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MEMORANDUM

To: House Committee on Transportation
From: Office of Revisor of Statutes
Date: February 2, 2021
Subject: Bill Brief – HB 2107

HB 2107 provides for the regulation of funeral processions through state law and creates a new traffic infraction for vehicles that do not properly yield to funeral processions.

Section 1 creates new definitions for a funeral procession, a funeral lead vehicle and a funeral escort. Funeral lead vehicles are allowed under current law in K.S.A. 8-1723 to equip flashing head lamps when the vehicle is serving as a funeral lead vehicle.

Section 2 creates a new violation in subsection (a). This violation states that a pedestrian or vehicle shall yield the right-of-way to funeral processions when that procession is being escorted by a funeral lead vehicle or funeral escort. The violation is coupled with a new penalty of \$20 for failing to yield the right-of-way to a funeral procession. Subsection (b) allows funeral processions to go through intersections when the funeral lead vehicle proceeds regardless of any traffic signals or right-of-way provisions. Subsection (c) puts limits on a funeral procession's right-of-way allowances. These limits include that a procession must yield to an authorized emergency vehicle with lights and sirens on, the funeral procession must yield when instructed by the police, the procession must exercise due care to avoid collisions and must stay within 300 feet of the next car in the procession to proceed through an intersection.

Section 3 requires processions to follow closely to other vehicles in a procession as is practical and safe. In accordance with K.S.A. 8-1523, state law requiring drivers to maintain a certain distance between another driver will not apply to funeral processions. And Section 3 also requires funeral procession vehicles to display lighted head lamps and tail lights or flashing hazard lights if so equipped.

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Finally, Section 4 does not prohibit cities and counties from requiring funeral procession notification to law enforcement, and it does not prohibit any further city or county regulation that is not in conflict with these new provisions.

If enacted, the provisions of HB 2107 become effective July 1, 2021.