

FEB 24 2006
TRANSPORTATION

HOUSE FILE 2537
BY LYKAM, McCARTHY, and
COHOON

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the operation of funeral escort vehicles.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2537

1 Section 1. Section 321.324A, Code 2005, is amended to read
2 as follows:

3 321.324A FUNERAL PROCESSIONS.

4 1. For purposes of this section, "~~funeral-procession~~" the
5 following definitions apply:

6 a. "Escort vehicle" means a vehicle displaying a flashing
7 or revolving amber and red light visible to pedestrians and
8 motorists in all directions while accompanying a funeral
9 procession.

10 b. "Funeral procession" means a procession of motor
11 vehicles displaying lighted headlamps while accompanying the
12 body of a deceased person during daylight hours which-is-being
13 escorted-by-a and accompanied by an escort vehicle continually
14 displaying-its-emergency-signal-lamps-flashing-simultaneously
15 and-using-lighted-head-lamps-and-identifying-flags,-and
16 keeping-all-other-motor-vehicles-with-lighted-head-lamps
17 keeping the procession of motor vehicles in close formation.

18 2. Notwithstanding any other provisions relating to
19 traffic signals and devices, the operator of an escort vehicle
20 may interrupt the normal flow of traffic at an intersection as
21 necessary to provide for the safe and continuous movement of
22 the funeral procession through the intersection. However,
23 nothing in this section shall be construed to relieve the
24 operator of an escort vehicle from the duty to drive with due
25 regard for the safety of all persons using the highway.

26 2- 3. Upon the immediate approach of a funeral
27 procession, the driver of every other vehicle, except an
28 authorized emergency vehicle, shall yield the right-of-way.
29 An operator of a motor vehicle which is part of a funeral
30 procession shall not be charged with violating traffic rules
31 and regulations relating to traffic signals and devices while
32 participating in the procession unless the operation is
33 reckless.

34 3- 4. The funeral home establishment in charge of the
35 funeral procession is liable only in connection with the

1 procession for any negligent, reckless, or intentional act by
2 the funeral home establishment or any employee or agent of the
3 funeral home establishment that results in any death, personal
4 injury, or property damage suffered during a funeral
5 procession.

6 Sec. 2. Section 321.423, subsection 2, Code Supplement
7 2005, is amended by adding the following new paragraph:

8 NEW PARAGRAPH. j. On a vehicle being operated as an
9 escort vehicle for a funeral procession as provided in section
10 321.324A.

11 EXPLANATION

12 This bill provides that a vehicle used to escort a funeral
13 procession is exempt from the Code provision that prohibits
14 the use of certain flashing lights on most motor vehicles.
15 The bill requires that an escort vehicle display a flashing
16 amber and red light visible in all directions while
17 accompanying a funeral procession. The currently required use
18 of flashing emergency signal lights and the display of
19 identifying flags is eliminated. The bill retains the
20 definition of "funeral procession" that requires vehicles in
21 such a procession to display lighted headlamps.

22 The bill permits the operator of an escort vehicle to
23 interrupt the flow of traffic at an intersection in order to
24 safely move a funeral procession through the intersection.
25 The bill specifies that the operator of a funeral escort
26 vehicle is not exempt from the duty to drive with due regard
27 for the safety of all persons using the highway.

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