

## CHAPTER 72

## (HB 499)

AN ACT relating to motor vehicle trailers.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

Section 1. KRS 189.060 is amended to read as follows:

- (1) Each vehicle towed by a towline shall display the lights required on vehicles of the class to which it belongs.
- (2) Each vehicle being hauled by another and connected to it in a manner that will keep them uniformly spaced shall carry at least one (1) light on the left side in such a manner as to show a green light to the front and a red light to the rear visible at least five hundred (500) feet away.
- (3) When any part of a load projects more than five (5) feet beyond a vehicle a red flag by day and a red light during the period provided in KRS 189.030 must be placed upon the extremity of the projection.
- (4) ***Any motor vehicle used as a towing unit where two (2) lamps displaying red lights are not obscured by the towed unit or its load may be equipped with two (2) lamps displaying red lights on the towed unit, the towing unit or both.***

Section 2. KRS 281.600 is amended to read as follows:

- (1) The Department of Vehicle Regulation shall exercise all administrative functions of the state in relation to motor transportation as defined in this chapter, and shall apply, as far as practicable, the administrative and judicial interpretations of the Federal Motor Carrier Act. It shall have the right to regulate motor carriers as provided in this chapter, and to that end may establish reasonable requirements with respect to continuous and adequate service of transportation, systems of accounts, records and reports, preservation of records, and safety of operation and equipment. It may issue subpoenas, subpoenas duces tecum and orders of personal attendance of witnesses, and production of pertinent records, for any proceeding before it, and permit the taking of depositions, all in accord with the Rules of Civil Procedure and it shall have the power to promulgate administrative regulations as it may deem necessary to carry out the provisions of this chapter. The department shall have the authority to promulgate regulations regarding safety requirements for motor vehicles and the method of operation, including the adoption of any of the federal motor carrier safety regulations and any motor vehicle operating contrary to safety regulations shall be in violation of this section.
- (2) ***The provisions established by the Federal Highway Administration in Title 49, Part 393 of the United States Code of Federal Regulations shall not apply to:***
  - (a) ***A motor vehicle or its towed unit having a fertilizer spreader attachment permanently mounted thereon, having a gross weight not to exceed thirty six thousand (36,000) pounds, and used only for the transportation of bulk fertilizer; or***
  - (b) ***A farm wagon type tank trailer of not more than two thousand (2,000) gallon capacity used during liquid fertilizer season as a field storage tank supplying fertilizer to a field applicator, and moved on a public highway for the purpose of bringing fertilizer from a local source of supply to a farm or field, or from one farm or field to another, provided that the vehicle is being operated solely in intrastate transportation.***

Approved March 28, 2006.