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## SENATE BILL NO. 1274

Offered January 10, 2001

Prefiled January 10, 2001

A *BILL to amend and reenact §§ 46.2-828, 46.2-828.1, and 46.2-1026 of the Code of Virginia, relating to right-of-way of funeral processions and vehicles hauling over-dimensional loads under police or sheriff's escort, equipping certain vehicles and or loads with flashing high-intensity amber warning lights.*

Patron—Wagner

Referred to Committee on Transportation

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 46.2-828, 46.2-828.1, and 46.2-1026 of the Code of Virginia are amended and reenacted as follows:**

§ 46.2-828. Right-of-way for funeral processions and vehicles hauling over-dimensional loads under police or sheriff's escort; improper joining of, passing through, or interfering with processions prohibited.

Funeral processions *and vehicles hauling over-dimensional loads* traveling under police or sheriff's escort shall have the right-of-way in any highway through which they may pass. Localities may, by ordinance, provide for such escort service and provide for the imposition of reasonable fees to defray the cost of such service.

The sheriff in any locality not having a separate police department may provide traffic control for funeral processions when equipment and personnel are not otherwise engaged in law-enforcement activities.

No vehicle that is not properly part of a funeral procession shall join, pass through, or interfere with the passage of any funeral procession under escort as provided in this section. *No vehicle shall interfere with the passage of any vehicle hauling an over-dimensional load under escort as provided in this section.*

§ 46.2-828.1. Impeding or disrupting certain funeral processions; impeding vehicles hauling over-dimensional loads; penalty.

A. It shall be unlawful for the operator of any motor vehicle intentionally to impede or disrupt a funeral procession *or intentionally impede a vehicle hauling an over-dimensional load*. Any person convicted of violating this subsection shall be guilty of a traffic infraction and shall, in addition to a penalty assessed pursuant to § 46.2-113, be assessed four driver demerit points.

B. ~~This~~ *As to funeral processions, this section shall apply only to funeral processions that are either (i) travelling under police or sheriff's escort as provided in § 46.2-828 or (ii) escorted or led by vehicles displaying warning lights as provided in § 46.2-1025. As to vehicles hauling over-dimensional loads, this section shall apply only to vehicles hauling over-dimensional loads if those vehicles are (i) travelling under police or sheriff's escort as provided in § 46.2-828 or (ii) operating under a permit issued under § 46.2-1139 and escorted by certified escorts displaying warning lights as provided in § 46.2-1026.*

§ 46.2-1026. Flashing high-intensity amber warning lights.

High-intensity flashing, blinking, or alternating amber warning lights visible for at least 500 feet, of types approved by the Superintendent, shall be used on any vehicle engaged in either escorting or towing over-dimensional materials, equipment, boats, or manufactured housing units by authority of a highway hauling permit issued pursuant to § 46.2-1139. Such lights shall be mounted on the top of the escort and tow vehicles and on the upper rear end of the over-dimensional vehicles or loads for maximum visibility, front and rear. However, any vehicles operating under a permit issued pursuant to § 46.2-1139 shall be deemed to be in compliance with the requirements of this section if accompanied by escort vehicles.

The provisions of this section shall apply ~~only~~ *only* to all vehicles or loads ~~which that are either (i) more than twelve feet wide or (ii) more than seventy-five feet long travelling or being hauled under permits for excessive size issued under Article 18 (§ 46.2-1139 et seq.) of this chapter.~~

INTRODUCED

SB1274