

Original sponsors: Thompson, Taylor,
Cato and Sund

BY THE TRANSPORTATION
COMMITTEE

1 IN THE HOUSE

2 CS FOR HOUSE BILL NO. 240 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to motor vehicles."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 28.35 is amended by adding a new section to read:

9 Sec. 28.35.145. OVERTAKING AND PASSING SCHOOL BUS. (a) The
10 driver of a vehicle that meets or overtakes a school bus stopped on a
11 highway or vehicular way or area shall stop not less than 25 feet from
12 the school bus before reaching it when there are in operation on the
13 school bus flashing red lights as required by regulation. The driver
14 may not proceed until the school bus proceeds, the flashing lights are
15 no longer illuminated, or the driver is signaled by the school bus
16 operator to proceed.

17 (b) When a school bus is stopped on a highway or vehicular way
18 or area, whether or not there are in operation on the school bus
19 flashing red lights as required by regulation, the driver of a vehicle
20 shall yield the right-of-way to a person crossing a highway, vehicular
21 way, or area to embark on or disembark from the school bus, whether or
22 not the person is crossing within a marked crosswalk.

23 (c) The driver of a vehicle on a highway with separate roadways
24 is not required to stop when meeting or passing a school bus that is
25 on a different roadway or, if upon a controlled access highway, when a
26 school bus is stopped off the highway in a loading zone that is part
27 of, or adjacent to, the controlled access highway, and pedestrians are
28 not permitted to cross the highway.

29 (d) In a prosecution under (a) or (b) of this section it is

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1 prima facie evidence that the lessee of a leased vehicle or the owner
2 of another vehicle was the driver of the vehicle if other competent
3 evidence identifies the vehicle as having been driven in violation of
4 this section at the time and place charged.

5 (e) A person charged under this section is required to enter a
6 court appearance. A person convicted under this section is guilty of
7 an infraction and, in addition to other penalties as provided by law,
8 is subject to a mandatory assessment of six demerit points under
9 AS 28.15.221 - 28.15.261.

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