

189.572 Definitions for section -- Prohibitions for pedestrians -- Exceptions -- Local ordinances -- Administrative regulations.

- (1) As used in this section:
 - (a) "Local government" means any city, county, consolidated local government, urban-county government, charter county government, or unified local government; and
 - (b) "State-maintained right-of-way" means any land, property, or infrastructure under the jurisdiction or maintenance of the Kentucky Transportation Cabinet that is used by the public for transportation purposes, including but not limited to travel lanes, paved and unpaved shoulders, medians, entrance and exit ramps, and adjacent grassy or drainage areas not designated for pedestrian use.
- (2) Except as provided in subsection (3) or (4) of this section, a person shall not sit, kneel, recline, stand, or remain physically stationary in any portion of a state-maintained right-of-way that is not designated for pedestrian use.
- (3) Subsection (2) of this section shall not apply to:
 - (a) Individuals experiencing a medical emergency;
 - (b) Individuals involved in a vehicle-related emergency, provided they remain in the immediate area of the vehicle;
 - (c) Emergency personnel or public utility workers performing their official duties; or
 - (d) Persons located within a pedestrian-designated area such as a sidewalk, marked crosswalk, or transit stop.
- (4) A local government may by ordinance authorize limited exceptions to subsection (2) of this section if:
 - (a) The ordinance:
 1. Establishes a clear process by which a person may request and receive authorization by the local government to act in accordance with any adopted exception;
 2. Applies uniformly; and
 3. Is based solely on objective criteria that is ministerially applied;
 - (b) Authorization granted by the local government to any person is limited in duration and scope;
 - (c) The local government maintains records of each authorization provided under this subsection that includes a statement of justification for its issuance; and
 - (d) Any ordinance adopted under this subsection, and any authorization granted pursuant thereto, comply with this section and any administrative regulations promulgated by the Transportation Cabinet.
- (5) The Transportation Cabinet may promulgate administrative regulations in accordance with KRS Chapter 13A to define minimum pedestrian safety standards for state-maintained rights-of-way.

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History: Created 2026 Ky. Acts ch. 32, sec. 1, effective July 15, 2026.