



CITY OF SACRAMENTO

27 #

DEPARTMENT OF LAW
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January 26, 1982

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Hon. City Council
City Hall
Sacramento, CA 95814

Re: FUNERAL PROCESSION ESCORT ORDINANCE

Dear Council Members:

SUMMARY

The Law and Legislation Committee recommends adoption of the attached ordinance, relating to the escorting of funeral processions.

BACKGROUND INFORMATION

The Law and Legislation Committee requested that this office prepare an ordinance authorizing private individuals to escort funeral processions subject to certain conditions. An ordinance was prepared in compliance with this request and, with three modifications, was approved by the Committee. The Committee recommends the deletion of a subsection which specified the minimum number of vehicles necessary to escort funeral processions. The Committee also asked the Police Department to promulgate recommended guidelines regarding the safety of escort service and vehicle-to-escort ratios. The attached ordinance contains the above recommendations. Finally, the Committee recommended that the Police Department identify reasonable training programs for the persons engaging in funeral procession escort service. The Police Department is to examine the programs used in other communities.

The ordinance allows a person, who holds a valid permit, to direct traffic as part of the escorting of funeral processions. Traffic direction is limited to the stopping of cross-traffic to enable a funeral procession to proceed in an unbroken chain at intersections controlled by stop signs and signal lights. Where a signal light is involved, the lead vehicle in the procession must enter the intersection on a green light. The ordinance also requires that the permittee complete a traffic safety instruction program as required by the Chief of Police. The officers must wear official insignia approved by the Chief of Police.

APPROVED
BY THE CITY COUNCIL

PASSED FOR
PUBLICATION
& CONTINUED
TO 3-2-82

MAR 2 1982

OFFICE OF THE
CITY CLERK

The Police Department is opposed to the adoption of this ordinance.

RECOMMENDATION

The Law and Legislation Committee recommends that the attached ordinance be adopted and that the other Committee recommendation relating to training programs be approved by the City Council.

Very truly yours,

A handwritten signature in black ink, appearing to read "James P. Jackson", written in a cursive style.

JAMES P. JACKSON
City Attorney

JPJ/p

Attachments



CITY OF SACRAMENTO

DEPARTMENT OF POLICE

HALL OF JUSTICE
813 - 8TH STREET

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5121

JOHN P. KEARNS
CHIEF OF POLICE

February 5, 1982

City Council

Sacramento, California

Honorable Members in Session:

SUBJECT: Funeral Escort Ordinance

SUMMARY

This report concerns a re-emphasis of the Sacramento Police Department's recommendation against enacting a Funeral Escort Ordinance.

BACKGROUND

The Sacramento Police Department has opposed adoption of a Funeral Escort Ordinance for several years. Most cities in this state do not have a Funeral Escort Ordinance. This fact in of itself should be given some significance.

Adoption of this ordinance creates additional duties for already over-burdened police personnel to administer with no additional resources being provided. Enforcement will also be difficult and awkward against both the escort or anyone who wishes to break a procession, a situation likely to occur, unless the funeral directors association makes a diligent effort to publicize this ordinance.

CONCLUSION

The status of the Funeral Escort Ordinance in the City of Sacramento should not change from the simple to the complex. The simplistic status quo with no accidents, no violations of the law, and no significant impact on City departments or the community at large, will be transformed to the complex licensing, instructional review, record keeping, enforcing and the appeal hearing maze of the bureaucracy. What little "teeth" the original draft

of the ordinance had, has already been pulled and recast as "guidelines". The difficulty we have had drafting this ordinance is only a vague hint of the complexity of administering it. The Police Department again strongly recommends against adoption of a Funeral Escort Ordinance.

Respectfully submitted,


John P. Kearns
Chief of Police

Recommendation Approved:


Walter J. Slife, City Manager

Attachment: Escort Guidelines requested
by City Council

February 23, 1982
All Districts

JPK:FBS:njg

Ref: 2-4

CITY OF SACRAMENTO FUNERAL ESCORT GUIDELINES

A. ADMINISTRATIVE

1. The Sacramento City Funeral Directors should appoint a representative to be a liaison officer between themselves and the Sacramento Police Department Traffic Commander.
2. The Funeral Directors should ensure that funeral home managers provide adequate escorts for processions. The recommended numbers are:

<u>MINIMUM NUMBER PERMITTEES</u>	<u>NO. FUNERAL PROCESSION VEHICLES</u>
2	6-15
4	16-25
6	26-35
8	36-45
10	46-more

3. Funeral directors should provide that all vehicles in the procession bear two funeral stickers, one on the lower right-hand corner of the windshield and one on the lower left corner of the rear window. All vehicles should have their headlights turned on.
4. Funeral directors should assure that escort personnel furnish adequate information regarding routes/procedures, etc., to procession participants.
5. Funeral escorts are not permitted to direct traffic contrary to law. An exception to this principle must be recognized, however, when the lead vehicle in a procession enters an intersection with a green signal light, and the light changes to red before the last vehicle clears the intersection, it is reasonable to permit the remaining vehicles to proceed against the red light, provided that a funeral escort is stationed in the intersection to protect the movement of traffic.

Another exception occurs at intersections controlled by stop signs. The funeral escort should enter the intersection well in advance of the procession and hold cross traffic. Only when all such traffic is stopped should the procession be permitted to proceed. Under no circumstances should the intersection be left unattended while any vehicles in the procession are still entering.

- a. The Sacramento Police Department recognizes that the funeral escort/motorcycle may be considered the lead vehicle in the funeral procession.
6. Funeral escort, for the purpose of this guideline, means an individual assigned by the funeral director to accompany

the procession and to direct its movements. He will normally be using a motorcycle for this purpose.

B. VEHICLES IN PROCESSION

1. Vehicles in the procession should not follow more closely than is reasonable and prudent.

C. ESCORT PROCEDURES

1. Funeral processions should maintain a minimum speed commensurate with the flow of traffic.
 - a. Normally on surface streets, a speed 20 to 25 m.p.h. is considered appropriate.
 - b. Normally on freeways, a speed of approximately 50 m.p.h. should be maintained.
 - c. Speeds may vary, depending upon traffic conditions, weather, etc.
 - d. Escorts should not ride to left or right of procession, except when changing positions, or when executing procession lane changes.
2. The funeral escort shall not enter an intersection on a red light.
3. Funeral escorts should be reminded that they are not exempt from traffic laws and that they should operate their vehicles strictly in accordance with the law at a moderate and safe speed.
4. Funeral processions on the freeway are hazardous and create many problems. Listed below are some suggestions that might assist in eliminating or minimizing these problems:
 - a. Funeral escorts should attempt to avoid restricting or blocking the on/off ramps of freeways.
 - b. On multi-lane freeways, the procession should travel in the lane to the immediate left of the far right lane.
 - c. When necessary to change lanes, a funeral escort, if there is more than one, should block the lane to be entered at the rear of the procession. This will enable the lane to clear and permit the funeral at the front to initiate the lane change. Where only one escort is assigned, the lane change may be accomplished in the same manner by blocking the lane and initiating the lane change from the front vehicle backward.

ORDINANCE NO. 82-046
017

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING SECTION 25.8 AND ADDING
ARTICLE XI TO CHAPTER 25 OF THE SACRAMENTO CITY
CODE RELATING TO THE ESCORTING OF VEHICULAR
FUNERAL PROCESSIONS

APPROVED
BY THE CITY COUNCIL

MAR 2 1982

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO: OFFICE OF THE
CITY CLERK

SECTION 1

Section 25.8 of the Sacramento City Code is hereby amended to read as follows:

Sec. 25.8 Unauthorized Persons Shall Not Direct Traffic.

No person other than an officer of the police department or members of the fire department or a person authorized by Article XI of this chapter or other law shall direct or attempt to direct traffic by voice, hand or other signal, except that persons may operate, when and as herein provided, any mechanical pushbutton signal erected by order of the city traffic engineer.

SECTION 2

Article XI is hereby added to Chapter 25 of the Sacramento City Code to read as follows:

ARTICLE XI Funeral Escort Services

Sec. 25.190 Purpose.

It is the purpose of this article to use the power conferred to local agencies by Section 21100(e) of the Vehicle Code which authorizes the appointment of persons other than traffic officers to direct traffic in such prescribed situations and locations as may require traffic direction for orderly traffic flow.

Sec. 25.192 Permit Required.

No person shall stop traffic at intersections or otherwise violate Section 25.8 of this code while leading or escorting a vehicular funeral procession without first obtaining a permit pursuant to this article.

Sec. 25.193 Authorized Traffic Direction.

(a) Any person issued a valid funeral escort permit pursuant to this article and leading or otherwise escorting a vehicular funeral procession shall obey all traffic laws, including all speed laws, except that such person is authorized to stop cross-traffic, to enable all vehicles in the funeral procession to proceed together as an unbroken chain, at intersections controlled by:

1. Stop signs, providing that the permittee remains in the intersection until all funeral procession vehicles have cleared the intersection, and

2. Signal lights, providing that the lead vehicle in the procession enters the intersection with a green light and the permittee remains in the intersection at all times when the light is not green.

(b) A permittee is authorized to direct traffic in the manner specified in this section only while wearing an official insignia issued by the chief of police, and carrying a valid permit issued to him or her as an individual pursuant to this article.

(c) The chief of police may order the revocation of a funeral escort permit, in accordance with the procedure specified in Section 25.199, if the permittee has directed traffic in a manner contrary to that specified in this section.

Sec. 25.194 Permit Procedure.

Applications for a funeral escort permit shall be filed with the chief of police, and shall contain the following:

(a) Name and address of applicant.

(b) Proof of insurance in compliance with Section 25.198.

(c) Proof of satisfactory completion of a traffic safety program of instruction, as described in Section 25.200.

(d) Proof that the applicant holds a valid California vehicle operator's license, properly endorsed for the type of vehicle the applicant intends to use while directing vehicular funeral processions.

(e) Permit and insignia fees, as established by resolution of the city council.

(f) Such other information as may be required by the chief of police or director of finance.

Sec. 25.200 Traffic Safety Instruction Program.

Each applicant shall submit to the chief of police evidence of the curriculum, including instructional materials and skills taught and practiced, of an instructional program of traffic safety which the applicant has satisfactorily completed. The chief of police shall review and approve each submitted instructional program if the chief reasonably believes that the program provided the applicant sufficient training to direct traffic as specified in Section 25.193 in a safe and lawful manner.

Sec. 25.201 Official Insignia.

The chief of police shall approve an official insignia which must be worn by all permittees while directing traffic in the manner specified in Section 25.193.

Sec. 25.202 Permissible Guidelines.

The chief of police shall prepare written guidelines for distribution to permittees. Such guidelines shall be advisory to permittees and recommend procedures to insure safe vehicular funeral processions.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK