

Offered: 1/16/86  
Referred: Judiciary

Original sponsors: Thompson, Cato,  
Sund, et al

1 IN THE HOUSE

BY THE HEALTH, EDUCATION  
AND SOCIAL SERVICES COMMITTEE

2

CS FOR HOUSE BILL NO. 240 (HESS)

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTEENTH LEGISLATURE - SECOND SESSION

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A BILL

6 For an Act entitled: "An Act relating to overtaking and passing school

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buses."

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

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

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Sec. 28.35.145. OVERTAKING AND PASSING SCHOOL BUS. (a) The

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driver of a vehicle that meets or overtakes a school bus stopped on a

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highway or vehicular way or area shall stop not less than 30 feet from

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the school bus before reaching it when there are in operation on the

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school bus flashing red lights as required by regulation. The driver

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may not proceed until the school bus proceeds and the flashing lights

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are no longer illuminated.

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(b) When a school bus is stopped on a highway or vehicular way

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or area, whether or not there are in operation on the school bus

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flashing red lights as required by regulation, the driver of a vehicle

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shall yield the right-of-way to a person crossing a highway, vehicular

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way, or area to embark on or disembark from the school bus, whether or

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not the person is crossing within a marked crosswalk.

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(c) The driver of a vehicle on a highway with separate roadways

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is not required to stop when meeting or passing a school bus that is

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on a different roadway or, if upon a controlled access highway, when a

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school bus is stopped off the highway in a loading zone that is part

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of, or adjacent to, the controlled access highway, and pedestrians are

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not permitted to cross the highway.

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(d) A driver convicted under this section is guilty of an

1       infraction and, in addition to other penalties as provided by law, is  
2       subject to a mandatory assessment of six demerit points under AS 28.-  
3       15.221 - 28.15.261.

4               (e) A vehicle owner, or in the case of a leased vehicle a les-  
5       see, may be punished by a civil penalty not to exceed \$100, if the  
6       vehicle owned or leased by the person is operated in violation of this  
7       section. The owner or lessee may not be penalized if the vehicle was  
8       stolen, or the driver of the vehicle is convicted under (d) of this  
9       section. This subsection does not apply to a lessor of a vehicle if  
10      the lessor keeps a record of the name and address of the lessee. A  
11      violation of this subsection may not result in the loss of a driver's  
12      license or privilege to drive and does not constitute grounds for  
13      assessment of demerit points under AS 28.15.221 - 28.15.261. This  
14      subsection does not prohibit or limit the prosecution of a vehicle  
15      driver for violating (a) or (b) of this section.

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