

By: Representatives Morgan, Holloway

To: Judiciary B

HOUSE BILL NO. 255

1 AN ACT TO CREATE CERTAIN PROTECTIONS FOR FUNERAL PROCESSIONS;
2 TO ENACT DEFINITIONS; TO PRESCRIBE REGULATIONS; TO REQUIRE CERTAIN
3 SAFETY MEASURES; TO PRESCRIBE A PENALTY FOR FAILURE TO YIELD THE
4 RIGHT-OF-WAY TO A VEHICLE IN A FUNERAL PROCESSION; AND FOR RELATED
5 PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** (1) For the purposes of this section, the
8 following words shall have the meanings ascribed herein unless the
9 context clearly requires otherwise:

10 (a) "Funeral procession" means two (2) or more vehicles
11 accompanying the body of a deceased person, or traveling to the
12 church, chapel or other location at which the funeral service is
13 to be held, in the daylight hours, including a funeral lead
14 vehicle or a funeral escort vehicle.

15 (b) "Funeral lead vehicle" means any authorized law
16 enforcement or nonlaw enforcement motor vehicle properly equipped
17 pursuant to subsection (2) of this section or a funeral escort
18 vehicle being used to lead and facilitate the movement of a



19 funeral procession. A funeral hearse may serve as a funeral lead
20 vehicle.

21 (c) "Funeral escort vehicle" means any motor vehicle
22 that is properly equipped pursuant to subsection (2) of this
23 section and which escorts a funeral procession.

24 (2) (a) All nonlaw enforcement funeral escort vehicles and
25 funeral lead vehicles other than a hearse shall be equipped with
26 at least one (1) lighted circulation lamp exhibiting an amber
27 light or lens visible under normal atmospheric conditions for a
28 distance of five hundred (500) feet from the front of the vehicle.
29 Flashing amber lights may be used only when such vehicles are used
30 in a funeral procession.

31 (b) Any law enforcement funeral escort vehicle may be
32 equipped with red, blue or amber flashing lights which meet the
33 criteria established in paragraph (a).

34 (3) (a) Regardless of any traffic control device or
35 right-of-way provisions prescribed by state or local ordinance,
36 pedestrians and operators of all vehicles, except as stated in
37 paragraph (c), shall yield the right-of-way to any vehicle which
38 is part of a funeral procession being led by a funeral escort
39 vehicle or a funeral lead vehicle.

40 (b) When the funeral lead vehicle lawfully enters an
41 intersection, either by reason of a traffic control device or at
42 the direction of law enforcement personnel, the remaining vehicles
43 in the funeral procession may follow through the intersection



44 regardless of any traffic control devices or right-of-way
45 provisions prescribed by state or local law.

46 (c) Funeral processions shall have the right-of-way at
47 intersections regardless of traffic control devices, subject to
48 the following conditions and exceptions:

49 (i) Operators of vehicles in a funeral procession
50 shall yield the right-of-way to an approaching emergency vehicle
51 giving an audible or visible signal.

52 (ii) Operators of vehicles in a funeral procession
53 shall yield the right-of-way when directed to do so by a police
54 officer.

55 (iii) Operators of vehicles in a funeral
56 procession must exercise due care when participating in a funeral
57 procession.

58 (4) (a) All vehicles comprising a funeral procession shall
59 follow the preceding vehicle in the funeral procession as closely
60 as is practical and safe.

61 (b) Any ordinance, law or regulation stating that motor
62 vehicles shall be operated to allow sufficient space enabling any
63 other vehicle to enter and occupy such space without danger shall
64 not be applicable to vehicles in a funeral procession.

65 (c) Each vehicle which is part of a funeral procession
66 shall have its headlights, either high or low beam, and tail
67 lights lighted and may also use the flashing hazard lights if the
68 vehicle is so equipped.



69 (5) Any person who fails to yield the right-of-way to a
70 vehicle which is a part of a funeral procession as required in
71 subsection (3)(a) of this section shall be guilty of a misdemeanor
72 and, upon conviction thereof, shall be fined in an amount not to
73 exceed One Hundred Dollars (\$100.00).

74 **SECTION 2.** This act shall take effect and be in force from
75 and after July 1, 2022.

