**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑850 SO AS TO DEFINE THE TERM “FUNERAL PROCESSION”, TO PROVIDE FOR THE DUTIES OF OPERATORS OF VEHICLES IN A FUNERAL PROCESSION AND NOT IN A FUNERAL PROCESSION AND TO PROVIDE FOR A CRIMINAL PENALTY FOR A VIOLATION OF THOSE DUTIES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 5, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑850. (A) As used in this section, ‘funeral procession’ means two or more vehicles accompanying the body of a deceased person when each vehicle has its headlights on or is displaying a pennant attached in a manner as to clearly be visible to approaching traffic, or is escorted by a law enforcement vehicle.

(B) 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 when:

(1) an emergency vehicle requires the right of way;

(2) vehicles in the procession are directed otherwise by a law enforcement officer; or

(3) the vehicle is a train or locomotive.

(C) Before assuming the right of way, a person who drives a vehicle in a funeral procession shall exercise caution with regard to crossing traffic.

(D) 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 interfere with the progress of the procession, except when the:

(1) person is authorized to do so by a law enforcement officer; or

(2) vehicle is an emergency vehicle.

(E) 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.

(F) The escort vehicle, hearse, or other vehicles in a funeral procession may be equipped with flashing amber lights 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.

(G) A person authorized to use flashing lights may use them while accompanying a funeral procession to warn traffic that a procession is approaching or that it is in progress.

(H) 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 the:

(1) person is directed to do so by a law enforcement officer; or

(2) procession is on an interstate highway or a state parkway.

(I) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be punished by a fine not exceeding two hundred dollars or by a term of imprisonment not exceeding thirty days.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑