

**HOUSE BILL No. 2107**

By Representative Collins

1-21

Technical Amendments to HB 2107  
For House Committee on Transportation  
February 3, 2021  
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Office of Revisor of Statutes

1 AN ACT concerning funeral processions; relating to the regulation thereof;  
2 creating a violation for not yielding the right-of-way to funeral  
3 processions; amending K.S.A. 2020 Supp. 8-2118 and repealing the  
4 existing section; also repealing K.S.A. 2020 Supp. 8-2118c.

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6 *Be it enacted by the Legislature of the State of Kansas:*

7 New Section 1. As used in sections 1 through 5, and amendments  
8 thereto:

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9 (a) "Funeral procession" means two or more vehicles accompanying  
10 the body of a deceased person, or traveling to the cemetery, church, chapel  
11 or other location where the funeral service is to be held, in the daylight  
12 hours, including a funeral lead vehicle or a funeral escort.

13 (b) "Funeral lead vehicle" means any authorized law enforcement or  
14 nonlaw enforcement motor vehicle properly equipped pursuant to K.S.A.  
15 8-1723, and amendments thereto, or a funeral escort vehicle being used to  
16 lead and facilitate the movement of a funeral procession. A funeral hearse  
17 may serve as a funeral lead vehicle.

18 (c) "Funeral escort" means a person or entity that provides escort  
19 services for funeral processions, including law enforcement personnel and  
20 agencies and groups designated to escort military funeral processions.

21 New Sec. 2. (a) Notwithstanding any provision of state law or local  
22 ordinance relating to traffic control devices or right-of-way provisions,  
23 pedestrians and operators of all vehicles, except as stated in subsection (c),  
24 shall yield the right-of-way to any vehicle that is a part of a funeral  
25 procession being led by a funeral lead vehicle or accompanied by a funeral  
26 escort.

27 (b) Except as provided in subsection (c), when the funeral lead  
28 vehicle lawfully enters an intersection, either by reason of a traffic control  
29 device or at the direction of law enforcement personnel, the remaining  
30 vehicles in the funeral procession may follow such funeral lead vehicle  
31 through the intersection regardless of any traffic control devices or right-  
32 of-way provisions prescribed by state law, city ordinance or county  
33 resolution.

34 (c) Funeral processions shall have the right-of-way at intersections  
35 regardless of traffic control devices, subject to the following conditions  
36 and exceptions:

1 (1) Operators of vehicles in a funeral procession shall yield the right-  
2 of-way to an approaching authorized emergency vehicle, as defined in  
3 K.S.A. 8-1404, and amendments thereto, using an audible signal meeting  
4 the requirements of K.S.A. 8-1738, and amendments thereto, or a visual  
5 signal meeting the requirements of K.S.A. 8-1720, and amendments  
6 thereto;

7 (2) operators of vehicles in a funeral procession shall yield the right-  
8 of-way when directed by a police officer;

9 (3) operators of vehicles in a funeral procession shall exercise due  
10 care when participating in a funeral procession and avoid colliding with  
11 any other vehicle or pedestrian in accordance with K.S.A. 8-1535, and  
12 amendments thereto; and

13 (4) an operator of a vehicle in a funeral procession shall not have the  
14 right-of-way at an intersection, if the vehicle is more than 300 feet behind  
15 the immediately preceding vehicle in the funeral procession.

16 New Sec. 3. (a) All vehicles comprising a funeral procession shall  
17 follow the preceding vehicle in the funeral procession as closely as is  
18 practical and safe.

19 (b) In accordance with K.S.A. 8-1523, and amendments thereto, any  
20 state law, city ordinance or county resolution stating that motor vehicles  
21 shall be operated to allow sufficient space, enabling any other vehicle to  
22 enter and occupy such space without danger, shall not be applicable to  
23 funeral processions.

24 (c) Each vehicle that is a part of a funeral procession shall have such  
25 vehicle's headlights, either high beam or low beam, and tail lights lighted  
26 and may also use flashing hazard lights if the vehicle is so equipped.

27 New Sec. 4. Nothing in sections 1 through 3, and amendments  
28 thereto, shall be construed to prohibit any city or county from requiring:

29 (a) A law enforcement or nonlaw enforcement funeral lead vehicle or  
30 funeral escort for a funeral procession. A city or county and may require  
31 prior notice of a planned funeral procession be given to the city police  
32 department or the county sheriff; or

33 (b) compliance with any other city ordinance or county resolution,  
34 not in conflict with the provisions of sections 1 through 3.

35 Sec. 5. K.S.A. 2020 Supp. 8-2118 is hereby amended to read as  
36 follows: 8-2118. (a) A person charged with a traffic infraction shall, except  
37 as provided in subsection (b), appear at the place and time specified in the  
38 notice to appear. If the person enters an appearance, waives right to trial,  
39 pleads guilty or no contest, the fine shall be no greater than that specified  
40 in the uniform fine schedule in subsection (c) and court costs shall be  
41 taxed as provided by law.

42 (b) Prior to the time specified in the notice to appear, a person  
43 charged with a traffic infraction may enter a written appearance, waive

, and amendments thereto

New Sec. 5. Sections 1 through 4, and amendments thereto, shall be a part of and supplemental to the uniform act regulating traffic on highways.