

AN ACT relating to funeral processions.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 189.378 is amended to read as follows:

- (1) "Funeral procession," as used in this section, means two (2) or more vehicles accompanying the body of a deceased person when each vehicle has its headlights on or is displaying a pennant attached in such a manner as to be clearly visible to approaching traffic.
- (2) A vehicle in a funeral procession has the right-of-way at an intersection and may proceed through the intersection if the procession is led by an escort vehicle displaying flashing yellow, red, or blue lights, except:
 - (a) When the right-of-way is required by an emergency vehicle as defined by KRS 189.910;
 - (b) When vehicles in the procession are directed otherwise by a police or safety officer; or
 - (c) When the vehicle is a train or locomotive.
- (3) Before assuming the right-of-way, a person who drives a vehicle in a funeral procession shall exercise due caution with regard to crossing traffic.
- (4) A person who drives a vehicle that is not part of a funeral procession shall not drive the vehicle between the vehicles of the funeral procession or otherwise interfere with the progress of the procession, except when:
 - (a) The person is authorized to do so by a police or safety officer; or
 - (b) The vehicle is an emergency vehicle as defined by KRS 189.910.
- (5) A person who drives a vehicle that is not a part of a funeral procession shall not illuminate the vehicle headlights or engage in any other act for the purpose of securing the right-of-way granted to funeral processions.
- (6) The escort vehicle, hearse, or other vehicles ***operated or employed by a funeral home*** in a procession may be equipped with ***and use*** flashing amber lights, ***red***

lights, or a siren. Light and siren use under this subsection shall only be for the purpose of notifying the general public of the procession and gaining the right-of-way at intersections, or signaling the end of a procession.

- (7) Persons authorized to use flashing lights as defined in KRS 189.920 may use them while accompanying a funeral procession to warn traffic that a procession is approaching or that it is in progress.
- (8) When a funeral procession is in progress, a person driving a vehicle not in the procession shall not pass or overtake any vehicle in the procession unless:
 - (a) The person is directed to do so by a police or safety officer;
 - (b) The procession is on a street, road, or highway outside the corporate limits of a city, town, or urban-county; or
 - (c) The procession is on an interstate highway or a state parkway.
- (9) Any person who violates this section shall be guilty of a Class B misdemeanor.

(10) Vehicles operating under the provisions of subsection (6) of this section shall not be considered emergency vehicles as defined in KRS 189.910.

➔Section 2. KRS 189.920 is amended to read as follows:

- (1) All fire department, rescue squad, or publicly owned emergency management agency emergency vehicles and all ambulances shall be equipped with one (1) or more flashing, rotating, or oscillating red lights, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle, and a siren, whistle, or bell, capable of emitting a sound audible under normal conditions from a distance of not less than five hundred (500) feet. This equipment shall be in addition to any other equipment required by the motor vehicle laws.
- (2) All state, county, or municipal police vehicles and all sheriffs' vehicles used as emergency vehicles shall be equipped with one (1) or more flashing, rotating, or oscillating blue lights, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle, and a siren, whistle, or bell,

capable of emitting a sound audible under normal conditions from a distance of not less than five hundred (500) feet. This equipment shall be in addition to any other equipment required by the motor vehicle laws.

- (3) By ordinance, the governing body of any city or county may direct that the police or sheriffs' vehicles in that jurisdiction be equipped with a combination of red and blue flashing, rotating, or oscillating lights.
- (4) All public safety vehicles shall be equipped with one (1) or more flashing, rotating, or oscillating yellow lights, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle. Yellow flashing, rotating, or oscillating lights may also be used by vehicles operated by mail carriers while on duty, funeral escort vehicles, and church buses.
- (5) All Department of Corrections vehicles used as emergency vehicles shall be equipped with one (1) or more flashing, rotating, or oscillating blue lights, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle. The Department of Corrections vehicles shall not be equipped with or use a siren, whistle, or bell. The equipment prescribed by this subsection shall be in addition to any other equipment required by motor vehicle laws.
- (6) (a) If authorized by the legislative body of a county, urban-county, charter county, consolidated local government, or unified local government:
 1. All publicly owned county jail and regional jail vehicles used as emergency vehicles may be equipped with the one (1) or more flashing, rotating, or oscillating blue lights, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle; and
 2. An elected jailer or the chief administrator of a county or regional jail not managed by an elected jailer may equip one (1) personally owned

vehicle with one (1) or more flashing, rotating, or oscillating blue lights, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle.

- (b) Publicly owned county jail or regional jail vehicles shall not be equipped with or use a siren, whistle, or bell.
- (c) The equipment prescribed by this subsection shall be in addition to any other equipment required by the motor vehicle laws.

(7) Red flashing lights may be used by school buses.

(8) Sirens and red flashing lights may be used by funeral escort vehicles operating under the provisions of subsection (6) of Section 1 of this Act.

~~(9)~~~~(8)~~ No emergency vehicle, public safety vehicle, or any other vehicle covered by KRS 189.910 to 189.950 shall use any light of any other color than those specified by KRS 189.910 to 189.950. Sirens, whistles, and bells may not be used by vehicles other than those specified by KRS 189.910 to 189.950, except that any vehicle may be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal.

~~(10)~~~~(9)~~ Vehicles used as command posts at incidents may be equipped with and use when on scene, a green rotating, oscillating, or flashing light. This light shall be in addition to the lights and sirens required in this section.

~~(11)~~~~(10)~~ A personal vehicle used by a paid or volunteer firefighter, ambulance personnel, or emergency services director who is responding to an emergency shall display the lights required in subsection (1) of this section.

~~(12)~~~~(11)~~ An elected coroner may equip a publicly or privately owned motor vehicle, or both, with flashing, rotating, or oscillating red and blue lights and a siren meeting the requirements of this section solely for the purpose of responding to a report of the death of a human being subject to the following terms and conditions:

- (a) The coroner makes a written request to the legislative body of the county,

urban-county, charter county, consolidated local government, or unified local government in which the coroner was elected to equip a publicly or privately owned motor vehicle, or both, with flashing, rotating, or oscillating red and blue lights and a siren meeting the requirements of this section, and that request is approved by the legislative body by ordinance or by court order;

- (b) The coroner may use the lights and siren only while responding to the scene of the report of a death of a human being and shall not, KRS 189.940 to the contrary notwithstanding, exceed the posted speed limit; and
- (c) The permission granted pursuant to this section shall expire upon the coroner leaving office or the legislative body revoking the authorization.

(13)~~(12)~~ A deputy coroner certified pursuant to KRS Chapter 72 may equip a publicly owned or privately owned motor vehicle, or both, with flashing, rotating, or oscillating red and blue lights and a siren meeting the requirements of this section solely for the purpose of responding to a report of the death of a human being, subject to the following terms and conditions:

- (a) The deputy coroner has made a written request to the coroner to equip a publicly owned or privately owned vehicle with flashing, rotating, or oscillating red and blue lights meeting the requirements of this section and the coroner has approved the request in writing;
- (b) The coroner makes a written request to the legislative body of the county, urban-county, charter county, consolidated local government, or unified local government in which the coroner is elected to permit the deputy coroner to equip a publicly owned motor vehicle or privately owned motor vehicle, or both, and that request has been approved by the legislative body by ordinance or by court order;
- (c) The deputy coroner may use the lights and siren only while responding to the scene of the report of the death of a human being and shall not, KRS 189.940

- to the contrary notwithstanding, exceed the posted speed limit; and
- (d) The permission granted pursuant to this section shall expire upon the coroner leaving office or the legislative body revoking the authorization.