

1 HB584
2 105504-1
3 By Representative Rogers
4 RFD: Public Safety
5 First Read: 16-FEB-10

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, there is no requirement
9 for the driver of a motor vehicle in a funeral
10 procession to have the headlights and emergency
11 flashers of the vehicle in use during the
12 procession.

13 This bill would make such a requirement and
14 would provide penalties.

15 Amendment 621 of the Constitution of Alabama
16 of 1901, now appearing as Section 111.05 of the
17 Official Recompilation of the Constitution of
18 Alabama of 1901, as amended, prohibits a general
19 law whose purpose or effect would be to require a
20 new or increased expenditure of local funds from
21 becoming effective with regard to a local
22 governmental entity without enactment by a 2/3 vote
23 unless: it comes within one of a number of
24 specified exceptions; it is approved by the
25 affected entity; or the Legislature appropriates
26 funds, or provides a local source of revenue, to
27 the entity for the purpose.

1 The purpose or effect of this bill would be
2 to require a new or increased expenditure of local
3 funds within the meaning of the amendment. However,
4 the bill does not require approval of a local
5 governmental entity or enactment by a 2/3 vote to
6 become effective because it comes within one of the
7 specified exceptions contained in the amendment.
8

9 A BILL
10 TO BE ENTITLED
11 AN ACT
12

13 Relating to motor vehicles; to require drivers of
14 motor vehicles to have in use the headlights and emergency
15 flashers of the vehicle during a funeral procession; to
16 provide penalties; and in connection therewith would have as
17 its purpose or effect the requirement of a new or increased
18 expenditure of local funds within the meaning of Amendment 621
19 of the Constitution of Alabama of 1901, now appearing as
20 Section 111.05 of the Official Recompilation of the
21 Constitution of Alabama of 1901, as amended.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. (a) The driver of a motor vehicle driven
24 in any funeral procession shall use the headlights and
25 emergency flashers of the vehicle while participating in the
26 procession.

1 (b) A person who violates subsection (a) is subject
2 to a fine not to exceed twenty dollars (\$20) for each
3 violation.

4 Section 2. Although this bill would have as its
5 purpose or effect the requirement of a new or increased
6 expenditure of local funds, the bill is excluded from further
7 requirements and application under Amendment 621, now
8 appearing as Section 111.05 of the Official Recompilation of
9 the Constitution of Alabama of 1901, as amended, because the
10 bill defines a new crime or amends the definition of an
11 existing crime.

12 Section 3. This act shall become effective on the
13 first day of the third month following its passage and
14 approval by the Governor, or its otherwise becoming law.