

AMENDED IN ASSEMBLY MAY 20, 2002

AMENDED IN ASSEMBLY APRIL 30, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2031

Introduced by Assembly Member Canciamilla

February 15, 2002

An act to add and repeal Section 21100.7 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2031, as amended, Canciamilla. Vehicle: funeral processions.

(1) Existing law permits local authorities to adopt rules and regulations by ordinance to authorize any person to direct traffic at locations that require traffic direction for orderly traffic flow.

This bill would revise these provisions to require a local authority in the County of Los Angeles, whenever it authorizes the regulation of traffic by any person for a funeral procession, to issue each funeral escort an identification card and an official insignia in the form of a patch or badge indicating that the funeral escort is authorized to direct traffic in accordance with the movement of the funeral procession. The authority would be required to charge a fee for the issuance of the identification card and official insignia, equal to the cost incurred by the authority in issuing that card and insignia. For these purposes, the bill would define "funeral escort" and "funeral procession." The bill would require the local authority to regulate the formal training of funeral escorts relating to traffic control and traffic safety procedures, as specified. The bill furthermore would provide that its provisions shall

remain in effect only until January 1, 2005, and as of that date are repealed; and would require the California Highway Patrol, in consultation with local authorities in the County of Los Angeles *and using existing resources*, to issue a report to the Legislature ~~regarding evaluating the effectiveness, in terms of its impact on overall traffic safety and the operation of funeral processions,~~ of the pilot program on or before January 1, 2005. Because a violation of these provisions would be a crime and because the bill would increase the responsibilities of local authorities, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21100.7 is added to the Vehicle Code,
 2 to read:
 3 21100.7. (a) Whenever a local authority in the County of Los
 4 Angeles authorizes the regulation of traffic for a funeral
 5 procession pursuant to paragraph (1) of subdivision (e) of Section
 6 21100, the local authority shall do all of the following:
 7 (1) Issue each funeral escort in that procession an identification
 8 card and an official insignia in the form of a patch or badge
 9 indicating that the funeral escort is authorized to direct traffic in
 10 accordance with the movement of the funeral procession. The
 11 local authority shall charge the funeral escort or his or her



1 employer a fee that is equal to the costs incurred by the authority
2 in issuing that card and insignia.

3 (2) Require that each vehicle in the funeral procession be
4 clearly marked with a funeral sticker and have its headlights
5 activated.

6 (3) Require that there be one funeral escort for every 12
7 vehicles in the procession, except that the escort in charge of the
8 procession shall be authorized to vary this requirement based on
9 traffic conditions and the nature of the route.

10 (4) Regulate the formal training of funeral escorts relating to
11 traffic control and traffic safety procedures. At a minimum, the
12 regulation shall require providers of funeral escort services to do
13 all of the following:

14 (A) Provide funeral escorts with not less than 30 hours of
15 formal training on traffic control and traffic safety procedures.

16 (B) Certify the participation of funeral escorts in not less than
17 25 funeral processions.

18 (C) Establish a training manual that includes, but is not limited
19 to, all of the following subjects:

20 (i) Traffic control and direction.

21 (ii) Legal responsibilities of funeral escorts.

22 (iii) Safety requirements for funeral processions.

23 (iv) Recordkeeping and reporting of incidents.

24 (v) Safety and inspection of motorcycles and other funeral
25 escort vehicles.

26 (b) For the purposes of this section, the following terms have
27 the following meanings:

28 (1) "Funeral escort" means a uniformed person employed by
29 a mortuary or company to direct the movement of a group of
30 vehicles engaged in a funeral procession.

31 (2) "Funeral procession" means a group of two or more
32 vehicles traveling in a line from a funeral service, whether that
33 funeral service is held at a place of worship or another location, to
34 a transportation facility, cemetery, or crematory.

35 (c) The California Highway Patrol, in consultation with local
36 authorities in the County of Los Angeles *and using existing*
37 *resources*, shall issue a report to the Legislature ~~regarding~~
38 *evaluating the effectiveness, in terms of its impact on overall traffic*
39 *safety and the operation of funeral processions, of this pilot*
40 program on or before January 1, 2005.



1 (d) This section shall remain in effect only until July 1, 2005,
2 and as of that date is repealed, unless a later enacted statute, which
3 is enacted on or before July 1, 2005, deletes or extends that date.
4 SEC. 2. No reimbursement is required by this act pursuant to
5 Section 6 of Article XIII B of the California Constitution for
6 certain costs that may be incurred by a local agency or school
7 district because in that regard this act creates a new crime or
8 infraction, eliminates a crime or infraction, or changes the penalty
9 for a crime or infraction, within the meaning of Section 17556 of
10 the Government Code, or changes the definition of a crime within
11 the meaning of Section 6 of Article XIII B of the California
12 Constitution.
13 However, notwithstanding Section 17610 of the Government
14 Code, if the Commission on State Mandates determines that this
15 act contains other costs mandated by the state, reimbursement to
16 local agencies and school districts for those costs shall be made
17 pursuant to Part 7 (commencing with Section 17500) of Division
18 4 of Title 2 of the Government Code. If the statewide cost of the
19 claim for reimbursement does not exceed one million dollars
20 (\$1,000,000), reimbursement shall be made from the State
21 Mandates Claims Fund.

