



# HOUSE BILL 629: Amend Funeral Procession Law.

2017-2018 General Assembly

<b>Committee:</b>	House Transportation. If favorable, re-refer to Judiciary III	<b>Date:</b>	April 24, 2017
<b>Introduced by:</b>	Reps. Alexander, Hunter, Boles	<b>Prepared by:</b>	Giles Perry
<b>Analysis of:</b>	First Edition		Staff Attorney

**OVERVIEW:** *House Bill 629 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* the operator of any vehicle in the procession must exercise reasonable care towards any other vehicles on the highway.

### BILL ANALYSIS:

House Bill 629 changes the law on funeral processions as follows:

- Applies the definitions of "funeral director" and "funeral establishment" used in 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.
- Deletes prior law allowing local government funeral procession ordinance 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 provisions of the funeral procession law.
  - the funeral procession would have been operating in accordance with the provisions of the funeral procession law, but for a negligent act or omission in the operation of a vehicle in the funeral procession, excluding those of the funeral establishment, or any of their employees or agents.

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

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Legislative Analysis  
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