

FILED MAR 3 1994

SENATE FILE 2268  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 2209)

Passed Senate, Date <sup>(P. 610)</sup> 3-9-94 Passed House, Date <sup>(P. 1499)</sup> 4/13/94  
Vote: Ayes 48 Nays 1 Vote: Ayes 92 Nays 0  
Approved May 2, 1994

A BILL FOR

1 An Act relating to funeral processions.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SENATE FILE 2268

S-5108

- 1 Amend Senate File 2268 as follows:
- 2 1. Page 1, line 5, by striking the word "turn"
- 3 and inserting the following: "emergency".
- 4 2. Page 1, line 6, by striking the words "which
- 5 identifies itself by".
- 6 3. Page 1, line 7, by striking the word "by" and
- 7 inserting the following: "identifying flags, and".
- 8 4. Page 1, line 7, by inserting after the word
- 9 "all" the following: "other".
- 10 5. Page 1, by striking lines 15 through 21 and
- 11 inserting the following: "the procession unless the
- 12 operation is reckless."
- 13 6. Page 1, line 23, by inserting after the word
- 14 "only" the following: "in connection with the
- 15 procession".
- 16 7. By renumbering as necessary.

By TOM VILSACK

S-5108 FILED MARCH 8, 1994  
Adopted 3-9-94 (P. 610)

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SF. 2268

1 Section 1. NEW SECTION. 321.324A FUNERAL PROCESSIONS.

2 1. For purposes of this section, "funeral procession"  
3 means a procession of motor vehicles accompanying the body of  
4 a deceased person during daylight hours which is being  
5 escorted by a vehicle continually displaying its turn signal  
6 lamps flashing simultaneously and which identifies itself by  
7 using lighted head lamps and by keeping all motor vehicles  
8 with lighted head lamps in close formation.

9 2. Upon the immediate approach of a funeral procession,  
10 the driver of every other vehicle, except an authorized  
11 emergency vehicle, shall yield the right-of-way. An operator  
12 of a motor vehicle which is part of a funeral procession shall  
13 not be charged with violating traffic rules and regulations  
14 relating to traffic signals and devices while participating in  
15 the procession. The driver of the vehicle escorting the  
16 procession may direct and control drivers of motor vehicles  
17 not in the procession to facilitate the movement of the  
18 procession.

19 3. Motor vehicles in a funeral procession are exempt from  
20 payment of tolls on all bridges, tunnels, or highways while in  
21 the procession.

22 4. The funeral home in charge of the funeral procession is  
23 liable only for any negligent, reckless, or intentional act by  
24 the funeral home or any employee or agent of the funeral home  
25 that results in any death, personal injury or property damage  
26 suffered during a funeral procession.

27 EXPLANATION

28 This bill requires a motorist to yield the right-of-way to  
29 a funeral procession and exempts persons participating in a  
30 funeral procession from traffic signal and device rules and  
31 regulations and any tolls on any bridge, tunnel, or highway.  
32 The bill defines a funeral procession as motor vehicles  
33 accompanying a dead body, displaying headlights, and following  
34 a lead escort vehicle continuously flashing its turn signals.  
35 The bill provides that the funeral home in charge of the

1 procession is only liable for its own or its agents' and  
2 employees' negligent, reckless, or intentional acts resulting  
3 in injury or damage arising out of a procession. A violation  
4 of this section would constitute a simple misdemeanor pursuant  
5 to section 321.482.

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(P. 859) 3-23-94 House Do Pass

SENATE FILE 2268  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 2209)

(AS AMENDED AND PASSED BY THE SENATE MARCH 9, 1994)

\_\_\_\_\_ - New Language by the Senate

\* - Language Stricken by the Senate

Passed Senate, Date 3-9-94 Passed House, <sup>(P. 1499)</sup> Date 4/13/94

Vote: Ayes 48 Nays 1 Vote: Ayes 92 Nays 0

Approved May 2, 1994

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S.F. 2268

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12 of a motor vehicle which is part of a funeral procession shall  
13 not be charged with violating traffic rules and regulations  
14 relating to traffic signals and devices while participating in  
15 the procession unless the operation is reckless.

16 4. The funeral home in charge of the funeral procession is  
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Vilsack - Chair  
Symonick  
Pate

SSB-2209  
Judiciary

SENATE FILE 2268  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON STURGEON)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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25 that results in any death, personal injury or property damage  
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27 EXPLANATION

28 This bill requires a motorist to yield the right-of-way to  
29 a funeral procession and exempts persons participating in a  
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SENATE FILE 2268

AN ACT

RELATING TO FUNERAL PROCESSIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 321.324A FUNERAL PROCESSIONS.

1. For purposes of this section, "funeral procession" means a procession of motor vehicles accompanying the body of a deceased person during daylight hours which is being escorted by a vehicle continually displaying its emergency signal lamps flashing simultaneously and using lighted head lamps and identifying flags, and keeping all other motor vehicles with lighted head lamps in close formation.

2. Upon the immediate approach of a funeral procession, the driver of every other vehicle, except an authorized emergency vehicle, shall yield the right-of-way. An operator of a motor vehicle which is part of a funeral procession shall not be charged with violating traffic rules and regulations relating to traffic signals and devices while participating in the procession unless the operation is reckless.

3. The funeral home in charge of the funeral procession is liable only in connection with the procession for any negligent, reckless, or intentional act by the funeral home or any employee or agent of the funeral home that results in any

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LEONARD L. BOSWELL  
President of the Senate

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HAROLD VAN MAANEN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2268, Seventy-fifth General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved May 2, 1994

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TERRY E. BRANSTAD  
Governor