



# HOUSE BILL 629: Amend Funeral Procession Law.

2017-2018 General Assembly

<b>Committee:</b>	House Judiciary III	<b>Date:</b>	June 13, 2017
<b>Introduced by:</b>	Reps. Alexander, Hunter, Boles	<b>Prepared by:</b>	Billy R. Godwin Staff Attorney
<b>Analysis of:</b>	First Edition		

**OVERVIEW:** *House Bill 629 would makes changes to State law regulating funeral processions.*

**CURRENT LAW:** Current law on funeral processions provides that:

- Vehicles in funeral processions must use headlamps, and hazard lights, if available.
- The operator of the lead vehicle in a funeral procession must comply with traffic control signals, or the direction of the funeral director or a law enforcement officer.
- An entire funeral procession may proceed through an intersection without stopping, if the lead vehicle entered the intersection in compliance with the signal or direction of law enforcement, *except that* operators of vehicles in the procession must still exercise reasonable care towards others on the highway.

### BILL ANALYSIS:

House Bill 629 would change the law on funeral processions as follows:

- Applies the definitions of "funeral director" and "funeral establishment" found in G.S. 90-210.20(g) & (h), part of the Board of Funeral Service licensing statutes to the funeral procession statute.
- Provides that a funeral procession has the right-of-way at intersections regardless of traffic control signs or signals, except for emergency or law enforcement vehicles, or unless directed otherwise by law enforcement.
- Provides that a funeral establishment must register with DMV in order to use its own lead vehicle, for a one-time fee of \$100.00, credited to the Highway Fund. A violation of this requirement would be an infraction punishable by a fine of \$250.00. Violation of this provision would not constitute negligence per se.
- Eliminates prior law allowing local government funeral procession ordinances to supersede State law.
- Protects a funeral director, funeral establishment, or any of its employees or agents from liability for death, personal injury, or property damage related to action or inaction of an operator of a vehicle in a funeral procession if:
  - the funeral procession was operating in accordance with the funeral procession law.
  - the funeral procession would have been operating in accordance with the funeral procession law but for a negligent act or omission by the operator of a vehicle in the funeral procession other than that of the funeral establishment, or any of their employees or agents.

**EFFECTIVE DATE:** December 1, 2017.

*Staff attorney Giles Perry substantially contributed to this bill summary.*

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