

## DID YOU KNOW???

### FUNERAL PROCESSION'S PROTOCOL VAGUE IN VTL

You are waiting at a red traffic signal car in a city or village and a funeral procession is passing on the other street. Meanwhile, the traffic signal changes to green for you and red on the street with the funeral procession. Do you wait at the green light for the procession to end or do you proceed on the green light, interrupting the procession? Similarly if you are part of the funeral procession and the traffic signal changes to red on your street, do you continue through the red light or do you stop?

This dilemma was presented to me twice within a couple of days, first by a regular reader of this column and then by Lois Clermont, editor of the Plattsburgh Press-Republican. In the first incident, a car in the funeral procession was hit leaving the funeral home in route to the church or cemetery because he thought other traffic would stop for him as it had for other cars before him.

In the second incident, a woman was waiting at a red light for a funeral procession when the light changed. As she continued to wait the driver behind her was beeping at her to go. In both cases, I was asked how vehicle and traffic law (VTL) addressed this.

Unfortunately, VTL is very vague on this issue and does little to define proper protocol. The only part of VTL addressing funeral processions is under section 1129(c), which exempts funeral processions from the "following too closely" laws, but doesn't address what should take place by both vehicles in the procession and by other vehicles that come upon a procession.

I contacted DMV counsel in Albany for assistance on how to answer the posed questions. Counsel's response was that VTL section 1640(12) for cities and villages and section 1660(6) for towns allow municipalities to regulate processions, so a community can adopt an ordinance to give the right-of-way to funeral processions. In upstate New York, this would be an exception rather than the norm.

Counsel said the more usual and arguably safer means to allow a funeral procession to stay together unimpeded is through the use of a police officer in key intersections, who has authority to control traffic regardless of the traffic signal.

To summarize, unless a local government has passed a law saying drivers must yield to funeral processions, they don't legally have to do so. But, as Lois Clermont in her "Viewpoint" editorial stated, "In our view, it's not all about the law – it's about doing the right thing, about being helpful and respectful to a group of people who are already dealing with a sad and stressful situation." How true. Clermont concludes her editorial by saying "We think other cars should yield – not because the law says so, but because common courtesy does."

I might add one last consideration for drivers in the procession – if you are intending to proceed through a red light or stop sign, be sure the other drivers are giving you the courtesy you expect before just taking forcing your way through. Technically you could be ticketed.

For more information on traffic law and traffic safety, visit the Traffic Safety Board web site at: [www.franklincony.org](http://www.franklincony.org) and go to Traffic Safety Board under "Departments". Visit us on Facebook as well. You may also contact me by email at: [d Werner151@verizon.net](mailto:d Werner151@verizon.net) or call me at 483-1882.