

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1005
Committee Substitute Favorable 5/24/93

Short Title: Funeral Processions.

(Public)

Sponsors:

Referred to:

April 19, 1993

1 A BILL TO BE ENTITLED
2 AN ACT TO REGULATE FUNERAL PROCESSIONS AND TO CODIFY THE
3 RULES OF THE ROAD WITH REGARD TO FUNERAL PROCESSIONS.

4 The General Assembly of North Carolina enacts:

5 Section 1. Chapter 20 of the General Statutes is amended by adding a new
6 section to read:

7 **"§ 20-160.1. Funeral processions.**

8 (a) As used in this section, a 'funeral procession' means an array of motor
9 vehicles in which the lead vehicle is either a State or local law enforcement vehicle or
10 the lead vehicle displays a flashing amber light, sign, pennant, flag, or other insignia
11 furnished by a funeral home indicating a funeral procession.

12 (b) Each vehicle in the funeral procession shall be operated with its headlights
13 illuminated.

14 (c) The driver of the lead vehicle in a funeral procession shall comply with all
15 traffic-control signs and signals, but when the lead vehicle in the funeral procession has
16 progressed across an intersection in accordance with the traffic-control sign or signal,
17 all vehicles in the funeral procession may proceed without stopping, except that the
18 driver of each vehicle shall exercise reasonable care towards any other vehicle or
19 pedestrian on the highway. A driver of a vehicle that is not part of the funeral
20 procession shall not join the funeral procession for the purpose of securing the right-of-
21 way granted by this subsection.

1 (d) Vehicles in a funeral procession shall drive on the right-hand side of the
2 roadway and shall follow the vehicle ahead as closely as reasonable and prudent having
3 due regard for speed and existing conditions.

4 (e) Drivers of vehicles in funeral processions shall yield the right-of-way to
5 emergency vehicles and law enforcement vehicles giving audible signals by light and
6 siren and shall yield the right-of-way when directed to do so by a law enforcement
7 officer.

8 (f) Vehicles driven in funeral processions shall proceed at the posted minimum
9 speed, except that the driver of each vehicle shall exercise reasonable care having due
10 regard for speed and existing conditions.

11 (g) The driver of a vehicle proceeding in the same direction as a funeral
12 procession shall not pass or attempt to pass the funeral procession, except that drivers of
13 vehicles may pass funeral processions when the highway has been marked for two or
14 more lanes of moving vehicles in either direction.

15 (h) A driver of a vehicle shall not knowingly drive between vehicles in a funeral
16 procession by crossing their path unless directed to do so by a person authorized to
17 direct traffic. When a funeral procession is proceeding through a red signal as permitted
18 by subsection (c) of this section, a vehicle that is not in the funeral procession shall not
19 enter the intersection knowing a funeral procession is in process, even if it is facing a
20 steady green signal, unless it can do so without crossing the path of the funeral
21 procession.

22 (i) State or local law enforcement officers are authorized to escort funeral
23 processions in or on properly marked law enforcement vehicles.

24 (j) A violation of this section shall not constitute negligence **per se**."

25 Sec. 2. This act becomes effective December 1, 1993.