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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**  
**No. 1376** Session of  
1987

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INTRODUCED BY KENNEY, J. TAYLOR, CARLSON, LASHINGER, REBER,  
J. L. WRIGHT, O'BRIEN, HERSHEY, JOHNSON, JACKSON, SAURMAN,  
TRELLO, FOX, R. C. WRIGHT AND KOSINSKI, MAY 26, 1987

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REFERRED TO COMMITTEE ON TRANSPORTATION, MAY 26, 1987

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, providing for the operation of vehicles in funeral  
3 processions; and providing for the offense of interruption of  
4 a funeral procession.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Section 1535(a) of Title 75 of the Pennsylvania  
8 Consolidated Statutes, amended December 11, 1986 (P.L.1530,  
9 No.166), is amended to read:

10 § 1535. Schedule of convictions and points.

11 (a) General rule.--A point system for driver education and  
12 control is hereby established which is related to other  
13 provisions for use, suspension and revocation of the operating  
14 privilege as specified under this title. Every driver licensed  
15 in this Commonwealth who is convicted of any of the following  
16 offenses shall be assessed points as of the date of violation in  
17 accordance with the following schedule:

1	Section Number	Offense	Points
2	1512	Violation of restriction on	
3		driver's license.	2
4	1571	Violation concerning license.	3
5	3102	Failure to obey policeman or	
6		authorized person.	2
7	3112(a)(3)(i)	Failure to stop for a red light.	3
8	3114(a)(1)	Failure to stop for a flashing	
9		red light.	3
10	3302	Failure to yield half of roadway	
11		to oncoming vehicle.	3
12	3303	Improper passing.	3
13	3304	Other improper passing.	3
14	3305	Other improper passing.	3
15	3306(a)(1)	Other improper passing.	4
16	3306(a)(2)	Other improper passing.	3
17	3306(a)(3)	Other improper passing.	3
18	3307	Other improper passing.	3
19	3310	Following too closely.	3
20	3321	Failure to yield to driver on the	
21		right at intersection.	3
22	3322	Failure to yield to oncoming	
23		driver when making left turn.	3
24	3323(b)	Failure to stop for stop sign.	3
25	3323(c)	Failure to yield at yield sign.	3
26	3324	Failure to yield when entering or	
27		crossing roadway between inter-	
28		sections.	3
29	<u>3327</u>	<u>Interruption of funeral procession.</u>	<u>3</u>

1	3332	Improper turning around.	3
2	3341	Failure to stop for flashing red	
3		lights or gate at railroad	
4		crossing.	3
5	3344	Failure to stop when entering from	
6		alley, driveway or building.	3
7	3345(a)	Failure to stop for school bus	
8		with flashing red lights.	5
9		(and 60 days suspension)	
10	3361	Driving too fast for conditions.	2
11	3362	Exceeding maximum speed.--Over Limit:	
12		6-10	2
13		11-15	3
14		16-25	4
15		26-30	5
16		31-over	5
17		(and departmental hearing	
18		and sanctions provided	
19		under section 1538(d))	
20	3365(b)	Exceeding special speed limit	
21		in school zone.	3
22	3365(c)	Exceeding special speed limit	
23		for trucks on downgrades.	3
24	3542(a)	Failure to yield to pedestrian in	
25		crosswalk.	2
26	3547	Failure to yield to pedestrian on	
27		sidewalk.	3
28	3549(a)	Failure to yield to blind	
29		pedestrian.	3
30	3702	Improper backing.	3

1        3714                      Reckless driving.                      3  
2        3745                      Leaving scene of accident  
3                                      involving property damage only.                      4

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5        Section 2. Title 75 is amended by adding sections to read:

6        § 3107. Operators of vehicles in funeral processions.

7        (a) General rule.--The operator of a vehicle in a funeral  
8        procession may proceed past a red signal indication or stop  
9        sign, but only after slowing down as may be necessary for safe  
10       operation. The privilege granted in this section shall only  
11       apply to a funeral procession meeting the following conditions:

12           (1) the operator of the lead vehicle shall be the owner  
13        or employee of a licensed funeral establishment; and

14           (2) if required by any regulation of the department  
15        adopted after the effective date of this section, the lead  
16        vehicle shall be equipped with an audible signal and visual  
17        signals meeting and operated in accordance with any  
18        requirements and standards adopted by regulation.

19           (3) Funeral flags are attached to the vehicles  
20        participating from the outset of the funeral procession.

21        (b) Defenses.--

22           (1) It shall be a defense to any prosecution of the  
23        operator of a vehicle in a funeral procession, other than a  
24        lead vehicle, for the summary offense of proceeding past a  
25        red signal indication or a stop sign if the operator  
26        establishes that:

27           (i) he proceeded past a red signal or stop sign in  
28        reliance upon the act of the lead driver; and

29           (ii) he had reason to believe the lead driver is the  
30        owner, employee or agent of a licensed funeral

1           establishment.

2           (2) It shall be a defense to any prosecution of the  
3           operator of the lead vehicle in a funeral procession for the  
4           summary offense of proceeding past a red signal or stop sign  
5           if the operator establishes that:

6                 (i) he was operating the lead vehicle in a funeral  
7                 procession in his capacity as the owner or employee of a  
8                 licensed funeral establishment;

9                 (ii) if required by any regulation of the department  
10                adopted after the effective date of this section, the  
11                lead vehicle was equipped with an audible signal and  
12                visual signals and that such equipment was operated in  
13                accordance with any regulation of the department; and

14                (iii) funeral flags were attached to the other  
15                vehicles participating from the outset of the funeral  
16                procession.

17           (c) Construction.--Nothing in this section shall relieve any  
18           driver in a funeral procession from prosecution under section  
19           3714 (relating to reckless driving) if the conduct of the driver  
20           in proceeding past the red signal or stop sign constitutes  
21           reckless driving. This section does not relieve the driver of  
22           any vehicle in a funeral procession from the duty to drive with  
23           due regard for the safety of all persons.

24           (d) Regulations.--The department may promulgate any  
25           regulation authorized by this section.

26           § 3327. Interruption of a funeral procession.

27           (a) General rule.--Notwithstanding the fact that the  
28           operator of a vehicle may be otherwise entitled to the right-of-  
29           way, by virtue of a traffic signal or otherwise, it shall be  
30           unlawful for any operator, other than emergency vehicles on

1 active emergency calls, to fail to yield the right-of-way to a  
2 caravan or motorcade of motor vehicles in a funeral procession  
3 in cases where the vehicles in the procession have funeral flags  
4 attached thereto.

5 (b) Penalty.--Any person who violates this section is guilty  
6 of a summary offense and shall, upon conviction, be sentenced to  
7 pay a fine of \$100.

8 Section 3. This act shall take effect as follows:

9 (1) 75 Pa.C.S. § 3107(d) shall take effect immediately.

10 (2) The remainder of this act shall take effect in 90  
11 days.