 emissions testing analyzers obsolete, requiring an upgrade to the BAR-97 type analyzers, and

WHEREAS, the upgrade to BAR-97 type analyzers will cause I/M station owners to incur additional capital costs for analyzers, and

WHEREAS, I/M station owners have experienced a reduction of approximately 50% per year in number of tests due to the biennial test cycle implementation beginning in 1997, with associated revenue loss resulting in increased difficulty in amortizing capital costs for new analyzers, and

WHEREAS, there are at least 24 private businesses in the Borough providing I/M services, and

WHEREAS, these businesses operate in a very competitive business environment, subject to the full forces of the market place, and

WHEREAS, these competitive market forces will ensure that I/M services will be provided in the most efficient manner and least cost to the consumer, and

WHEREAS, the new sticker program instituted by the Borough and the resultant need to re-sticker vehicles that have windshield replacements during the two year period between emission tests, can easily be handled by private businesses, and

NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks North Star Borough:

Section 1. Section 3 of this ordinance is of a general and permanent nature and shall be codified. Sections 2 and 4 of this ordinance are not of a general and permanent nature and shall not be codified.

Section 2. The I/M program is amended as follows:

- A. The document entitled "FNSB Alaska2000 Motor Vehicle Inspection and Maintenance Program Handbook" dated January 1, 2000, adopted herein by reference, shall replace the I/M Program Design, the Mechanics' Handbook, and the Operating Procedures Manual.
- B. All certified I/M Test & Repair and Test Only stations shall be required to use BAR 97 type analyzers for certified I/M testing beginning January 1, 2000.
- C. I/M test fees will no longer be subject to price controls by the Borough.
- D. The I/M Windshield Sticker fee shall be \$20.00.
- E. The repair cost waiver minimum is amended by eliminating the cost waiver minimum for tampered vehicles and changing the cost waiver minimum for non-tampered vehicles from \$350 to \$450.

Section 3. The Fairbanks North Star Borough Code is amended by adding a new chapter to read as follows:

Vehicle Inspection and Maintenance Program

8,18,010

~~8-07-018~~ **General provisions.**

A. *Inspection and maintenance required.* Every owner of a vehicle registered, principally located or principally used within the borough shall have each such vehicle inspected and maintained in accordance with the requirements specified in the document entitled "FNSB Alaska2000 Motor Vehicle Inspection and Maintenance Program, I/M Program Handbook" dated January 1, 2000 and adopted by Ordinance 99-087. This document is referred to as the "I/M program handbook." The I/M program handbook is adopted by reference as part of this chapter, as are measures adopted by the program administrator pursuant to subsection i. of this section.

B. *Vehicle fleets.* Every owner of more than ten vehicles which are primarily used in the borough shall have such vehicles inspected and maintained in accordance with the requirements of the I/M program handbook, regardless of whether such vehicles are registered with the borough.

C. *Certificate of inspection and windshield sticker.* A certificate of inspection and a windshield sticker issued in accordance with the procedures specified in the I/M program handbook, not more than 90 days previous, shall be required prior to vehicle registration or vehicle registration renewal with the state division of motor vehicles for all vehicles subject to the requirements of the I/M program handbook.

D. *Responsibility for administration.* The director of the department of transportation shall have principal responsibility for the implementation and enforcement of the I/M program and shall be designated as the I/M program administrator.

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 handbook.

F. *Conduct of inspections.* All inspections and repairs required under the I/M program handbook shall be done in a manner consistent with the requirements of the I/M program handbook when performed by certified I/M mechanics at certified I/M stations.

G. *Suspension or revocation of certification.* Certifications shall be suspended or revoked by the I/M program administrator for repeated or serious violations of procedures or requirements specified in the I/M program handbook.

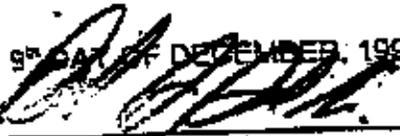
H. *False advertising regarding certification.* No facility may advertise itself as a certified I/M station unless it is certified as such by the I/M program administrator.

I. *Changes in program.* The I/M program administrator shall make such changes to the I/M program handbook as are necessary to:

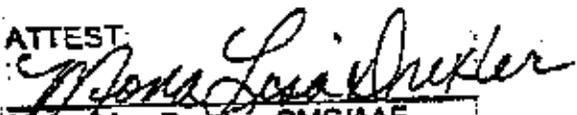
- 1) Maintain the effectiveness of the I/M Program; and
- 2) Require the use of inspection and repair procedures which are cost effective and which reflect changes in the motor vehicle fleet and new emission technologies.

Section 4. Effective date. This ordinance shall be effective at 5:00 p.m. on December 31, 1999.

PASSED AND APPROVED THIS 9TH DAY OF DECEMBER, 1999.


Richard J. Sofie, Jr.
Presiding Officer

ATTEST:


Mona Lisa Drexler, CMC/AAE
Municipal Borough Clerk

Ayes: Williams, Veazey, Parr, Prax, Gummings, Hutchison, Holm, Soile
Noes: Webb, Beck

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