

(Published in the Topeka Metro News May 13, 2013)

ORDINANCE NO. 19814

AN ORDINANCE introduced by City Manager Jim Colson, amending City of Topeka Code § 10.20.080 concerning the right-of-way of emergency vehicles during escorted funeral processions and specifically repealing said original section.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 10.20.080, Funeral processions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Funeral processions.**

(a) Duties of Drivers in a Funeral Procession.

(1) Every driver in a funeral procession shall drive as near to the right edge of the roadway as practicable and shall follow the vehicles ahead as close as is practicable and safe.

(2) The driver of every vehicle in a funeral procession shall illuminate the headlights of such vehicle to identify it as part of the procession.

(3) The driver of every vehicle in a funeral procession shall yield the right-of-way to an approaching emergency vehicle emitting an audible siren and/or flashing lights and shall yield the right-of-way when directed to do so by law enforcement personnel.

(b) Duties of Drivers of Other Vehicles.

(1) On the immediate approach of a funeral procession or a properly lighted escort vehicle in a funeral procession, the driver of every other vehicle except for emergency vehicles emitting an audible siren and/or flashing emergency lights proceeding in the same direction as the procession shall

30 immediately drive to a position parallel to and as close as possible to the  
31 righthand edge or curb of the street, clear of any intersection, and shall stop and  
32 remain in such position until the procession and the escort vehicle has passed.

33 (2) Except for emergency vehicles emitting an audible siren and/or  
34 flashing emergency lights, ~~No~~ driver of ~~a~~any vehicle shall drive between the  
35 vehicles comprising a funeral procession while they are in motion and when such  
36 vehicles in the procession are identified with illuminated headlights.

37 (c) Yield Right-of-Way to Funeral Procession. When following a properly  
38 lighted escort vehicle in a funeral procession, vehicles with illuminated headlights shall  
39 have the right-of-way at any intersection but shall yield the right-of-way to emergency  
40 vehicles emitting an audible siren and/or flashing emergency lights. No driver in a  
41 funeral procession shall enter a controlled intersection until directed to do so by the  
42 driver of the escort vehicle in the procession. The drivers of vehicles in the funeral  
43 procession may proceed into or through any uncontrolled intersection after exercising  
44 due care and caution as may be necessary for the safe operation of their vehicles.

45 (d) Speed Limit.

46 (1) A driver of a properly licensed and equipped escort vehicle in a  
47 funeral procession may exceed the speed limits of the city so long as he does not  
48 endanger life or property.

49 (2) No driver of any vehicle in a funeral procession other than an escort  
50 vehicle as described in subsection (d)(1) of this section shall exceed the posted  
51 speed limits of the city at any time.

(e) Unescorted Processions. A driver of a vehicle in a funeral procession unescorted by a funeral escort properly licensed under this code shall observe all traffic laws and regulations of the city at all times including stopping at a red or stop signal or stop sign.

Section 2. That original § 10.20.080 of The Code of the City of Topeka, Kansas, is hereby specifically repealed.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 4. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 5. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the City Council on May 7, 2013.

CITY OF TOPEKA, KANSAS

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Larry E. Wolgast, Mayor

ATTEST:

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Brenda Younger, City Clerk