

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

Legislative Fiscal Note

BILL NUMBER: House Bill 422 (First Edition)
SHORT TITLE: Amend Funeral Procession Law.
SPONSOR(S): Representatives Alexander, Boles, and Hunter

| FISCAL IMPACT | | | | | |
|--|---------------------|--------------|--------------|--------------|--------------|
| (\$ in millions) | | | | | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No Estimate Available | | | | | |
| State Impact | FY 2015-16 | FY 2016-17 | FY 2017-18 | FY 2018-19 | FY 2019-20 |
| General Fund Revenues: | No material impact. | | | | |
| General Fund Expenditures: | | | | | |
| Highway Fund Revenues: | No material impact. | | | | |
| Highway Fund Expenditures: | | | | | |
| State Positions: | | | | | |
| NET STATE IMPACT | \$0.0 | \$0.0 | \$0.0 | \$0.0 | \$0.0 |
| PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: | | | | | |
| Department of Public Safety; Department of Transportation | | | | | |
| EFFECTIVE DATE: December 1, 2015 | | | | | |
| TECHNICAL CONSIDERATIONS: | | | | | |
| None | | | | | |

BILL SUMMARY:

HB 422 amends G.S. 20-157.1 to:

- Add definitions for a funeral director and funeral establishment;
- Clarify the definition of a funeral procession to reference a funeral establishment instead of a funeral home;
- Provide that when the lead vehicle in a funeral procession has lawfully progressed across an intersection, all vehicles in the procession may proceed through the intersection without stopping.
- Give a funeral procession the right of way at intersections regardless of traffic control signs or signals, except that the operator of any vehicle in a procession must yield the right of way to emergency vehicles giving appropriate warning, and must yield the right of way when directed to do so by a law enforcement officer.
- Provide that a funeral director, funeral establishment, or any of their employees or agents are not liable for any death, personal injury, or property damage resulting from, caused by, or arising from any action or inaction of an operator of a vehicle in a funeral procession if:

- i. the funeral procession was operating in accordance with the provisions of G.S. 20-157.1, or
 - ii. the funeral procession would have been operating in accordance with the provisions of G.S. 20-157.1 but for a negligent act or omission in the operation of one or more vehicles in the funeral procession.
- Specify that a vehicle operator is deemed to be an agent of the funeral director or establishment when acting in the course of his or her employment or as a retained independent contractor in the performance of the contracted service.

These changes are effective December 1, 2015.

ASSUMPTIONS AND METHODOLOGY:

According to the Department of Transportation, the proposed changes for funeral procession traffic management and civil liability have no material financial impact for the Department.

SOURCES OF DATA: Department of Transportation, Division of Motor Vehicles.

TECHNICAL CONSIDERATIONS: None

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DATE: April 6, 2015.



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