

Offered: 1/16/86
Referred: Judiciary

Original sponsors: Thompson, Taylor, Cato,
Sund, et al

1 IN THE HOUSE

BY THE HEALTH, EDUCATION
AND SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 240 (HESS) am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

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

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

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

10 Sec. 28.35.145. OVERTAKING AND PASSING SCHOOL BUS. (a) The
11 driver of a vehicle that approaches from any direction a school bus
12 stopped on a highway or vehicular way or area shall stop not less than
13 30 feet from the school bus before reaching it when there are in
14 operation on the school bus flashing red lights as required by regu-
15 lation. The driver may not proceed until the school bus proceeds and
16 the flashing lights are no longer illuminated.

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) 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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