

SENATE BILL No. 131

By Senator Pittman

2-2

1 AN ACT concerning funeral processions; relating to the regulation thereof;
2 permitting funeral escorts to direct funeral procession traffic through
3 intersections and traffic control devices.
4

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

6 Section 1. As used in sections 1 through 4, and amendments thereto:

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

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

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

19 Sec. 2. (a) Notwithstanding any provision of state law, city ordinance
20 or county resolution relating to traffic control devices or right-of-way
21 provisions, pedestrians and operators of all vehicles, except as provided in
22 subsection (b), funeral escorts may reasonably direct vehicle and
23 pedestrian traffic to allow funeral processions to pass through intersections
24 and disregard traffic control devices. When the funeral lead vehicle is
25 directed by a funeral escort to lawfully enter an intersection, the
26 remaining vehicles in the funeral procession may follow such funeral lead
27 vehicle through the intersection regardless of any traffic control devices or
28 right-of-way provisions prescribed by state law, city ordinance or county
29 resolution.

30 (b) Funeral processions shall have the right-of-way at intersections
31 regardless of traffic control devices, subject to the following conditions
32 and exceptions:

33 (1) Operators of vehicles in a funeral procession shall yield the right-
34 of-way to an approaching authorized emergency vehicle, as defined in
35 K.S.A. 8-1404, and amendments thereto, using an audible signal meeting
36 the requirements of K.S.A. 8-1738, and amendments thereto, or a visual

1 signal meeting the requirements of K.S.A. 8-1720, and amendments
2 thereto;

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

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

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

12 Sec. 3. (a) All vehicles comprising a funeral procession shall follow
13 the preceding vehicle in the funeral procession as closely as is practical
14 and safe.

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

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

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

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

29 (b) compliance with any other city ordinance or county resolution not
30 in conflict with the provisions of sections 1 through 3, and amendments
31 thereto.

32 Sec. 5. This act shall take effect and be in force from and after its
33 publication in the statute book.