



January 25, 2012

HOUSE BILL No. 1212

DIGEST OF HB 1212 (Updated January 24, 2012 1:12 pm - DI 109)

Citations Affected: IC 9-13; IC 9-19; IC 9-21.

Synopsis: Blue lights on vehicles. Defines funeral escort vehicle. Provides that a vehicle utilized in a funeral procession or a funeral escort vehicle may display certain flashing lights in certain colors. Requires a funeral escort vehicle to bear certain markings. Prohibits a funeral escort vehicle from bearing certain markings. Provides that, in order for the vehicles in a funeral procession to have the right-of-way at an intersection, the vehicle heading the funeral procession must display a flashing red light. (Current law allows the vehicle to display alternately flashing red and blue lights.) Provides that a person who displays a red and blue lamp upon a vehicle or fails to remove a red and blue lamp from a vehicle under certain circumstances commits a Class C misdemeanor.

Effective: July 1, 2012.

Kirchhofer

January 9, 2012, read first time and referred to Committee on Veterans Affairs and Public Safety.
January 25, 2012, amended, reported — Do Pass.

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January 25, 2012

Second Regular Session 117th General Assembly (2012)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

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HOUSE BILL No. 1212

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-69.3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 69.3. "Funeral escort
3 **vehicle**" ~~has the meaning set forth~~ **means a vehicle driven by a**
4 **person who provides escort services for funeral processions. The**
5 **term does not include a vehicle owned and operated by a funeral**
6 **home (as defined in ~~IC 9-21-13-0.3~~ IC 25-15-2-15).**

7 SECTION 2. IC 9-19-14-5.5 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5.5. (a) Except for a:
9 (1) vehicle utilized in a funeral procession; **or**
10 (2) **a funeral escort vehicle bearing markings as described in**
11 **IC 9-21-13-0.7;**

12 a vehicle that is not described by sections 2 or 5 of this chapter may not
13 display a red and white lamp or a red and blue lamp.

14 (b) A person who:
15 (1) ~~purchases or otherwise acquires~~ **possesses** a vehicle with
16 equipment described by sections 2 or 5 of this chapter; and
17 (2) is not authorized to display a red and white or red and blue

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1 lamp upon the vehicle;
2 shall immediately remove the red and white or red and blue lamp from
3 the vehicle.

4 **(c) A vehicle, other than an emergency vehicle used in a funeral**
5 **procession or as a funeral escort vehicle, may display only red and**
6 **white, red, or amber lights.**

7 SECTION 3. IC 9-19-14-6 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) This section does
9 not apply to a person who owns or operates a vehicle or combination
10 of vehicles that:

- 11 (1) contains parts and accessories; and
- 12 (2) is equipped;

13 as required under regulations of the United States Department of
14 Transportation.

15 (b) **Except as provided in subsection (c),** a person who violates
16 this chapter commits a Class C infraction.

17 **(c) A person commits a Class C misdemeanor if the person**
18 **knowingly or intentionally violates section 5.5 of this chapter.**

19 SECTION 4. IC 9-21-7-11 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) Except as
21 provided in subsection (b), a vehicle may not display flashing lights.

22 (b) Flashing lights may be displayed on a vehicle as follows:

- 23 (1) On an authorized emergency vehicle.
- 24 (2) On a school bus.
- 25 (3) On snow-removal equipment.
- 26 (4) As a means of indicating a right or left turn.
- 27 (5) As a means of indicating the presence of a vehicular traffic
28 hazard requiring unusual care in approaching, overtaking, or
29 passing.

30 **(6) On a vehicle used in a funeral procession.**

31 SECTION 5. IC 9-21-13-0.3 IS REPEALED [EFFECTIVE JULY
32 1, 2012]. ~~Sec. 0.3. As used in this chapter, "funeral escort" means a~~
33 ~~person that provides escort services for funeral processions.~~

34 SECTION 6. IC 9-21-13-0.7 IS ADDED TO THE INDIANA CODE
35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
36 1, 2012]: Sec. 0.7. **(a) Except as provided in subsection (b), a funeral**
37 **escort vehicle must be clearly marked with the words "funeral**
38 **escort" on both the right and left sides of the vehicle in letters that**
39 **are at least five (5) inches in height.**

40 **(b) A motorcycle that is a funeral escort vehicle must be clearly**
41 **marked with the words "funeral escort" on both the right and left**
42 **sides of the vehicle in letters that are at least two (2) inches in**

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height.

(c) A funeral escort vehicle may not bear:

- (1) markings similar to the markings used by a law enforcement agency of the state or the federal government;
- (2) words, emblems, seals, or other insignia that could cause a reasonable person to confuse the funeral escort vehicle with a police vehicle; or
- (3) the words "sheriff", "police", "deputy", "marshal", "agent", "patrolman", "officer", or another word that could cause a reasonable person to confuse the operator of the funeral escort vehicle with a law enforcement officer.

SECTION 7. IC 9-21-13-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) A vehicle with lighted headlights in a funeral procession has the right-of-way at an intersection and may proceed through the intersection if the procession is headed by a lead or funeral escort vehicle displaying alternately flashing red and ~~blue~~ **white, flashing red, or flashing amber** lights, except if either of the following conditions exist:

- (1) When the right-of-way is required by an authorized emergency vehicle giving an audible signal.
- (2) When the vehicles in procession are directed otherwise by a police officer.

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

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1212, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-13-2-69.3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 69.3. "Funeral escort vehicle" has the meaning set forth means a vehicle driven by a person who provides escort services for funeral processions. The term does not include a vehicle owned and operated by a funeral home (as defined in ~~IC 9-21-13-0.3~~ IC 25-15-2-15).".

Page 1, line 2, reset in roman "Except for".

Page 1, line 2, delete "a" and insert "a":

(1)".

Page 1, line 3, reset in roman "vehicle utilized in a funeral".

Page 1, line 3, delete "procession," and insert "procession; or

(2) a funeral escort vehicle bearing markings as described in IC 9-21-13-0.7;".

Page 1, line 3, delete "A" begin a new line blocked left and insert "a".

Page 1, line 7, strike "purchases or otherwise acquires" and insert "possesses".

Page 1, between lines 12 and 13, begin a new paragraph and insert:

"(c) A vehicle, other than an emergency vehicle used in a funeral procession or as a funeral escort vehicle, may display only red and white, red, or amber lights.".

Page 2, line 7, after "chapter" insert ".".

Page 2, line 7, delete "in".

Page 2, delete lines 8 through 16, begin a new paragraph and insert: "SECTION 4. IC 9-21-7-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) Except as provided in subsection (b), a vehicle may not display flashing lights.

(b) Flashing lights may be displayed on a vehicle as follows:

(1) On an authorized emergency vehicle.

(2) On a school bus.

(3) On snow-removal equipment.

(4) As a means of indicating a right or left turn.

(5) As a means of indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking, or

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passing.

(6) On a vehicle used in a funeral procession.

SECTION 5. IC 9-21-13-0.3 IS REPEALED [EFFECTIVE JULY 1, 2012]. ~~Sec. 0.3. As used in this chapter, "funeral escort" means a person that provides escort services for funeral processions.~~

SECTION 6. IC 9-21-13-0.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 0.7. (a) Except as provided in subsection (b), a funeral escort vehicle must be clearly marked with the words "funeral escort" on both the right and left sides of the vehicle in letters that are at least five (5) inches in height.**

(b) A motorcycle that is a funeral escort vehicle must be clearly marked with the words "funeral escort" on both the right and left sides of the vehicle in letters that are at least two (2) inches in height.

(c) A funeral escort vehicle may not bear:

- (1) markings similar to the markings used by a law enforcement agency of the state or the federal government;**
- (2) words, emblems, seals, or other insignia that could cause a reasonable person to confuse the funeral escort vehicle with a police vehicle; or**
- (3) the words "sheriff", "police", "deputy", "marshal", "agent", "patrolman", "officer", or another word that could cause a reasonable person to confuse the operator of the funeral escort vehicle with a law enforcement officer."**

Page 2, line 21, delete "alternately a" and insert "alternately".

Page 2, line 22, reset in roman "and".

Page 2, line 22, after "blue" insert **"white, flashing red, or flashing amber"**.

Page 2, line 22, reset in roman "lights,".

Page 2, line 22, delete "light".

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1212 as introduced.)

BORDERS, Chair

Committee Vote: yeas 11, nays 0.



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