

REFERENCE TITLE: **escort vehicles; markings; lights**

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

HB 2466

Introduced by
Representatives Blanc: Alston, Andrade, Cardenas, Chávez, Clark,
Clodfelter, Cook, Descheenie, Epstein, Espinoza, Friese, Gabaldón,
Gonzales, John, Martinez, Payne, Peten, Powers Hannley, Saldate, Salman,
Shooter

AN ACT

**AMENDING SECTION 28-776, ARIZONA REVISED STATUTES; RELATING TO ESCORT
VEHICLES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-776, Arizona Revised Statutes, is amended to
3 read:

4 28-776. Funeral or military procession right-of-way; funeral
5 or military escort vehicles; certification; fee;
6 definitions

7 A. Pedestrians and the operators of all vehicles, except emergency
8 vehicles, shall yield the right-of-way to each vehicle that is a part of a
9 funeral procession being led by a funeral escort vehicle or a military
10 procession being led by a military escort vehicle. The driver of the
11 funeral escort vehicle or military escort vehicle may direct the drivers
12 of other vehicles in the procession to proceed through any intersection or
13 to make turns or other movements, and the other vehicles may continue to
14 follow and make the turns or other movements as are made by or as directed
15 by the driver of the funeral escort vehicle or military escort vehicle
16 notwithstanding any traffic control device prescribed by statute or local
17 ordinance, except that a driver of a vehicle in the funeral procession or
18 military procession shall not exceed the posted speed limit and shall
19 exercise reasonable and prudent care to avoid colliding with any other
20 vehicle or pedestrian on the roadway. Each vehicle in a funeral procession
21 or military procession shall have its headlights lighted.

22 B. A driver of a funeral escort vehicle or military escort vehicle
23 who is certified pursuant to subsection ~~D~~ E of this section may direct
24 and control the drivers of vehicles in a funeral procession or military
25 procession and any other vehicle in or approaching any intersection to
26 stop, proceed or make the turns or other movements as required without
27 regard to any traffic control device prescribed by statute or local
28 ordinance. Funeral escort vehicles or military escort vehicles may exceed
29 the speed limit by fifteen miles per hour when overtaking processions to
30 direct traffic at the next intersection. A funeral escort vehicle or
31 military escort vehicle shall be equipped with at least one lighted lamp
32 ATTACHED TO THE TOP OF THE VEHICLE'S CABIN AND exhibiting a red or red and
33 blue light or lens visible under normal atmospheric conditions from a
34 distance of five hundred feet to the front of the vehicle and an audible
35 signal by bell, siren or exhaust whistle as required under section 28-624.

36 C. The sheriff in each county shall register funeral escort
37 vehicles and military escort vehicles and issue an identification sticker
38 or plate that is affixed to the vehicle in order to identify the vehicle
39 as a funeral escort vehicle or military escort vehicle. When acting as a
40 funeral escort or military escort, the driver of a properly equipped and
41 registered funeral escort vehicle or military escort vehicle has all of
42 the rights and privileges of a driver of an authorized emergency vehicle
43 proceeding to an emergency call as provided under section 28-624.

44 D. Within thirty days after receiving an application for approval,
45 the sheriff in each county shall approve or disapprove in writing all

1 markings, emblems, seals and other insignia on a funeral escort vehicle
2 before being displayed. The sheriff may not unreasonably withhold
3 approval. **THE MARKINGS, EMBLEMS, SEALS AND OTHER INSIGNIA MUST BE**
4 **PERMANENTLY DISPLAYED ON THE VEHICLE.** The sheriff shall ensure that the
5 vehicle does not bear markings similar to the vehicle markings used by a
6 law enforcement agency of the federal or state government or a political
7 subdivision of this state or bear words, emblems, seals or other insignia
8 that could cause a reasonable person to confuse the vehicle with a law
9 enforcement vehicle. ~~Beginning October 1, 2008,~~ The right and left sides
10 of a funeral escort vehicle shall be clearly **AND PERMANENTLY** marked with
11 the words "funeral escort" **AND "NOT LAW ENFORCEMENT"** in letters that are
12 at least five inches in height, except that if the funeral escort vehicle
13 is a motorcycle the letters shall be at least two inches in height.

14 E. The sheriff in each county may certify any person who holds at
15 least a valid class A, B, C, D or M driver license issued by this state as
16 a certified driver of a funeral escort vehicle or military escort vehicle
17 if the person:

18 1. Completes a training program in motor vehicle safety and traffic
19 control safety as prescribed by the sheriff.

20 2. Pays the fee that is prescribed by the sheriff for the program
21 and that does not exceed the cost of the program.

22 F. Within thirty days after receiving an application for approval,
23 the sheriff in each county shall approve or disapprove in writing all
24 uniforms, badges, patches and insignias worn by a certified driver of a
25 funeral escort vehicle before being displayed. The sheriff may not
26 unreasonably withhold approval. ~~Beginning October 1, 2008,~~ The uniform
27 shall contain insignia that identifies the wearer as a funeral escort.
28 The sheriff shall ensure that a uniform, badge, patch or insignia does not
29 bear markings similar to the markings of a law enforcement agency of the
30 federal or state government or a political subdivision of this state or
31 bear the words "sheriff", "police", "deputy", ~~"marshall"~~ **"MARSHAL"**,
32 "agent" or "officer" or any other word that could cause a reasonable
33 person to confuse a certified driver of a funeral escort vehicle with law
34 enforcement personnel.

35 G. Each county sheriff shall recognize as valid in that county a
36 registered military escort vehicle or a certified driver of a military
37 escort vehicle, or both, if the registration or certification, or both,
38 occurs in another county in this state pursuant to this section.

39 H. A person:

40 1. Shall not receive any compensation for providing a military
41 procession.

42 2. May only provide a military procession if requested by a United
43 States military member or veteran or the family of a United States
44 military member or veteran.

1 I. For the purposes of this section:

2 1. "Funeral procession" means two or more vehicles accompanying the
3 body of a deceased person, including a funeral escort vehicle registered
4 by the sheriff.

5 2. "Military procession" means two or more vehicles, including a
6 military escort vehicle, accompanying any of the following:

7 (a) The body of a deceased member of the United States military or
8 a deceased veteran of the United States military.

9 (b) A member of the United States military who is being deployed or
10 who is returning from deployment.

11 (c) A person who is being honored at a military event.

12 (d) A monument honoring United States military members or veterans
13 of the United States military that is being transported in this state.