

CHAPTER 198**(SB 107)**

AN ACT relating to transportation and making an appropriation therefor.

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

➔Section 1. KRS 186.040 is amended to read as follows:

- (1) Upon receiving the application and fee, the county clerk shall issue to the owner a certificate of registration containing the information required by subsection (2) of this section and a registration plate. If the cabinet finds that there is a shortage of materials suitable for making plates, or that a substantial saving will result, it may require by regulation with the approval of the Governor that previously issued plates continue to be used for a designated period. Except as provided in subsection (3) of this section and in KRS 186.162, for services performed, the owner shall pay the county clerk the sum of six dollars (\$6) for each registration, or if the registration exceeds a twelve (12) month period, the clerk shall receive a fee of nine dollars (\$9).
- (2) The certificate of registration shall contain the registration number, the name and post office address of the owner, and such other information as the cabinet may require.
- (3) **Thirty dollars (\$30) of the registration fee**~~[An owner who registers a vehicle]~~ under KRS 186.050 **for a motor vehicle** that has a declared gross vehicle weight with any towed unit of forty-four thousand and one (44,001) pounds or greater shall **be distributed to**~~[pay]~~ the county clerk **of the county where the vehicle is registered**~~[thirty dollars (\$30) for each registration. The clerk shall retain the thirty dollar (\$30) fee for services performed under this subsection].~~
- (4) Any person requesting a certificate of registration or renewal of registration of any type of motor vehicle shall have the opportunity to donate one dollar (\$1) to the child care assistance account. The one dollar (\$1) donation shall be added to the regular fee for vehicle registration. One donation may be made per issuance or renewal of vehicle registration. Donation to the child care assistance account shall be voluntary and may be refused by the applicant at the time of the issuance or renewal of any vehicle registration.
- (5) The county clerk may retain five percent (5%) of fees collected for the child care assistance account under subsection (4) of this section. The remaining funds shall be deposited into a trust and agency account in the State Treasury to the credit of the Cabinet for Health and Family Services for the exclusive use as follows:
 - (a) Funds shall be made available to the agencies that administer child care subsidy funds; and
 - (b) Funds shall be used as determined by the cabinet for working families whose income exceeds the state income eligibility limits for child day care assistance.
- (6) Except as provided in KRS 186.162, in addition to the registration fee provided for county clerks in subsections (1) and (3) of this section, an additional three dollars (\$3) per registration shall be collected~~[by the county clerk]~~ at the time of registration. This additional fee shall be distributed as follows:
 - (a) One dollar (\$1) shall be placed in an agency fund to provide additional funds exclusively for technological improvements or replacement of the AVIS system. The operation and maintenance of AVIS shall remain as currently provided for from the operational budget of the Transportation Cabinet and shall not be reduced below the 2005-2006 funding level;
 - (b) One dollar (\$1) shall be placed in an agency trust fund to provide funds exclusively for technological improvements to the hardware and software in county clerk offices related to the collection and administration of road fund taxes. The Transportation Cabinet, in consultation with county clerks, shall allocate funds as necessary from this fund to be used for this exclusive purpose; and
 - (c) One dollar (\$1) shall be placed in a trust fund to be maintained by the Transportation Cabinet to provide an unrestricted revenue supplement, for operations of the office related to the collection and administration of road fund taxes, to county clerk offices in counties containing a population of less than twenty thousand (20,000), as determined by the decennial census, and for no other purpose. Annually, by March 1, the Transportation Cabinet shall calculate the amount collected in the previous calendar year and distribute the entire fund proportionate to each county that qualifies under this paragraph based on population. This revenue shall be considered current year revenue when paid to the clerk and shall not be identified as excess fees from the previous year.

➔Section 2. KRS 186.050 is amended to read as follows:

- (1) The annual registration fee shall be eleven dollars fifty cents (\$11.50) for:
 - (a) Motor vehicles, including pickup trucks and passenger vans; and
 - (b) Motor carrier vehicles, as defined in KRS 281.010, primarily designed for carrying passengers or passengers for hire and having been designed or constructed to transport not more than fifteen (15) passengers, including the operator.
- (2) Except as provided in KRS 186.041 and 186.162, the annual registration fee for each motorcycle shall be nine dollars (\$9).
- (3) (a) All motor vehicles having a declared gross weight of vehicle and any towed unit of ten thousand (10,000) pounds or less, except those mentioned in subsections (1) and (2) of this section, are classified as commercial vehicles and the annual registration fee, except as provided in subsections (4) to (14) of this section, shall be eleven dollars and fifty cents (\$11.50).
- (b) All motor vehicles, except those mentioned in subsections (1) and (2) of this section, and those engaged in hauling passengers for hire which are designed or constructed to transport more than fifteen (15) passengers including the operator, whose registration fee shall be one hundred dollars (\$100), are classified as commercial vehicles and the annual registration fee, except as provided in subsections (3)(a) and (4) to (14) of this section, shall be as follows:

Declared Gross Weight of Vehicle and Any Towed Unit	Registration Fee
10,001-14,000	30.00
14,001-18,000	50.00
18,001-22,000	132.00
22,001-26,000	160.00
26,001-32,000	216.00
32,001-38,000	300.00
38,001-44,000	474.00
44,001-55,000	699.00 669.00
55,001-62,000	1,037.00 1,007.00
62,001-73,280	1,280.00 1,250.00
73,281-80,000	1,440.00 1,410.00

- (4) (a) 1. Any farmer owning a truck having a gross weight of twenty-six thousand (26,000) pounds or less may have it registered as a farmer's truck and obtain a license for eleven dollars and fifty cents (\$11.50). The applicant's signature upon the certificate of registration and ownership shall constitute a certificate that **the applicant~~he~~** is a farmer engaged in the production of crops, livestock, or dairy products, that **the applicant~~he~~** owns a truck of the gross weight of twenty-six thousand (26,000) pounds or less, and that during the next twelve (12) months the truck shall not be used in for-hire transportation and may be used in transporting persons, food, provender, feed, machinery, livestock, material, and supplies necessary for **the applicant's~~his~~** farming operation, and the products grown on **the applicant's~~his~~** farm.
- 2. Any farmer owning a truck having a gross weight of twenty-six thousand one (26,001) pounds to thirty-eight thousand (38,000) pounds may have it registered as a farmer's truck and obtain a license for eleven dollars and fifty cents (\$11.50). The applicant's signature upon the certificate of registration and ownership shall constitute a certificate that **the applicant~~he~~** is a farmer engaged in the production of crops, livestock, or dairy products, that **the applicant~~he~~** owns a truck of the gross weight between twenty-six thousand one (26,001) pounds and thirty-eight thousand (38,000) pounds, and that during the next twelve (12) months the truck shall not be used in for-hire transportation and may be used in transporting persons, food, provender, feed,

machinery, livestock, material, and supplies necessary for *the applicant's*~~his~~ farming operation and the products grown on *the applicant's*~~his~~ farm.

- (b) Any farmer owning a truck having a declared gross weight in excess of thirty-eight thousand (38,000) pounds shall not be required to pay the fee set out in subsection (3) of this section and, in lieu thereof, shall pay forty percent (40%) of the fee set out in subsection (3) of this section and shall be exempt from any fee charged under the provisions of KRS 281.752. The applicant's signature upon the registration receipt shall be considered to be a certification that *the applicant*~~he~~ is a farmer engaged solely in the production of crops, livestock, or dairy products, and that during the current registration year the truck will be used only in transporting persons, food, provender, feed, and machinery used in operating *the applicant's*~~his~~ farm and the products grown on *the applicant's*~~his~~ farm.
- (c) An initial applicant for, or an applicant renewing, his or her registration pursuant to this subsection, may at the time of application make a voluntary contribution to be deposited into the agricultural program trust fund established in KRS 246.247. The recommended voluntary contribution shall be set at ten dollars (\$10) and automatically added to the cost of registration or renewal unless the individual registering or renewing the vehicle opts out of contributing the recommended amount. The county clerk shall collect and forward the voluntary contribution to the cabinet for distribution to the Department of Agriculture.
- (5) Any person owning a ~~truck or~~ bus used solely in transporting school children and school employees may have the ~~truck or~~ bus registered as a school bus and obtain a license for eleven dollars fifty cents (\$11.50) by filing with the county clerk, in addition to other information required, an affidavit stating that the ~~truck or~~ bus is used solely in the transportation of school children and persons employed in the schools of the district, that *the words "School Bus" are*~~he has caused to be~~ printed on each side of the ~~truck or~~ bus and on the rear door~~the words "School Bus"~~ in letters at least six (6) inches high, and of a conspicuous color, and the ~~truck or~~ bus will be used during the next twelve (12) months only for the purpose stated.
- (6) Any church or religious organization owning a ~~truck or~~ bus used solely in transporting persons to and from a place of worship or for other religious work may have the ~~truck or~~ bus registered as a church bus and obtain a license for eleven dollars and fifty cents (\$11.50) by filing with the county clerk, in addition to other information required, an affidavit stating that the ~~truck or~~ bus will be used only for the transporting of persons to and from a place of worship, or for other religious work, and that there has been printed on the ~~truck or~~ bus in large letters the words "Church Bus," with the name of the church or religious organization owning and using the ~~truck or~~ bus, and that during the next twelve (12) months the ~~truck or~~ bus will be used only for the purpose stated.
- (7) Any person owning a motor vehicle with a gross weight of fourteen thousand (14,000) pounds or less on which a wrecker crane or other equipment suitable for wrecker service has been permanently mounted may register the vehicle and obtain a license for eleven dollars fifty cents (\$11.50) by filing with the county clerk, in addition to other information required, an affidavit that a wrecker crane or other equipment suitable for wrecker service has been permanently mounted on *the*~~such~~ vehicle and that during the next twelve (12) months the vehicle will be used only in wrecker service. If the gross weight of the vehicle exceeds fourteen thousand (14,000) pounds, the vehicle shall be registered in accordance with subsection (3) of this section. The gross weight of a vehicle used in wrecker service shall not include the weight of the vehicle being towed by the wrecker.
- (8) Motor vehicles having a declared gross weight in excess of eighteen thousand (18,000) pounds, which when operated in this state are used exclusively for the transportation of property within the limits of the city named in the affidavit hereinafter required to be filed, or within ten (10) miles of the city limits of the city if it is a city with a population equal to or greater than three thousand (3,000) based upon the most recent federal decennial census, or within five (5) miles of its limits if it is a city with a population of less than three thousand (3,000) based upon the most recent federal decennial census, or anywhere within a county containing an urban-county government, shall not be required to pay the fee as set out in subsection (3) of this section, and in lieu thereof shall pay seventy-five percent (75%) of the fee set forth in subsection (3) of this section and shall be exempt from any fee charged under the provisions of KRS 281.752. Nothing in this section shall be construed to limit any right of nonresidents to exemption from registration under any other provisions of the laws granting reciprocity to nonresidents. Operations outside of this state shall not be considered in determining whether or not the foregoing mileage limitations have been observed. When claiming the right to the reduced fee, the applicant's signature on the certificate of registration and ownership shall constitute a certification or affidavit stating that the motor vehicle when used within this state is used only for the transportation of property within

the city to be named in the affidavit and the area above set out and that the vehicle will not be used outside of a city and the area above set out during the current registration period.

- (9) Motor vehicles having a declared gross weight in excess of eighteen thousand (18,000) pounds, which are used exclusively for the transportation of primary forest products from the harvest area to a mill or other processing facility, where ~~the~~^{such} mill or processing facility is located at a point not more than fifty (50) air miles from the harvest area or which are used exclusively for the transportation of concrete blocks or ready-mixed concrete from the point at which ~~the~~^{such} concrete blocks or ready-mixed concrete is produced to a construction site where ~~the~~^{such} concrete blocks or ready-mixed concrete is to be used, where ~~the~~^{such} construction site is located at a point not more than thirty (30) air miles from the point at which ~~the~~^{such} concrete blocks or ready-mixed concrete is produced shall not be required to pay the fee as set out in subsection (3) of this section, and in lieu thereof, shall pay seventy-five percent (75%) of the fee set out in subsection (3) of this section and shall be exempt from any fee charged under the provisions of KRS 281.752. The applicant's signature upon the certificate of registration and ownership shall constitute a certification that the motor vehicle will not be used during the current registration period in any manner other than that for which the reduced fee is provided in this section.
- (10) Any owner of a commercial vehicle registered for a declared gross weight in excess of eighteen thousand (18,000) pounds, intending to transfer same and desiring to take advantage of the refund provisions of KRS 186.056(2), may reregister ~~the~~^{such} vehicle and obtain a "For Sale" certificate of registration and ownership for one dollar (\$1). Title to a vehicle so registered may be transferred, but ~~the~~^{such} registration shall not authorize the operation or use of the vehicle on any public highway. No refund may be made under the provisions of KRS 186.056(2) until ~~such time as~~ the title to ~~the~~^{such} vehicle has been transferred to the purchaser thereof. Provided, however, that nothing herein shall be so construed as to prevent the seller of a commercial vehicle from transferring the registration of ~~the~~^{such} vehicle to any purchaser thereof.
- (11) The annual registration fee for self-propelled vehicles containing sleeping or eating facilities shall be twenty dollars (\$20) and the multiyear license plate issued shall be designated "Recreational vehicle." The foregoing shall not include any motor vehicle primarily designed for commercial or farm use having temporarily attached thereto any sleeping or eating facilities, or any commercial vehicle having sleeping facilities.
- (12) The registration fee on any vehicle registered under this section shall be increased fifty percent (50%) when the vehicle is not equipped wholly with pneumatic tires.
- (13)
 - (a) The Department of Vehicle Regulation is authorized to negotiate and execute an agreement or agreements for the purpose of developing and instituting proportional registration of motor vehicles engaged in interstate commerce, or in a combination of interstate and intrastate commerce, and operating into, through, or within the Commonwealth of Kentucky. The agreement or agreements may be made on a basis commensurate with, and determined by, the miles traveled on, and use made of, the highways of this Commonwealth as compared with the miles traveled on and use made of highways of other states, or upon any other equitable basis of proportional registration. Notwithstanding the provisions of KRS 186.020, the cabinet shall promulgate administrative regulations concerning the registration of motor vehicles under any agreement or agreements made under this section and shall provide for direct issuance by it of evidence of payment of any registration fee required under ~~the~~^{such} agreement or agreements. Any proportional registration fee required to be collected under any proportional registration agreement or agreements shall be in accordance with the taxes established in this section.
 - (b) Any owner of a commercial vehicle who is required to title his *or her* motor vehicle under this section shall first title ~~the~~^{such} vehicle with the county clerk pursuant to KRS 186.020 for a state fee of one dollar (\$1). Title to ~~the~~^{such} vehicle may be transferred; however title without proper registration shall not authorize the operation or use of the vehicle on any public highway. Any commercial vehicle properly titled in Kentucky may also be registered in Kentucky, and, upon payment of the required fees, the department may issue an apportioned registration plate to ~~the~~^{such} commercial vehicle.
 - (c) Any commercial vehicle that is properly titled in a foreign jurisdiction, which vehicle is subject to apportioned registration, as provided in paragraph (a) of this subsection, may be registered in Kentucky, and, upon proof of proper title and payment of the required fees, the department may issue an apportioned registration plate to the commercial vehicle. The department shall promulgate administrative regulations in accordance with this section.
- (14) Any person seeking to obtain a special license plate for an automobile that has been provided to ~~the applicant~~^{him} pursuant to an occupation shall meet both of the following requirements:

- (a) The automobile shall be provided for the full-time exclusive use of the applicant; and
 - (b) The applicant shall obtain permission in writing from the vehicle owner or lessee on a form provided by the cabinet to use the vehicle and for the vehicle to bear the special license plate.
- (15) An applicant for any motor vehicle registration issued pursuant to this section shall have the opportunity to make a donation of two dollars (\$2) to promote a hunger relief program through specific wildlife management and conservation efforts by the Department of Fish and Wildlife Resources in accordance with KRS 150.015. If an applicant elects to make a contribution under this subsection, the two dollar (\$2) donation shall be added to the regular fee for any motor vehicle registration issued pursuant to this section. One (1) donation may be made per issuance of each registration. The fee shall be paid to the county clerk and shall be transmitted by the State Treasurer to the Department of Fish and Wildlife Resources to be used exclusively for the purpose of wildlife management and conservation activities in support of hunger relief. The county clerk may retain up to five percent (5%) of the fees collected under this subsection for administrative costs associated with the collection of this donation. Any donation requested under this subsection shall be voluntary and may be refused by the applicant at the time of issuance or renewal of a license plate.
- (16) In addition to the fees outlined in this section, the county clerk shall collect from the registrants of electric vehicles, electric motorcycles, and hybrid vehicles the electric vehicle ownership fees imposed in KRS 138.475.

➔Section 3. KRS 189.340 is amended to read as follows:

- (1) ***The driver of a vehicle***~~[Vehicles]~~ overtaking other vehicles proceeding in the same direction shall pass to the left of them and shall not again drive to the right until reasonably clear of those vehicles. ***The driver of a vehicle***~~[Vehicles]~~ overtaking streetcars may pass either to the right or left when so directed by a police officer, when on a one (1) way street or where the location of the tracks prevents compliance with this section, with regard for other traffic.
- (2) (a) ***The driver of a vehicle***~~[Vehicles]~~ overtaking a bicycle or electric low-speed scooter proceeding in the same direction shall:
 - 1. If there is more than one (1) lane for traffic proceeding in the same direction, move the vehicle to the immediate left, if the lane is available and moving in the lane is reasonably safe; or
 - 2. If there is only one (1) lane for traffic proceeding in the same direction, pass to the left of the bicycle or electric low-speed scooter at a distance of not less than three (3) feet between any portion of the vehicle and the bicycle or electric low-speed scooter and maintain that distance until safely past the overtaken bicycle or electric low-speed scooter. If space on the roadway is not available to have a minimum distance of three (3) feet between the vehicle and the bicycle or electric low-speed scooter, then the driver of the passing vehicle shall use reasonable caution in passing the bicyclist or electric low-speed scooter operator.
- (b) The driver of a motor vehicle may drive to the left of the center of a roadway, including when a no-passing zone is marked in accordance with subsection (6) of this section, to pass a person operating a bicycle or electric low-speed scooter only if the roadway to the left of the center is unobstructed for a sufficient distance to permit the driver to pass the person operating the bicycle or electric low-speed scooter safely and avoid interference with oncoming traffic. This paragraph does not authorize driving on the left side of the center of the roadway when otherwise prohibited under state law.
- (c) The operator of a bicycle or electric low-speed scooter shall not ride more than two (2) abreast on a single highway lane unless operating on any part of the roadway marked exclusively for bicycle use. Persons riding two (2) abreast shall not impede the normal and reasonable movement of traffic.
- (3) The operator of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:
 - (a) When the vehicle overtaken is making or about to make a left turn; ***or***
 - (b) Upon a roadway with unobstructed pavement of sufficient width for two (2) or more lines of vehicles moving lawfully in the direction being traveled by the overtaking vehicle.
- (4) The operator of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting ***the passing***~~[such movements]~~ in safety, ***and not***~~[. Such movement shall not be made]~~ by driving off

the roadway unless *the vehicle being passed is at*~~passing vehicle comes to~~ a complete stop and *the passing*~~such movement~~ may be made safely.

- (5) *A person*~~No vehicle~~ shall *not drive a vehicle*~~be driven~~ to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless the left side is clearly visible and free of oncoming traffic for a sufficient distance ahead to permit overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event, the overtaking vehicle must return to the right-hand side of the roadway before coming within two hundred (200) feet of any vehicle approaching from the opposite direction.
- (6) The commissioner of highways is hereby authorized to determine those portions of any highway where overtaking and passing or driving to the left of the roadway would be especially hazardous and may by appropriate signs or markings on the roadway indicate the beginning and end of *the*~~such~~ zones, and when~~such~~ signs or markings are in place and clearly visible to an ordinarily observant person, every driver of a vehicle shall obey the directions thereof, except as provided for in subsection (2)(b) of this section.
- (7) Whenever any roadway has been divided into three (3) *or more* clearly marked lanes for travel *in one (1) direction*, the following additional rules shall apply:
 - (a) *A person shall drive* a vehicle~~shall be driven~~ as nearly as may be practical entirely within a single lane and shall not *move*~~be moved~~ from that lane until the driver *ascertains*~~has first ascertained~~ that the movement can be made with safety;
 - (b) *A person shall not drive* a vehicle~~shall not be driven~~ in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and the center lane is clear of traffic within a safe distance, or in preparation for a left turn or where a center lane is at the time allocated exclusively to traffic moving in the direction in which the vehicle is proceeding and is signposted to give notice of the allocation;~~and~~
 - (c) *A person shall not operate a truck tractor, trailer, or semitrailer in the leftmost lane except when entering or leaving a highway, yielding to traffic coming onto the highway, or when traffic conditions exist which would prohibit safe use of the right or center lanes; and*
 - (d) Official signs may be erected directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction and operators of vehicles shall obey the directions of *these*~~such~~ signs.
- (8) ~~On~~~~A vehicle shall not be driven in the left lane of~~ any limited access highway of four (4) lanes or more with a posted speed limit of at least sixty-five (65) miles per hour, *a person shall not operate a motor vehicle in the leftmost lane*, except *when*:~~in~~
 - (a) Overtaking a slower vehicle;~~;~~
 - (b) Yielding to traffic coming onto *the*~~such a~~ highway;~~;~~ or
 - (c) ~~when~~Traffic *or road* conditions exist which would prohibit safe use of the right or center lanes.
- (9)
 - (a) Except as provided in paragraph (c) of this subsection, the operator of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having regard for the speed of the vehicle and the traffic upon and condition of the highway.
 - (b) Except as provided in paragraph (c) of this subsection, the operator of any motor truck, semitrailer truck, bus, or heavy construction equipment unit, when traveling upon a highway outside of a business or residential district, shall not follow within two hundred fifty (250) feet of another~~such~~ vehicle or equipment unit. This subsection shall not prevent overtaking and passing, nor shall it apply to any lane specially designated for use of motor trucks or semitrailer trucks, buses or heavy construction equipment units.
 - (c) Paragraphs (a) and (b) of this subsection shall not apply to a trailing commercial motor vehicle involved in a platoon as defined in KRS 281.010, but shall apply to the commercial motor vehicle leading a platoon.

➔Section 4. KRS 281.926 is amended to read as follows:

- (1) This section applies to any towing company that engages in, or offers to engage in, emergency towing.

- (2) Prior to attaching a motor vehicle to the tow truck, the towing company shall furnish the vehicle's owner or operator, if the owner or operator is present at the scene of the disabled vehicle and upon the owner's or operator's request, a rate sheet listing all rates for towing services, including but not limited to all rates for towing and associated fees, cleanup, labor, storage, and any other services provided by the towing company.
- (3) (a) Any towing company or storage facility shall:
1. Post a rate sheet *as described in subsection (2) of this section* at its place of business;
 2. *Provide a current rate sheet to the nearest Department of Kentucky State Police post and any law enforcement agency in its service area; and ~~shall~~*
 3. Make the rate sheet available upon a customer's request.
- (b) Any charge in excess of the rate sheets provided under this subsection shall be deemed excessive.
- (c) *If a towing company fails to comply with any of the provisions of this subsection, the Department of Kentucky State Police and any local law enforcement agency in the company's service area shall remove that towing company from its wrecker log for a period of:*
1. *Six (6) months for the first violation; and*
 2. *One (1) year for any subsequent violation.*
- (4) An itemized invoice of actual towing charges assessed by a towing company for a completed tow shall be made available to the owner of the motor vehicle or the owner's agent no later than one (1) business day after:
- (a) The tow is completed; or
 - (b) The towing company has obtained all necessary information to be included on the invoice, including any charges submitted by subcontractors used by the towing company to complete the tow and recovery.
- (5) The itemized invoice required under subsection (4) of this section shall contain the following information:
- (a) The date and time the motor vehicle was towed;
 - (b) The location to which the motor vehicle was towed;
 - (c) The name, address, and telephone number of the towing company;
 - (d) A description of the towed motor vehicle, including the color, make, model, year, and vehicle identification number of the motor vehicle;
 - (e) The license plate number and state of registration for the towed motor vehicle;
 - (f) The cost of the original towing service;
 - (g) The cost of any vehicle storage fees, expressed as a daily rate;
 - (h) Other fees, including documentation fees and motor vehicle search fees; and
 - (i) A list of the services that were performed under a warranty or that were otherwise performed at no cost to the owner of the motor vehicle.
- (6) Any service or fee in addition to the services or fees described in subsection (5)(f), (g), or (h) of this section shall be set forth individually as a single line item on the invoice required by this section, with an explanation and the exact charge for the service or the exact amount of the fee.
- (7) A copy of each invoice and receipt submitted by a tow truck operator in accordance with this section shall:
- (a) Be retained by the towing company for a period of two (2) years from the date of issuance; and
 - (b) Throughout the two (2) year period described in this subsection, be made available for inspection and copying not later than forty-eight (48) hours after receiving a written request for inspection from:
 1. A law enforcement agency;
 2. The Attorney General;

3. A city attorney, county attorney, or the prosecuting attorney having jurisdiction in the location of any of the towing company's business locations;
4. The disabled motor vehicle's owner or lienholder;
5. An agent of the disabled motor vehicle's owner or lienholder; or
6. Any individual involved in the underlying collision, his or her respective insurance companies, or his or her legal representatives, if the disabled motor vehicle was involved in a collision.

➔Section 5. KRS 189.222 is amended to read as follows:

- (1) Except as provided in subsection (2) of this section, the secretary of the Transportation Cabinet in respect to highways which are a part of the state-maintained system, by official order, may increase on designated highways or portions thereof, the maximum height, length, and gross weight prescribed in KRS 189.221, if in the opinion of the secretary, the increased height, length, and weight designated by him *or her* are justified by the strength, safety, and durability of the designated highways, and the highways do not appear susceptible to unreasonable and unusual damage by reason of the increases and the secretary may establish reasonable classification of state maintained roads and fix a different maximum for each classification. Any increase in the height, length, or width of any motor truck or tractor semitrailer combinations or any other vehicle combinations including any part of the body or load or designation of highways to be used by the vehicles, shall not, in any way, exceed the federal law or regulations thereunder or jeopardize the allotment or qualification for federal aid funds of the Commonwealth of Kentucky or exceed the following dimensions and weights:
 - (a) 1. Height, for vehicles transporting motor vehicles, fourteen (14) feet; and
 2. Height, for all other vehicles, thirteen and one-half (13-1/2) feet;
 - (b) Length, semitrailers, fifty-three (53) feet; trailers, twenty-eight (28) feet; motor trucks, forty-five (45) feet, not to exceed two (2) trailers per truck tractor;
 - (c) Weight, twenty thousand (20,000) pounds per single axle, with axles less than forty-two (42) inches apart to be considered as a single axle; thirty-four thousand (34,000) pounds on two (2) axles in tandem arrangement which are spaced forty-two (42) inches or more apart and less than ninety-six (96) inches apart; forty-eight thousand (48,000) pounds on three (3) axles which are spaced forty-two (42) inches or more apart and less than one hundred twenty (120) inches apart. No single axle in any arrangement shall exceed twenty thousand (20,000) pounds or seven hundred (700) pounds per inch of the aggregate width of all the tires on a single axle, whichever is less. The total gross weight of the vehicle and load shall not exceed eighty thousand (80,000) pounds;
 - (d) Except on the interstate highway system, a tolerance of not more than five percent (5%) per axle load shall be permitted before a carrier is deemed to have violated paragraph (c) of this subsection. The gross weight shall not exceed eighty thousand (80,000) pounds;
 - (e) Except as provided for in paragraph (f) of this subsection, truck tractor, semitrailer and trailer combinations, and other vehicle combinations may be operated only on the interstate system and on those parts of the federal aid highway system and the state-maintained system which have been designated by the secretary of the Transportation Cabinet by official order as safely allowing same; **and**
 - (f) A vehicle or combination of vehicles that is one hundred two (102) inches wide or less and has a gross weight of not more than eighty thousand (80,000) pounds may be driven on any state highway, for a distance of up to fifteen (15) miles from an interstate or parkway exit.
- (2) In addition to the provisions of KRS 189.2226, vehicles with a gross weight of up to eighty thousand (80,000) pounds may travel on any state highway in the Commonwealth without obtaining a special permit, if the weight does not exceed any limits mandated by federal law or regulation, any posted bridge weight limit, or the weight limits for the size and type of vehicle established under paragraph (c) of subsection (1) of this section, and if the vehicle is transporting any of the following:
 - (a) Meats or agricultural crop products originating from a farm to first market;
 - (b) Livestock or poultry from their point of origin to first market. As used in this paragraph and in paragraph (d) of this subsection, "livestock" means cattle, sheep, swine, goats, horses, alpacas, llamas, buffaloes, or any other animals of the bovine, ovine, porcine, caprine, equine, or camelid species;

- (c) Primary forest products, including, but not limited to, sawdust, wood chips, bark, slabs, or logs originating from their points of origin to first market; or
 - (d) Supplies, materials, or equipment necessary to carry out a farming operation engaged in the production of agricultural crop products, meats, livestock, or poultry.
- (3) The following vehicles registered under KRS 186.050 may exceed the gross weight provisions set forth in subsection (1)(c) of this section by a weight tolerance of ten percent (10%), except on the interstate highway system:
- (a) Vehicles that are engaged exclusively in the transportation of items listed in subsection (2)(a), (b), and (c) of this section; and
 - (b) Vehicles that are engaged exclusively in the transportation of feed for livestock or poultry.
- (4) Vehicles exclusively engaged in the transportation of motor vehicles, unmanufactured tobacco, or unmanufactured tobacco products may, on those highways which are a part of the state-maintained system and which have been designated by the secretary of the Transportation Cabinet by official order as safely allowing same, attain the maximum lengths as provided by subsection (1)(b) of this section, excluding the usual and ordinary bumper overhang of the transported vehicles.
- (5) Vehicles engaged exclusively in the transportation of farm or primary forestry products and registered under KRS 186.050(4) or 186.050(9) and vehicles engaged exclusively in the transportation of ready-mixed concrete shall be excluded from the axle weight provisions, except on interstate highways, and subject only to total gross weight provisions.
- (6) Vehicles registered pursuant to KRS 186.050(3)(b) and engaged in the transportation of primary forest products, including, but not limited to, vehicles transporting sawdust, wood chips, bark, slabs, or logs, may exceed the axle, or gross weight provisions as set forth in accordance with subsection (1)(c) of this section by a weight tolerance of ten percent (10%), except on the interstate highway system.
- (7) Vehicles designed for and engaged exclusively in the collection and hauling of refuse and registered under KRS 186.050(3)(b) shall be excluded from the axle weight provisions, except when in operation on the federal interstate system, and subject only to total gross weight provisions.
- (8) The secretary of the Transportation Cabinet may by order increase the weight and height limits prescribed by this chapter for motor vehicles while being operated exclusively on roads or highways being constructed, reconstructed, or repaired under contract with the Transportation Cabinet by the contractor or subcontractor, agent, or employee thereof.
- (9) Except as otherwise provided in this chapter, the secretary of the Transportation Cabinet shall not authorize the operation of any vehicle or combination of vehicles, upon any part of the federal aid highway system or state parkway system, which exceeds the following dimensions and weights:
- (a) Width, one hundred two (102) inches, including any part of the body or load;
- or*
- (b) Weight, twenty thousand (20,000) pounds per single axle, with axles less than forty-two (42) inches apart to be considered as a single axle; thirty-four thousand (34,000) pounds on two (2) axles in tandem arrangement which are spaced forty-two (42) inches or more apart and less than ninety-six (96) inches apart; forty-eight thousand (48,000) pounds on three (3) axles which are spaced forty-two (42) inches or more apart and less than one hundred twenty (120) inches apart. The total gross weight of the vehicle and load shall not exceed eighty thousand (80,000) pounds. If any federal law or laws or regulations thereunder are hereafter enacted authorizing weights and dimensions in excess of those set out in paragraphs (a) and (b) of this subsection, the secretary of the Transportation Cabinet may by official order increase the maximum weights and dimensions but the increased weights and dimensions shall not exceed those set out in this section.
- (10) Except on the interstate highway system, vehicles engaged exclusively in the transportation of crushed stone, fill dirt and rock, soil, bulk sand, coal, phosphate muck, asphalt, concrete, solid waste, tankage or animal residues, livestock, feed for livestock or poultry, and agricultural products shall be permitted a tolerance of ten percent (10%) of the axle weight provisions before a carrier is deemed to have violated paragraph (1)(c) of this section.

- (11) *For any vehicle which is equipped with an auxiliary power unit, the weight limits set forth in this section shall be increased by four hundred (400) pounds.*
- (12) The Transportation Cabinet may promulgate administrative regulations pursuant to KRS Chapter 13A, relating to the implementation of 23 C.F.R. ~~pt. Part~~ 658 as it relates to state-maintained or locally maintained roads. The enforcement of the provisions of KRS 189.221 and this section on locally maintained roads shall not be the responsibility of the law enforcement officers of the Transportation Cabinet, unless the head of the corresponding local government unit has requested, in writing, enforcement assistance from the Transportation Cabinet.

➔Section 6. KRS 189.221 is amended to read as follows:

A person shall not operate on any highway, except those highways designated by the secretary of transportation under the provisions of KRS 189.222, or those locally maintained highways under the provisions of KRS 189.222(12)~~(11)~~ or KRS 189.230(4), any of the following trucks, trailers, manufactured homes, or vehicles:

- (1) Any motor truck, semitrailer, trailer, manufactured home, or vehicle which exceeds eleven and one-half (11-1/2) feet in height or ninety-six (96) inches in width, including any part of the body or load;
- (2) Any motor truck, except a semitrailer truck, which exceeds twenty-six and one half (26-1/2) feet in length, including any part of the body or load;
- (3) Any semitrailer truck which exceeds thirty (30) feet in length, including any part of the body or load;
- (4) Any truck, semitrailer truck, or truck and trailer unit which exceeds 36,000 pounds gross weight, including the load;
- (5) Any truck, semitrailer truck, or tractor-trailer unit which exceeds a gross weight equal to the sum of six hundred (600) pounds per inch of the combined width of the tires upon which the vehicle may be propelled, but no more than thirty-six thousand (36,000) pounds; ~~and~~
- (6) Notwithstanding the provisions of this section, any truck hauling building materials under KRS 189.2226, or to a road construction project on a highway rated less than the maximum weight provided above, may haul up to eighty thousand (80,000) pounds gross weight, including the load, without a permit.

➔Section 7. KRS 189.270 is amended to read as follows:

- (1) (a) The department may issue permits for the operation of motor vehicles, manufactured homes, recreational vehicles, boats, or any other vehicle transporting a nondivisible load, whose gross weight including load, height, width, or length exceeds the limits prescribed by this chapter or which in other respects fail to comply with the requirements of this chapter. Permits may be issued by the department for stated periods, special purposes, and unusual conditions, and upon terms in the interest of public safety and the preservation of the highways as the department may require.

(b) *Subject to the limitations in subsection (4) of this section, the department shall promulgate administrative regulations in accordance with KRS Chapter 13A to set fees for permits established under this section.*
- (2) Except as provided in subsection (8) of this section, the department may, at the request of an applicant, issue a single-trip permit regardless of the type of vehicle or equipment being transported that exceeds the weight or dimension limits established by this chapter if the load being transported is a nondivisible load. ~~[A single-trip permit shall cost sixty dollars (\$60) for each overweight or overdimensional permit requested.]~~
- (3) (a) Except as provided in subsection (8) of this section, the department may, at the request of an applicant, issue an annual permit regardless of the type of vehicle or equipment being transported that exceeds the weight or dimension limits established by this chapter if the load being transported is a nondivisible load.

(b) The vehicle operating under a permit issued under this subsection shall not exceed sixteen (16) feet in width exclusive of usual and ordinary overhang, one hundred twenty (120) feet in length including a towing vehicle and trailer combination, thirteen (13) feet six (6) inches in height, or one hundred sixty thousand (160,000) pounds.

~~[(c) Except as provided in subsections (4), (7), and (8) of this section, an annual permit for loads less than or equal to fourteen (14) feet in width shall cost two hundred fifty dollars (\$250). An annual permit for loads exceeding fourteen (14) feet in width shall cost five hundred dollars (\$500).]~~

- (4) *The department shall establish the following*~~[(An)]~~ annual *permits*~~[(permit)]~~ to transport farm equipment, *with the listed fee limits:*
- (a) *For equipment* less than *or equal to* fourteen (14) feet in width,~~[(shall cost)]~~ eighty dollars (\$80); ~~and~~~~[(An annual permit to transport farm equipment)]~~
 - (b) *For equipment* that exceeds fourteen (14) feet in width, *when transported* from a dealership to a farm, from a farm to a dealership, or from a dealership to a dealership,~~[(shall cost)]~~ one hundred fifty dollars (\$150).
- (5) Permits issued under this section shall be for nondivisible loads and shall be valid statewide; however, the department may, as a condition of issuing an annual or single-trip permit, limit the overweight or overdimensional vehicle to specified routes, exclude certain highways, or even cancel an applicant's permit if an unreasonable risk of accident or an unreasonable impedance of the flow of traffic would result from the presence of the overweight or overdimensional vehicle. A person who applies for, and accepts, a permit issued under this section is acknowledging that the Kentucky Transportation Cabinet is not guaranteeing safe passage of vehicles by issuing the permit. A person who applies for, and accepts, a permit issued under this section agrees to measure all clearances of highway structures, both laterally and vertically, prior to passage of the person's vehicles along the routes specified in the permit. A person who applies for, and accepts, a permit issued under this section is classified as a bare licensee whose duty is to assume sole risk involved in using Kentucky's highways without warranty of accuracy.
- (6) Subject to the limitations of subsection (12) of this section, the department shall promulgate administrative regulations under KRS Chapter 13A to establish requirements for escort vehicles, safety markings, and other safety restrictions governing the operation of an overweight or overdimensional vehicle. The department shall provide each applicant for an annual or single-trip permit issued under this section a copy of all restrictions associated with the overweight or overdimensional permit at no charge to the applicant. The department shall be prohibited from raising the permit fee established in subsections (2) and (3) of this section by levying additional fees for an overweight or overdimensional permit through the administrative regulation process.
- (7) (a) Notwithstanding KRS 189.269, the department may, at the request of an applicant who is a transporter of manufactured housing, issue an annual permit that exceeds the weight or dimension limits established by this chapter if the load being transported is a nondivisible load.
- (b) The vehicle operated shall not exceed sixteen (16) feet in width exclusive of usual and ordinary overhang, one hundred twenty (120) feet in length including a towing vehicle and trailer combination, fifteen (15) feet in height, or one hundred sixty thousand (160,000) pounds.
- (c)~~[(The cost for an annual permit issued under this subsection shall be:~~
- 1.~~[(One thousand five hundred dollars (\$1,500) for loads greater than fourteen (14) feet in width or greater than thirteen (13) feet six (6) inches in height; and~~
 - 2.~~[(Five hundred dollars (\$500) for loads less than or equal to fourteen (14) feet in width and less than or equal to thirteen (13) feet six (6) inches in height.~~
- (~~d~~) The holder of a permit issued under this subsection shall, when transporting a manufactured home:
1. Abide by all escort requirements, safety markings, and other safety restrictions governing overweight and overdimensional vehicles; and
 2. Equip each truck operating under a permit with global positioning system technology that keeps a record of locations traveled. The travel records of trucks operating under a permit shall be open to inspection by the Transportation Cabinet.
- (~~d~~)(~~e~~) Any person with a permit under this subsection who operates a vehicle greater than thirteen (13) feet six (6) inches in height while operating in a restricted area designated by the Transportation Cabinet shall be fined one thousand dollars (\$1,000).
- (8) The cabinet shall not issue an annual permit under this section if the person applying for the permit is eligible for an annual permit issued under KRS 189.2716 or 189.2717.
- (9) The department may require the applicant to give bond, with approved surety, to indemnify the state or counties against damage to highways or bridges resulting from use by the applicant. The operation of vehicles

in accordance with the terms of the permit issued under this section shall not constitute a violation of this chapter if the operator has the permit, or an authenticated copy of it, in his *or her* possession.

- (10) Any person transporting a parade float which exceeds the dimensional limits on a highway over which it is transported shall be required to obtain a permit as required in subsection (2) of this section. If the float is being used in conjunction with a parade to be held within the boundaries of the Commonwealth, a fee shall not be assessed by the department to issue the permit.
- (11) A person shall not operate any vehicle in violation of the terms of the permit issued under this section.
- (12) (a) The cabinet shall not promulgate administrative regulations pursuant to this section that restrict the time or days of the week when a permit holder may operate on the highway, except that travel may be limited from 6 a.m. to 9 a.m. and 3 p.m. to 6 p.m. Monday through Friday. In addition to the restrictions established in this paragraph, any manufactured home being transported by permit issued under this section shall not travel on any highway after daylight hours Monday through Saturday, or at any time on Sunday.
- (b) The cabinet shall allow a permit holder who has obtained a permit to transport equipment to a work site to return to the permit holder's place of business immediately after work is completed at the job site, subject to the limitations of paragraph (a) of this subsection.
- (c) The cabinet shall not promulgate administrative regulations pursuant to this section setting forth escort vehicle requirements for overdimensional farm implements or vehicles towing overdimensional farm implements that are more stringent than the following:
1. For a single vehicle and load in excess of twelve (12) feet in width being operated on a two (2) lane highway, no more than one (1) lead vehicle shall be required;
 2. For a single vehicle and load in excess of twelve (12) feet in width being operated on a four (4) lane highway, no more than one (1) trail vehicle shall be required;
 3. For a single vehicle and load in excess of eighty-five (85) feet in length being operated on a two (2) lane highway, no more than one (1) lead vehicle shall be required;
 4. For more than one (1) vehicle and load in excess of twelve (12) feet in width or eighty-five (85) feet in length being operated as a convoy on a two (2) lane highway, no more than one (1) lead vehicle shall be required;
 5. A lead escort vehicle on a two (2) lane highway under this paragraph may also serve as a tow vehicle;
 6. Any distance for lead or trail escort vehicles shall contain provisions allowing for a variance from that distance due to safety or road conditions; and
 7. A vehicle or its escort shall be required to bear a sign declaring that the vehicle is oversized or be required to use lights, flashers, or flags, but a vehicle or its escort shall not be required to do both.

➔Section 8. KRS 189.271 is amended to read as follows:

- (1) Notwithstanding any other provision of laws, the Transportation Cabinet may issue special permits to the owners, operators, or lessees of motor vehicles for the purpose of hauling industrial materials whose gross weight or dimensions, including vehicle and load, exceeds the limits prescribed by this chapter or which in other respects fail to comply with the requirements of this chapter. A separate permit shall be required for each vehicle. ~~Such~~ Permits **issued in accordance with this section** shall be issued:
- (a) For specified materials only and shall designate the portions of the state primary road system over which ~~the~~~~such~~ vehicle may operate pursuant to the permit;
- (b) ~~Such permit shall be issued~~ For a stated period of time determined by the applicant not to exceed three (3) years, and an existing permit may be renewed pending an inspection by the cabinet of the routes listed on the permit; **and**
- (c) ~~Permits under this section shall be~~ Upon ~~the~~~~such~~ terms and conditions as the cabinet may, in its discretion, require in the public interest.
- (2) The cabinet may establish a system by which a current permit holder can be granted a new permit specifying different routes or materials without having to complete a new application or pay a separate application fee.

- (3) The cabinet shall:
- (a) **Promulgate administrative regulations in accordance with KRS Chapter 13A to set fees for permits established under this section; and**~~require, as a condition to the issuance of the permit, that the applicant pay a reasonable fee, to be fixed by the cabinet, and shall~~
 - (b) Require that an applicant convicted under provisions of KRS 189.990(2)(a) two (2) or more times within a five (5) year period give bond, with approved surety, in an amount not to exceed six thousand dollars (\$6,000) for each vehicle to indemnify the Commonwealth of Kentucky against damage to highways or bridges resulting from the operation of any motor vehicle under the authorization of ~~the~~~~such~~ permit. A bond acquired under this subsection may be carried forward to another permit if the cabinet has not gone against the bond.
- (4) The operation of any motor vehicle in accordance with the terms of ~~the~~~~any such~~ permit shall not constitute a violation of this chapter, if the operator has the permit, or a copy of it, authenticated as the cabinet may require, in his *or her* possession.
- (5) The cabinet shall not issue a permit under this section for a vehicle whose gross weight, including vehicle and load, exceeds the maximum gross weight as provided in KRS 189.222.
- (6) The cabinet shall not issue a permit under this section for a vehicle whose dimensions, including vehicle and load, exceed the maximum dimension as provided in KRS 189.222.
- (7) A person shall not operate a motor vehicle in violation of the terms and conditions of any permit issued by the cabinet pursuant to this section.
- (8) As used in this section, industrial materials shall mean all cargo, whether divisible or indivisible, which a motor vehicle transports in the usual and ordinary course of business and shall specifically include, but not be limited to, agricultural products, minerals, or natural resources transported by a motor vehicle.
- (9) The cabinet may:
- (a) Exercise general supervision of the administering and enforcement of this section;~~;~~
 - (b) Promulgate administrative regulations, subject to the limitations of this section, with respect to the issuance of a permit, including, but not limited to, administrative regulations concerning the duration of permits and weight limits for various types of vehicles, materials, and highways;~~;~~
 - (c) Promulgate administrative regulations with respect to the amount, terms and conditions of the bond and the sufficiency of the surety of ~~a~~~~such~~ bond required by this section. The cabinet shall allow applicants not required to post a surety bond under subsection (3) of this section to self-insure to meet the bonding requirements of this section; ~~and~~~~;~~
 - (d) Issue, continue in effect, revoke, modify, or deny, under~~such~~ conditions as the cabinet may prescribe, permits provided for under this section.

➔Section 9. KRS 189.2713 is amended to read as follows:

- (1) As used in this section, "metal commodities" means:
- (a) Output products from metal-producing industries that are transported in their most basic and original form from a mill or storage facility to market for processing; ~~and~~~~;~~
 - (b) ~~"Metal commodities"~~ Does not include manufactured parts being transported from a manufacturer or supplier to another customer.
- (2) The department shall promulgate administrative regulations pursuant to KRS Chapter 13A governing the issuance of annual and single-trip permits for the operation of motor vehicles transporting metal commodities with a minimum gross weight of eighty thousand and one (80,001) pounds and a maximum gross weight of one hundred twenty thousand (120,000) pounds in divisible or nondivisible loads to or from a facility manufacturing metal commodities in this state or a facility used for storage of metal commodities. ***The administrative regulations promulgated under this section shall include fees for annual and single-trip permits.***
- (3) A motor carrier transporting metal commodities in divisible or nondivisible loads to or from a facility manufacturing metal commodities in this state or a facility used for storage of metal commodities, may apply

for an annual or single-trip overweight permit pursuant to subsection (2) of this section. A permit issued under this section shall be specific to a single truck and shall be valid twenty-four (24) hours a day.

~~(4)(a) The cost of an annual permit issued under this section shall be one thousand two hundred fifty dollars (\$1,250).~~

~~(b) The cost of a single trip permit issued under this section shall be one hundred dollars (\$100).~~

~~(5)~~ Permits issued under this section shall contain a **website**~~[Web site]~~ hyperlink or any other method to provide the motor carrier with routes that are approved by the department.

~~(5)(6)~~ Upon renewal of any annual permit issued under this section, the permit holder shall report to the cabinet the number of trips made and the total miles driven under the permit during the previous year.

~~(6)(7)~~ Administrative regulations promulgated by the department under this section may require motor carriers to meet specific Federal Motor Carrier Safety Administration (FMCSA) safety ratings and FMCSA safety measurement system scores before issuance of a permit under this section.

➔Section 10. KRS 189.2716 is amended to read as follows:

(1) As used in this section, "riverport" means a riverport facility established by a riverport authority under KRS 65.520.

(2) In order to promote economic development and retain jobs within this state, subject to KRS 189.222, the department shall promulgate administrative regulations pursuant to KRS Chapter 13A governing the issue of annual permits for the operation of motor vehicles that are transporting steel products in divisible or nondivisible loads on state highways from a facility manufacturing products in this state to a riverport within this state, and whose dimensions exceed the limits for vehicle width prescribed by this chapter.

(3) The maximum width dimension for an overdimensional permit issued in accordance with this section shall be ten (10) feet.

(4) A motor carrier transporting steel products in divisible or nondivisible loads from a facility manufacturing steel products in this state may apply for an annual overdimensional permit pursuant to subsection (2) of this section. An application for a permit shall identify the route to be used. The permit shall be valid twenty-four (24) hours a day, but shall be limited to movements of steel products within the state of not more than seven (7) road miles from the manufacturing facility.

(5) ***The department shall promulgate administrative regulations in accordance with KRS Chapter 13A to set fees for permits established under this section.***~~cost of the annual permit shall be two hundred fifty dollars (\$250).~~

➔Section 11. KRS 189.2717 is amended to read as follows:

(1) Subject to the provisions of KRS 189.222, the department may promulgate administrative regulations pursuant to KRS Chapter 13A governing the issuance of annual permits for the operation of motor vehicles transporting nondivisible loads in this Commonwealth whose gross weight exceeds the limits prescribed by this chapter. The gross weight of a motor vehicle operating pursuant to this section shall not exceed one hundred twenty thousand (120,000) pounds. The movement of the overweight motor vehicle shall be limited to a specific route set forth on the annual permit.

(2) The following axle weights shall not be exceeded in the loading of a nondivisible load:

(a) Single axle with axles less than forty-two (42) inches apart and being the steering axle with one (1) wheel on each side of the axle to be considered a single axle shall not be more than fifteen thousand (15,000) pounds;

(b) Two (2) axles in tandem arrangement which are spaced forty-two (42) inches or more apart and less than ninety-six (96) inches apart shall not be more than forty thousand (40,000) pounds;

(c) Three (3) axles in tridem arrangement which are spaced forty-two (42) or more inches apart and less than one hundred twenty (120) inches apart shall not be more than sixty-five thousand (65,000) pounds; and

(d) Dual wheel axle with one (1) axle with two (2) wheels on each side of the axle to be considered a dual wheel axle shall not be more than twenty thousand (20,000) pounds each.

- (3) Each motor vehicle operating pursuant to this section shall comply with the safety provisions set forth in the administrative regulations promulgated by the department pursuant to this section.
- (4) ***The department shall promulgate administrative regulations in accordance with KRS Chapter 13A to set fees for permits established under this section***~~[fee for the annual permit for each motor vehicle pursuant to this section shall be five hundred dollars (\$500)].~~
- (5) The department may refuse to issue a permit for a requested route because of the inadequacies of the roadway or a structure on that route.

➔Section 12. KRS 186.480 (Effective July 1, 2024) is amended to read as follows:

- (1) The Department of Kentucky State Police shall examine every applicant for an operator's license as identified in KRS 186.635, except as otherwise provided in this section. The examination shall be held in the county where the applicant resides unless:
 - (a) The applicant is granted written permission by the Transportation Cabinet to take the examination in another county; or
 - (b) The applicant is tested using a bioptic telescopic device.
- (2) The examination shall include a test of the applicant's eyesight to ensure compliance with the visual acuity and visual field standards set forth in KRS 186.577. The vision testing outlined in this subsection shall be administered under the provisions established in KRS 186.577 at, or prior to, the time of application. The examination shall also include a test of the applicant's ability to read and understand highway signs regulating, warning, and directing traffic, the applicant's knowledge of traffic laws, and an actual demonstration of the applicant's ability to exercise ordinary and reasonable control in the operation of a motor vehicle. The provisions of this subsection shall not apply to an applicant who:
 - (a) At the time of application, holds a valid operator's license from another state, provided that state affords a reciprocal exemption to a Kentucky resident;
 - (b) At the time of application for a motorcycle instruction permit or motorcycle operator's license, presents evidence of successful completion of an approved rider training course under KRS 176.5062; or
 - (c) Is a citizen of the Commonwealth who has been serving in the United States military and has allowed his or her operator's license to expire.
- (3) In addition to the requirements of subsection (2) of this section, an applicant for a motorcycle operator's license who does not present evidence of successful completion of an approved rider training course under KRS 176.5062 shall be required to show his or her ability to operate a motorcycle. An applicant who successfully completes the skills portion of the test under this subsection on a:
 - (a) Three (3) wheeled motorcycle shall be issued a motorcycle operator's license restricted to the operation of three (3) wheeled motorcycles under KRS 186.447; or
 - (b) Two (2) wheeled motorcycle shall be issued a motorcycle operator's license without the restriction identified in KRS 186.447, and may operate both two (2) and three (3) wheeled motorcycles.
- (4) Any person whose intermediate license or operator's license is denied, suspended, or revoked for cause shall apply for reinstatement at the termination of the period for which the license was denied, suspended, or revoked by submitting to the examination. The provisions of this subsection shall not apply to any person whose license was suspended for failure to meet the conditions described in KRS 186.411 when, within one (1) year of suspension, the driving privileges of ***the person are***~~[such individuals are]~~ reinstated.
- (5) An applicant shall not use an auticycle for road skills testing administered under the provisions of this section.
- (6) ***The Department of Kentucky State Police shall include, in the educational materials it produces for prospective drivers, information about the purposes, processes, and benefits of the organ donation program.***

➔Section 13. KRS 281.990 is amended to read as follows:

- (1) Except as provided in ***subsections***~~[subsection]~~ (4) ***and*** (5) of this section, a person shall be fined not less than twenty-five dollars (\$25) and no more than two hundred dollars (\$200), if the person:
 - (a) Violates, causes, aids, or abets any violation of the provisions of this chapter, or any order, rule, or administrative regulation lawfully issued pursuant to authority granted by this chapter;

- (b) Knowingly makes any false or erroneous statement, report, or representation to the Department of Vehicle Regulation with respect to any matter placed under the jurisdiction of the department by this chapter;
- (c) Knowingly makes any false entry in the accounts or records required to be kept pursuant to the authority granted by this chapter; or
- (d) Knowingly fails to keep, or knowingly destroys or mutilates, any accounts or records.

Every device to evade or to prevent the application of any provision of this chapter, or any lawful order, rule or administrative regulation of the department issued pursuant thereto, shall constitute a violation thereof.

- (2) (a) Any person who violates KRS 281.630(1) or 281.631(1) shall be fined not less than five hundred dollars (\$500) nor more than three thousand five hundred dollars (\$3,500).
- (b) Any person who operates as a motor carrier in violation of the terms of his or her certificate or motor carrier vehicle license shall be fined not less than five hundred dollars (\$500) nor more than three thousand five hundred dollars (\$3,500).
- (3) A person who violates KRS 281.630(9) shall not be subject to a penalty under this section.
- (4) (a) Except as provided in this subsection, any person who violates KRS 281.757 shall be fined two hundred fifty dollars (\$250) for each offense.
- (b) A person who is cited for a violation of KRS 281.757 in which the lights were inoperable or the reflectors were missing may, within thirty (30) days from the date of the citation, provide proof to the county attorney of the county in which the offense occurred that the mechanical problem has been repaired and that the lights are in working order or that the required reflectors have been placed on the vehicle. If such proof is shown, the citation shall be dismissed.
- (c) A law enforcement officer and the department shall not issue a citation to a person as violating KRS 281.757 if the atmospheric conditions all motorists were subjected to at the time the person is stopped reasonably limit the ability of a person to keep the vehicle's lights or reflectors from being obscured by dirt, mud, or debris.
- (5) ***The cabinet may promulgate administrative regulations in accordance with KRS Chapter 13A to set penalties for violations of KRS 281.920 to 281.936.***

➔Section 14. KRS 189.930 is amended to read as follows:

- (1) Upon the approach of an emergency vehicle equipped with, and operating, one (1) or more flashing, rotating, or oscillating red or blue lights, visible under normal conditions from a distance of five hundred (500) feet to the front of ~~the emergency~~ ~~such~~ vehicle; or the driver is given audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right-of-way, immediately drive to a position parallel to, and as close as possible to, the edge or curb of the highway clear of any intersection, and stop and remain ~~stopped~~ ~~in such position~~ until the emergency vehicle has passed, except when otherwise directed by a police officer or firefighter.
- (2) Upon the approach of any emergency vehicle, operated in conformity with the provisions of subsection (1) of this section, the operator of every vehicle shall immediately stop clear of any intersection and shall ~~remain stopped~~ ~~keep such position~~ until the emergency vehicle has passed, unless directed otherwise by a police officer or firefighter.
- (3) No operator of any vehicle, unless he *or she* is on official business, shall follow any emergency vehicle being operated in conformity with the provisions of subsection (1) of this section closer than five hundred (500) feet, nor shall he *or she* drive into, or park the vehicle into, or park the vehicle within, the block where the vehicle has stopped in answer to an emergency call or alarm unless he *or she* is directed otherwise by a police officer or firefighter.
- (4) No vehicle, train, or other equipment shall be driven over any unprotected hose of a fire department when the hose is laid down on any street, private driveway, or track for use at any fire or fire alarm unless the fire department official in command consents that the hose be driven over.
- (5) ***The provisions of subsection (6) of this section shall apply to any driver*** ~~Upon~~ approaching a stationary:

- (a) Emergency vehicle or public safety vehicle, when the emergency vehicle or public safety vehicle is giving a signal by displaying alternately flashing yellow, red, red and white, red and blue, or blue lights;
or
- (b) *Disabled vehicle, when the disabled vehicle is displaying some type of warning signal, such as emergency flashers, flares, or retroreflective signals.*
- (6) *The driver of a vehicle that is approaching a vehicle described in subsection (5) of this section*~~[, a person who drives an approaching vehicle]~~ shall, while proceeding with due caution:
- (a) Yield the right-of-way by moving to a lane not adjacent to that of the~~[authorized emergency]~~ vehicle, if:
1. The person is driving on a highway having at least four (4) lanes, with *at least*~~[not fewer than]~~ two (2) lanes proceeding in the same direction as the approaching vehicle; and
 2. ~~[If]~~It is possible to make the lane change with due regard to safety and traffic conditions; or
- (b) Reduce the speed of the vehicle, maintaining a safe speed to road conditions, if *the road has less than four (4) lanes or if* changing lanes would be impossible or unsafe.
- ~~(7)(6)~~ This section does not operate to relieve the person who drives an emergency vehicle from the duty to operate the vehicle with due regard for the safety of all persons using the highway.

➔Section 15. KRS 189.290 is amended to read as follows:

- (1) The operator of any vehicle upon a highway shall operate the vehicle in a careful manner, with regard for the safety and convenience of pedestrians and other vehicles upon the highway.
- (2) *A person shall not*~~[No person shall]~~ willfully operate any vehicle on any highway in such a manner as to injure the highway.
- (3) *A person shall not willfully operate any vehicle on any highway in such a manner as to injure vehicles or equipment located in or near a highway work zone.*
- (4) *A person shall not operate any vehicle in a reckless or negligent manner as to endanger persons or property in or near a highway, or in or near a highway work zone.*
- (5) *In addition to any other penalty, an operator who violates subsection (3) or (4) of this section shall be subject to revocation of his or her operator's license under Section 21 of this Act.*

➔Section 16. KRS 189.960 is amended to read as follows:

- (1) The operator of a vehicle shall yield the right-of-way to any public safety vehicle, as defined in KRS 189.910~~[(2)]~~, or any pedestrian *or worker, including utility worker*, actually engaged in work *in a highway work zone as defined in Section 20 of this Act*~~[upon a highway or within any highway construction or maintenance area indicated by official traffic control devices]~~.
- (2) The operator of a vehicle shall yield the right-of-way to any public safety vehicle obviously and actually engaged in work upon a highway whenever such vehicle displays flashing lights meeting the requirements of KRS 189.920(4).
- (3) *The operator of a vehicle shall stay in a designated lane reserved for traffic in a highway work zone.*

➔Section 17. KRS 189.2325 is amended to read as follows:

The secretary of the Transportation Cabinet shall promulgate administrative regulations pursuant to KRS Chapter 13A governing the posting of signs advising motorists that penalties are increased for traffic violations occurring~~[on state-maintained streets or state-maintained highways]~~ in a highway work zone. The administrative regulations promulgated by the cabinet shall include guidelines to determine which areas are appropriate to the posting of these signs. The guidelines may include, but are not limited to, the following:

- (1) The duration of the work on the highway;
- (2) The proximity of workers to moving traffic;
- (3) The existence of any unusual or hazardous conditions;
- (4) The volume of traffic on the highway; and

- (5) Other appropriate factors as determined by the secretary.

➔Section 18. KRS 189.2327 is amended to read as follows:

- (1) Subject to the requirements of subsection (2) of this section, if a violation of KRS 189.290 to ~~189.575~~~~189.580~~ or 189.910 to 189.960 occurred in a highway work zone, the fine **shall be:**

- (a) **Five hundred dollars (\$500) if no person is physically injured or dies as a result of the violation. Notwithstanding the provisions of KRS 189.999, the fine under this paragraph is prepayable; and**
- (b) **Not less than five hundred dollars (\$500) nor more than ten thousand dollars (\$10,000) if the violation results in physical injury to or death of any person**~~established under KRS 189.394, 189.990, or 189.993 shall be doubled~~.

- (2) (a) In order for **an increased**~~ed~~ fine to be **imposed**~~ed~~ under this section, the highway work zone must have:

1.~~(a)~~ Signs displayed informing drivers of the existence of a highway work zone and that fines are **increased**~~ed~~ in it; and

2.~~(b)~~ At least one (1) bona fide worker present.

- (b) **If a violation of any of the offenses identified in subsection (1) of this section can be classified as a misdemeanor, those penalties shall apply in addition to the penalties in subsection (1) of this section.**

- (3) All fines collected for violations in a highway work zone under ~~subsection (1) of~~ this section shall be deposited into a separate trust and agency account within the Transportation Cabinet known as the "highway work zone safety fund." The highway work zone safety fund shall be used exclusively by the Transportation Cabinet to hire or pay for enhanced law enforcement of traffic laws within highway work zones.

➔Section 19. KRS 189.990 is amended to read as follows:

- (1) Any person who violates any of the provisions of KRS 189.020 to 189.040, subsection (1) or (4) of KRS 189.050, KRS 189.060 to 189.080, subsections (1) to (3) of KRS 189.090, KRS 189.100, 189.110, 189.130 to 189.160, subsections (2) to (4) of KRS 189.190, KRS 189.200, 189.285, **subsection (1) or (2) of KRS 189.290**, 189.300 to 189.360, KRS 189.380, KRS 189.400 to 189.430, KRS 189.450 to 189.458, KRS 189.4595 to 189.480, subsection (1) of KRS 189.520, KRS 189.540, KRS 189.570 to 189.590, except subsection (1)(b) or (6)(b) of KRS 189.580, KRS 189.345, subsection (6) of KRS 189.456, and 189.960 shall be fined not less than twenty dollars (\$20) nor more than one hundred dollars (\$100) for each offense. Any person who violates subsection (1)(a) of KRS 189.580 shall be fined not less than twenty dollars (\$20) nor more than two thousand dollars (\$2,000) or imprisoned in the county jail for not more than one (1) year, or both, unless the accident involved death or serious physical injury and the person knew or should have known of the death or serious physical injury, in which case the person shall be guilty of a Class D felony. Any person who violates paragraph (c) of subsection (5) of KRS 189.390 shall be fined not less than eleven dollars (\$11) nor more than thirty dollars (\$30). Neither court costs nor fees shall be taxed against any person violating paragraph (c) of subsection (5) of KRS 189.390.

- (2) (a) 1. Except as provided in subparagraph 2. of this paragraph, any person who violates the weight provisions of KRS 189.212, 189.221, 189.222, 189.226, 189.230, 189.270, or 189.2713 shall be fined two cents (\$0.02) per pound for each pound of excess load when the excess is five thousand (5,000) pounds or less. When the excess exceeds five thousand (5,000) pounds the fine shall be two cents (\$0.02) per pound for each pound of excess load, but the fine levied shall not be less than one hundred dollars (\$100) and shall not be more than five hundred dollars (\$500).
2. Any person who violates a posted bridge weight limit on a state-maintained bridge that is more than seventy-five (75) years old shall be fined:
- Five hundred dollars (\$500) for the first offense;
 - One thousand dollars (\$1,000) for the second offense within a one (1) year period; and
 - Two thousand dollars (\$2,000) for any subsequent offense within a one (1) year period.

The Transportation Cabinet shall erect signs warning drivers of the increased fines in this subparagraph. Signs erected under this subparagraph shall be placed in such a manner that drivers are given adequate warning in order to exit the road prior to crossing the bridge. If warning signs are not erected in accordance with this subparagraph, the fines in this

subparagraph shall not apply and violators shall be fined under subparagraph 1. of this paragraph.

- (b) Any person who violates the provisions of KRS 189.271 and is operating on a route designated on the permit shall be fined one hundred dollars (\$100); otherwise, the penalties in paragraph (a) of this subsection shall apply.
- (c) Any person who violates any provision of subsection (2) or (3) of KRS 189.050, subsection (4) of KRS 189.090, KRS 189.221 to 189.230, 189.270, 189.2713, 189.280, or the dimension provisions of KRS 189.212, for which another penalty is not specifically provided shall be fined not less than ten dollars (\$10) nor more than five hundred dollars (\$500).
- (d)
 - 1. Any person who violates the provisions of KRS 177.985 while operating on a route designated in KRS 177.986 shall be fined one hundred dollars (\$100).
 - 2. Any person who operates a vehicle with a permit under KRS 177.985 in excess of eighty thousand (80,000) pounds while operating on a route not designated in KRS 177.986 shall be fined one thousand dollars (\$1,000).
- (e) Nothing in this subsection or in KRS 189.221 to 189.228 shall be deemed to prejudice or affect the authority of the Department of Vehicle Regulation to suspend or revoke certificates of common carriers, permits of contract carriers, or drivers' or chauffeurs' licenses, for any violation of KRS 189.221 to 189.228 or any other act applicable to motor vehicles, as provided by law.
- (3)
 - (a) Any person who violates subsection (1) of KRS 189.190 shall be fined not more than fifteen dollars (\$15).
 - (b) Any person who violates subsection (5) of KRS 189.190 shall be fined not less than thirty-five dollars (\$35) nor more than two hundred dollars (\$200).
- (4)
 - (a) Any person who violates subsection (1) of KRS 189.210 shall be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100).
 - (b) Any peace officer who fails, when properly informed, to enforce KRS 189.210 shall be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100).
 - (c) All fines collected under this subsection, after payment of commissions to officers entitled thereto, shall go to the county road fund if the offense is committed in the county, or to the city street fund if committed in the city.
- (5) Any person who violates KRS 189.370 shall for the first offense be fined not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200) or imprisoned not less than thirty (30) days nor more than sixty (60) days, or both. For each subsequent offense occurring within three (3) years, the person shall be fined not less than three hundred dollars (\$300) nor more than five hundred dollars (\$500) or imprisoned not less than sixty (60) days nor more than six (6) months, or both. The minimum fine for this violation shall not be subject to suspension. A minimum of six (6) points shall be assessed against the driving record of any person convicted.
- (6) Any person who violates KRS 189.500 shall be fined not more than fifteen dollars (\$15) in excess of the cost of the repair of the road.
- (7) Any person who violates KRS 189.510 or KRS 189.515 shall be fined not less than twenty dollars (\$20) nor more than fifty dollars (\$50).
- (8) Any peace officer who violates subsection (2) of KRS 189.520 shall be fined not less than thirty-five dollars (\$35) nor more than one hundred dollars (\$100).
- (9)
 - (a) Any person who violates KRS 189.530(1) shall be fined not less than thirty-five dollars (\$35) nor more than one hundred dollars (\$100), or imprisoned not less than thirty (30) days nor more than twelve (12) months, or both.
 - (b) Any person who violates KRS 189.530(2) shall be fined not less than thirty-five dollars (\$35) nor more than one hundred dollars (\$100).
- (10) Any person who violates any of the provisions of KRS 189.550 shall be guilty of a Class B misdemeanor.

- (11) Any person who violates subsection (3) of KRS 189.560 shall be fined not less than thirty dollars (\$30) nor more than one hundred dollars (\$100) for each offense.
- (12) The fines imposed by paragraph (a) of subsection (3) and subsections (6) and (7) of this section shall, in the case of a public highway, be paid into the county road fund, and, in the case of a privately owned road or bridge, be paid to the owner. These fines shall not bar an action for damages for breach of contract.
- (13) Any person who violates any of the provisions of KRS 189.120 shall be fined not less than twenty dollars (\$20) nor more than one hundred dollars (\$100) for each offense.
- (14) Any person who violates any provision of KRS 189.575 shall be fined not less than twenty dollars (\$20) nor more than twenty-five dollars (\$25).
- (15) Any person who violates subsection (2) of KRS 189.231 shall be fined not less than twenty dollars (\$20) nor more than one hundred dollars (\$100) for each offense.
- (16) Any person who violates restrictions or regulations established by the secretary of transportation pursuant to subsection (3) of KRS 189.231 shall, upon first offense, be fined one hundred dollars (\$100) and, upon subsequent convictions, be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or imprisoned for thirty (30) days, or both.
- (17)
 - (a) Any person who violates any of the provisions of KRS 189.565 shall be guilty of a Class B misdemeanor.
 - (b) In addition to the penalties prescribed in paragraph (a) of this subsection, in case of violation by any person in whose name the vehicle used in the transportation of inflammable liquids or explosives is licensed, the person shall be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500). Each violation shall constitute a separate offense.
- (18) Any person who abandons a vehicle upon the right-of-way of a state highway for three (3) consecutive days shall be fined not less than thirty-five dollars (\$35) nor more than one hundred dollars (\$100), or imprisoned for not less than ten (10) days nor more than thirty (30) days.
- (19) Every person violating KRS 189.393 shall be guilty of a Class B misdemeanor, unless the offense is being committed by a defendant fleeing the commission of a felony offense which the defendant was also charged with violating and was subsequently convicted of that felony, in which case it is a Class A misdemeanor.
- (20) Any law enforcement agency which fails or refuses to forward the reports required by KRS 189.635 shall be subject to the penalties prescribed in KRS 17.157.
- (21) A person who operates a bicycle in violation of the administrative regulations promulgated pursuant to KRS 189.287 shall be fined not less than ten dollars (\$10) nor more than one hundred dollars (\$100).
- (22) Any person who violates KRS 189.860 shall be fined not more than five hundred dollars (\$500) or imprisoned for not more than six (6) months, or both.
- (23) Any person who violates KRS 189.754 shall be fined not less than twenty-five dollars (\$25) nor more than three hundred dollars (\$300).
- (24) Any person who violates the provisions of KRS 189.125(3)(a) shall be fined fifty dollars (\$50). This fine shall be subject to prepayment. A fine imposed under this subsection shall not be subject to court costs pursuant to KRS 24A.175, additional court costs pursuant to KRS 24A.176, the fee imposed pursuant to KRS 24A.1765, or any other additional fees or costs.
- (25) Any person who violates the provisions of KRS 189.125(3)(b) shall not be issued a uniform citation, but shall instead receive a courtesy warning up until July 1, 2009. For a violation on or after July 1, 2009, the person shall be fined thirty dollars (\$30). This fine shall be subject to prepayment. A fine imposed under this subsection shall not be subject to court costs pursuant to KRS 24A.175, additional court costs pursuant to KRS 24A.176, a fee imposed pursuant to KRS 24A.1765, or any other additional fees or costs. A person who has not been previously charged with a violation of KRS 189.125(3)(b) may elect to acquire a booster seat meeting the requirements of KRS 189.125. Upon presentation of sufficient proof of the acquisition, the charge shall be dismissed and no fees or costs shall be imposed.
- (26) Any person who violates the provisions of KRS 189.125(6) shall be fined an amount not to exceed twenty-five dollars (\$25). This fine shall be subject to prepayment. A fine imposed under this subsection shall not be subject to court costs pursuant to KRS 24A.175, additional court costs pursuant to KRS 24A.176, the fee imposed pursuant to KRS 24A.1765, or any other additional fees or costs.

- (27) Fines levied pursuant to this chapter shall be assessed in the manner required by KRS 534.020, in amounts consistent with this chapter. Nonpayment of fines shall be governed by KRS 534.020 and 534.060.
- (28) A licensed driver under the age of eighteen (18) charged with a moving violation pursuant to this chapter as the driver of a motor vehicle may be referred, prior to trial, by the court to a diversionary program. The diversionary program under this subsection shall consist of one (1) or both of the following:
- (a) Execution of a diversion agreement which prohibits the driver from operating a vehicle for a period not to exceed forty-five (45) days and which allows the court to retain the driver's operator's license during this period; and
 - (b) Attendance at a driver improvement clinic established pursuant to KRS 186.574. If the person completes the terms of this diversionary program satisfactorily the violation shall be dismissed.
- (29) A person who violates the provisions of subsection (2) or (3) of KRS 189.459 shall be fined two hundred fifty dollars (\$250). The fines and costs for a violation of subsection (2) or (3) of KRS 189.459 shall be collected and disposed of in accordance with KRS 24A.180. Once deposited into the State Treasury, ninety percent (90%) of the fine collected under this subsection shall immediately be forwarded to the personal care assistance program under KRS 205.900 to 205.920. Ten percent (10%) of the fine collected under this subsection shall annually be returned to the county where the violation occurred and distributed equally to all law enforcement agencies within the county.
- (30) Any person who violates KRS 189.292 or 189.294 shall be fined twenty-five dollars (\$25) for the first offense and fifty dollars (\$50) for each subsequent offense.
- (31) Any person who violates KRS 189.281(5) or (7)(b) shall be subject to a fine of two hundred fifty dollars (\$250). This fine shall be subject to prepayment. A fine imposed under this subsection shall not be subject to court costs pursuant to KRS 24A.175, additional costs pursuant to KRS 24A.176, the fee imposed pursuant to KRS 24A.1765, or any other additional fees or costs.
- (32) ***Any person who violates subsection (3) or (4) of Section 15 of this Act and causes physical injury to a person shall be fined five hundred dollars (\$500).***

➔Section 20. KRS 189.010 is amended to read as follows:

As used in this chapter:

- (1) "Department" means the Department of Highways;
- (2) "Crosswalk" means:
 - (a) That part of a roadway at an intersection within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs, from the edges of the traversable roadway; or
 - (b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface;
- (3) "Highway" means any public road, street, avenue, alley or boulevard, bridge, viaduct, or trestle and the approaches to them and includes private residential roads and parking lots covered by an agreement under KRS 61.362, off-street parking facilities offered for public use, whether publicly or privately owned, except for-hire parking facilities listed in KRS 189.700;
- (4) "Intersection" means:
 - (a) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two (2) highways which join one another, but do not necessarily continue, at approximately right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come into conflict; or
 - (b) Where a highway includes two (2) roadways thirty (30) feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. If the intersecting highway also includes two (2) roadways thirty (30) feet or more apart, every crossing of two (2) roadways of the highways shall be regarded as a separate intersection. The junction of a private alley with a public street or highway shall not constitute an intersection;
- (5) "Manufactured home" has the same meaning as defined in KRS 186.650;

- (6) "Motor truck" means any motor-propelled vehicle designed for carrying freight or merchandise. It shall not include self-propelled vehicles designed primarily for passenger transportation but equipped with frames, racks, or bodies having a load capacity of not exceeding one thousand (1,000) pounds;
- (7) "Operator" means the person in actual physical control of a vehicle;
- (8) "Pedestrian" means any person afoot or in a wheelchair;
- (9) "Right-of-way" means the right of one (1) vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed, and proximity as to give rise to danger of collision unless one grants precedence to the other;
- (10) "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. If a highway includes two (2) or more separate roadways, the term "roadway" as used herein shall refer to any roadway separately but not to all such roadways collectively;
- (11) "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone;
- (12) "Semitrailer" means a vehicle designed to be attached to, and having its front end supported by, a motor truck or truck tractor, intended for the carrying of freight or merchandise and having a load capacity of over one thousand (1,000) pounds;
- (13) "Truck tractor" means any motor-propelled vehicle designed to draw and to support the front end of a semitrailer. The semitrailer and the truck tractor shall be considered to be one (1) unit;
- (14) "Sharp curve" means a curve of not less than thirty (30) degrees;
- (15) "State Police" includes any agency for the enforcement of the highway laws established pursuant to law;
- (16) "Steep grade" means a grade exceeding seven percent (7%);
- (17) "Trailer" means any vehicle designed to be drawn by a motor truck or truck-tractor, but supported wholly upon its own wheels, intended for the carriage of freight or merchandise and having a load capacity of over one thousand (1,000) pounds;
- (18) "Unobstructed highway" means a straight, level, first-class road upon which no other vehicle is passing or attempting to pass and upon which no other vehicle or pedestrian is approaching in the opposite direction, closer than three hundred (300) yards;
- (19) (a) "Vehicle" includes:
 1. All agencies for the transportation of persons or property over or upon the public highways of the Commonwealth; and
 2. All vehicles passing over or upon the highways.(b) "Motor vehicle" includes all vehicles, as defined in paragraph (a) of this subsection, except:
 1. Road rollers;
 2. Road graders;
 3. Farm tractors;
 4. Vehicles on which power shovels are mounted;
 5. Construction equipment customarily used only on the site of construction and which is not practical for the transportation of persons or property upon the highways;
 6. Vehicles that travel exclusively upon rails;
 7. Vehicles propelled by electric power obtained from overhead wires while being operated within any municipality or where the vehicles do not travel more than five (5) miles beyond the city limits of any municipality;
 8. Vehicles propelled by muscular power; and
 9. Electric low-speed scooters;

- (20) "Reflectance" means the ratio of the amount of total light, expressed in a percentage, which is reflected outward by the product or material to the amount of total light falling on the product or material;
- (21) "Sunscreening material" means a product or material, including film, glazing, and perforated sunscreening, which, when applied to the windshield or windows of a motor vehicle, reduces the effects of the sun with respect to light reflectance or transmittance;
- (22) "Transmittance" means the ratio of the amount of total light, expressed in a percentage, which is allowed to pass through the product or material, including glazing, to the amount of total light falling on the product or material and the glazing;
- (23) "Window" means any device designed for exterior viewing from a motor vehicle, except the windshield, any roof-mounted viewing device, and any viewing device having less than one hundred fifty (150) square inches in area;
- (24) "All-terrain vehicle" means any motor vehicle used for recreational off-road use;
- (25) "Nondivisible load," as pertains to state highways that are not part of the national truck network established pursuant to 23 C.F.R. pt. 658, means a load or vehicle, that if separated into smaller loads or vehicles:
- (a) Compromises the intended use of the vehicle, making it unable to perform the function for which it was intended;
 - (b) Destroys the value of the load or vehicle, making it unusable for its intended purpose; or
 - (c) Requires more than four (4) work hours to dismantle and reassemble using appropriate equipment;
- (26) "Electric low-speed scooter" means a device that:
- (a) Weighs less than one hundred (100) pounds;
 - (b) Is equipped with wheels;
 - (c) Is equipped with handlebars;
 - (d) Is equipped with a brake adequate enough to stop and park the device;
 - (e) Is designed to be stood or sat upon;
 - (f) Is propelled by an electric motor, human power, or both; and
 - (g) Is designed to operate at a maximum speed of twenty (20) miles per hour, on a paved level surface, with or without human propulsion; and
- (27) "Highway work zone" means that ~~lane or~~ portion of a **highway** ~~[state-maintained highway open to vehicular traffic]~~ and the affected area adjacent to a lane, berm, or shoulder, **including a sidewalk**, ~~[of a state-maintained highway]~~ upon which construction, reconstruction, resurfacing, maintenance, inspection, or other work of that nature is being conducted **by a government agency, private contractor, or utility company**.

➔Section 21. KRS 186.560 is amended to read as follows:

- (1) The cabinet shall forthwith revoke the license of any operator of a motor vehicle upon receiving record of his or her:
- (a) Conviction of any of the following offenses:
 1. Murder or manslaughter resulting from the operation of a motor vehicle;
 2. Driving a vehicle which is not a motor vehicle while under the influence of alcohol or any other substance which may impair one's driving ability;
 3. Perjury or the making of a false affidavit under KRS 186.400 to 186.640 or any law requiring the registration of motor vehicles or regulating their operation on highways;
 4. Any felony in the commission of which a motor vehicle is used;
 5. Conviction or forfeiture of bail upon three (3) charges of reckless driving within the preceding twelve (12) months;

6. Conviction of driving a motor vehicle involved in an accident and failing to stop and disclose his identity at the scene of the accident;
 7. Conviction of theft of a motor vehicle or any of its parts, including the conviction of any person under the age of eighteen (18) years;
 8. Failure to have in full force and effect the security required by Subtitle 39 of KRS Chapter 304 upon conviction of a second and each subsequent offense within any five (5) year period;
 9. Conviction for fraudulent use of a driver's license or use of a fraudulent driver's license to purchase or attempt to purchase alcoholic beverages, as defined in KRS 241.010, in violation of KRS 244.085(4);
 10. Conviction of operating a motor vehicle, motorcycle, or moped without an operator's license as required by KRS 186.410;~~and~~
 11. Conviction of fleeing or evading police in the second degree when the offense involved the operation of a motor vehicle; *and*
 12. *Conviction of violating the provisions of subsection (3) or (4) of Section 15 of this Act;* or
- (b) Being found incompetent to stand trial under KRS Chapter 504.
- (2) If the person convicted of any offense named in subsection (1) of this section or who is found incompetent to stand trial is not the holder of a license, the cabinet shall deny the person so convicted a license for the same period of time as though he *or she* had possessed a license which had been revoked. If through an inadvertence the defendant should be issued a license, the cabinet shall forthwith cancel it.
 - (3) The cabinet, upon receiving a record of the conviction of any person upon a charge of operating a motor vehicle while the license of that person is denied, or suspended, or revoked, or while his privilege to operate a motor vehicle is withdrawn, shall immediately extend the period of the first denial, suspension, revocation, or withdrawal for an additional like period.
 - (4) The revocation or denial of a license or the withdrawal of the privilege of operating a motor vehicle for a violation of subsection (1)(a)1. of this section shall be for a period of not less than five (5) years. Revocations or denials under this section shall not be subject to any lessening of penalties authorized under any other provision of this section or any other statute.
 - (5) Except as provided in subsections (3), (4), (8), and (9) of this section, in all other cases, the revocation or denial of a license or the withdrawal of the privilege of operating a motor vehicle under this section shall be for a period of six (6) months, except that if the same person has had one (1) previous conviction of any offense enumerated in subsection (1) of this section, regardless of whether the person's license was revoked because of the previous conviction, the period of the revocation, denial, or withdrawal shall be one (1) year. If the person has had more than one (1) previous conviction of the offenses considered collectively as enumerated in subsection (1) of this section, regardless of whether the person's license was revoked for any previous conviction, the period of revocation, denial, or withdrawal shall be for not less than two (2) years. If the cabinet, upon receipt of the written recommendation of the court in which any person has been convicted of violating KRS 189.520(1) or 244.085(4) as relates to instances in which a driver's license or fraudulent driver's license was the identification used or attempted to be used in the commission of the offense, who has had no previous conviction of said offense, the person's operator's license shall not be revoked, but the person's operator's license shall be restricted to any terms and conditions the secretary in his discretion may require, provided the person has enrolled in an alcohol or substance abuse education or treatment program as the cabinet shall require. If the person fails to satisfactorily complete the education or treatment program or violates the restrictions on his operator's license, the cabinet shall immediately revoke his operator's license for a period of six (6) months.
 - (6) In order to secure the reinstatement of a license to operate a motor vehicle or motorcycle restored following a period of suspension pursuant to KRS Chapter 189A, the person whose license is suspended shall comply with the fees and other procedures of the Transportation Cabinet with regard to the reinstatement of suspended licenses.
 - (7) The cabinet shall revoke the license of any operator of a motor vehicle upon receiving notification that the person is under age eighteen (18) and has dropped out of school or is academically deficient, as defined in KRS 159.051(1).

- (8) A person under the age of eighteen (18) who is convicted of the offenses of subsections (1) or (3) of this section, except for subsection (1)(a)8. or 9. of this section, shall have his license revoked until he *or she* reaches the age of eighteen (18) or shall have his license revoked as provided in this section, whichever penalty will result in the longer period of revocation.
- (9) A revocation or denial of a license or the withdrawal of the privilege of operating a motor vehicle under this section due to a person being found incompetent to stand trial shall extend until the person is found competent to stand trial or the criminal case is dismissed.

➔SECTION 22. A NEW SECTION OF KRS 186.400 TO 186.640 IS CREATED TO READ AS FOLLOWS:

- (1) *As used in this section, "state police" means the Department of Kentucky State Police.*
- (2) *From September 1, 2024, until June 30, 2026, the state police shall operate a pilot program to provide operator's license skills testing in five (5) counties in which the state police does not provide permanent, full-time, driver licensing testing.*
- (3) *In administering the pilot project under this section, the state police shall:*
- (a) *Identify the counties participating in the pilot project based on both public demand and available state police resources;*
 - (b) *Provide testing in each county at least two (2) times each month;*
 - (c) *Accept applications for testing slots through the state police's online application portal;*
 - (d) *Limit testing only to residents of the pilot project county where the test will be administered;*
 - (e) *Limit testing only to applicants for an intermediate license under KRS 186.452; and*
 - (f) *Evaluate service levels, unsubscribed appointments, and no-shows during the term of the pilot project and, if necessary, move the pilot project to another county identified in subsection (2) of this section, while maintaining the pilot project in at least five (5) counties during the term of the project.*
- (4) *The state police shall collect data on testing done under this section and, by October 31, 2025, submit a report to the Legislative Research Commission for referral to the Interim Joint Committee on Transportation providing:*
- (a) *Counts of the number of available testing appointments in each county, applicants served, unclaimed testing slots, and no-show appointments;*
 - (b) *Information regarding how the pilot program affected testing associated with regional licensing offices; and*
 - (c) *Recommendations on the continuation or expansion of the pilot project.*

➔Section 23. Sections 1 and 2 of this Act take effect January 1, 2025.

Signed by Governor April 17, 2024.