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By: **Senators Stone, Della, and Hughes**  
Introduced and read first time: February 2, 2005  
Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Transportation - Funerals - Motorcycle Funeral Escorts**

3 FOR the purpose of requiring the Department of State Police to issue a motorcycle  
4 funeral escort license under certain circumstances; requiring the Department of  
5 State Police to adopt certain regulations; authorizing a funeral procession to  
6 enter an intersection with a red signal if a motorcycle funeral escort has stopped  
7 other vehicles from entering the intersection and crossing the path of the  
8 procession; authorizing an individual to serve as a motorcycle police escort if the  
9 individual holds a certain license; requiring a driver of a vehicle approaching an  
10 intersection to stop at the intersection if directed to stop by a certain motorcycle  
11 police escort; defining a certain term; and generally relating to funerals and  
12 motorcycle funeral escorts.

13 BY adding to  
14 Article - Public Safety  
15 Section 2-314  
16 Annotated Code of Maryland  
17 (2003 Volume and 2004 Supplement)

18 BY repealing and reenacting, with amendments,  
19 Article - Transportation  
20 Section 21-207  
21 Annotated Code of Maryland  
22 (2002 Replacement Volume and 2004 Supplement)

23 BY adding to  
24 Article - Transportation  
25 Section 21-709  
26 Annotated Code of Maryland  
27 (2002 Replacement Volume and 2004 Supplement)

28 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
29 MARYLAND, That the Laws of Maryland read as follows:

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**Article - Public Safety**

2 2-314.

3 (A) AN INDIVIDUAL MAY SERVE AS A MOTORCYCLE FUNERAL ESCORT IF THE  
4 INDIVIDUAL HAS A MOTORCYCLE FUNERAL ESCORT LICENSE ISSUED BY THE  
5 DEPARTMENT, AS PROVIDED IN SUBSECTION (B) OF THIS SECTION.

6 (B) THE DEPARTMENT SHALL ISSUE A MOTORCYCLE FUNERAL ESCORT  
7 LICENSE TO AN INDIVIDUAL WHO IS LICENSED TO DRIVE A MOTORCYCLE IN THE  
8 STATE AND WHO MEETS THE OTHER QUALIFICATIONS ESTABLISHED BY THE  
9 DEPARTMENT.

10 (C) THE DEPARTMENT SHALL ADOPT REGULATIONS SPECIFYING THE  
11 QUALIFICATIONS OF A MOTORCYCLE FUNERAL ESCORT, THE LICENSE APPLICATION  
12 AND RENEWAL PROCEDURES, THE REASONS FOR AND METHODS OF REVOKING A  
13 MOTORCYCLE FUNERAL ESCORT LICENSE, THE MANNER IN WHICH A LICENSED  
14 MOTORCYCLE FUNERAL ESCORT MAY STOP TRAFFIC, AND ANY OTHER PROVISIONS  
15 RELATING TO MOTORCYCLE FUNERAL ESCORTS NECESSARY TO PROTECT THE  
16 PUBLIC SAFETY.

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**Article - Transportation**

18 21-207.

19 (a) Notwithstanding any other provision of this title, a funeral procession  
20 facing a red signal may continue through or make a turn at an intersection if:

21 (1) [the] THE first vehicle in the procession already entered the  
22 intersection before the signal changed from green to red; OR

23 (2) A MOTORCYCLE FUNERAL ESCORT LICENSED BY THE DEPARTMENT  
24 OF STATE POLICE HAS STOPPED OTHER VEHICLES FROM ENTERING THE  
25 INTERSECTION AND CROSSING THE PATH OF THE PROCESSION.

26 (b) While a funeral procession is proceeding through a red signal as permitted  
27 by this section, a vehicle that is not in the procession may not enter the intersection,  
28 even if it is facing a green signal, unless it can do so without crossing the path of the  
29 procession. When the red signal changes to green while the funeral procession is still  
30 within the intersection, a vehicle facing a green signal may proceed, but the funeral  
31 procession has the right-of-way.

32 (c) The driver of a vehicle in a funeral procession does not have any privilege  
33 granted in this section unless:

34 (1) The headlights of the vehicle are turned on; and

35 (2) Subject to § 22-221(g) of this article, the warning lamps of the vehicle  
36 are flashing.

1 21-709.

2 THE DRIVER OF A VEHICLE APPROACHING AN INTERSECTION SHALL STOP AT  
3 THE INTERSECTION IF DIRECTED TO STOP BY A MOTORCYCLE FUNERAL ESCORT,  
4 LICENSED BY THE DEPARTMENT OF STATE POLICE.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2005.