

CHAPTER 81**(HB 90)**

AN ACT relating to the operation of a motor vehicle by persons under the age of 18.

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

➔Section 1. KRS 189.999 is amended to read as follows:

- (1) All offenses under this chapter classified as violations shall be prepayable except for:
 - (a) Any offense that could result in license suspension or revocation by the court or the Transportation Cabinet;
 - (b) Any offense relating to KRS 189.393, 189.520, or 189.580;
 - (c) When the defendant is speeding in a restricted zone;
 - (d) When the defendant is speeding more than twenty-five (25) miles per hour over the posted speed limit under KRS 189.394;
 - (e) An offense where evidence of the offense or of commission of another offense is seized by the officer and the citation is so marked and a court date set;
 - (f) The offense is cited with another offense that is not prepayable;
 - (g) ***When the defendant is under the age of eighteen (18);*** or
 - ~~(h)(g)~~ An arrest is made under KRS 431.015.
- (2) In the event that a prepayable offense is cited with another offense that is not prepayable, a court appearance shall be required on all of the offenses as required by KRS 431.452.

➔Section 2. KRS 24A.175 is amended to read as follows:

- (1) Court costs for a criminal case in the District Court shall be one hundred dollars (\$100), regardless of whether the offense is one for which prepayment is permitted.
- (2) There shall be no court costs for a parking citation when:
 - (a) The fine is paid to the clerk before the trial date in the same manner as provided for speeding citations under KRS 189.394(3); and
 - (b) The citation does not involve parking in a fire lane or blocking the traveled portion of the highway.
- (3) The taxation of court costs against a defendant, upon conviction in a case, including persons sentenced to state traffic school as provided under KRS 186.574, shall be mandatory and shall not be subject to probation, suspension, proration, deduction, or other form of nonimposition in the terms of a plea bargain or otherwise, unless the court finds that the defendant is a poor person as defined by KRS 453.190(2) and that he or she is unable to pay court costs and will be unable to pay the court costs in the foreseeable future.
- (4) If the court finds that the defendant does not meet the standard articulated in subsection (3) of this section and that the defendant is nonetheless unable to pay the full amount of the court costs, fees, and fines at the time of sentencing, then the court shall establish a show cause date by which time court costs, fees, and fines shall be paid and may establish an installment payment plan whereby the defendant pays the full amount of the court costs, fees, and fines to the circuit clerk in installments as established by the court. The court costs, fees, and fines under the installment plan shall be paid within one (1) year of the date of sentencing notwithstanding any remaining restitution or other monetary penalty owed by the defendant and arising out of the conviction. Installment payments will be applied first to court costs, then to restitution, then to fees, and then to fines.
- (5) ***Notwithstanding any other provision to the contrary, the court shall not adjudicate a traffic violation involving a defendant who is under the age of eighteen (18), unless the person that assumed liability of the minor under the provisions of KRS 186.590 is present. This subsection shall not apply to emancipated minors.***

➔Section 3. This Act shall be known as the "Denzel Steward Act of 2014."

Signed by Governor April 10, 2014.