

CHAPTER 160

(HB 664)

AN ACT relating to the operation of a motor vehicle and declaring an emergency.

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

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 189 IS CREATED TO READ AS FOLLOWS:

(1) *As used in this section:*

- (a) *"Automated speed enforcement device" means a photographic, radar, lidar, laser, or other device with one (1) or more vehicle sensors that transmits a vehicle's speed and an image of the rear license plate of a vehicle exceeding the speed limit; and*
- (b) *"Images" means images transmitted by an automated speed enforcement device showing the speed and rear license plate of a motor vehicle.*

(2) *A peace officer may issue a citation at the time of an offense in a highway work zone based on images transmitted by an automated speed enforcement device if:*

- (a) *A motor vehicle is detected traveling in excess of ten (10) miles per hour over the posted speed limit;*
- (b) *At least one (1) bona fide worker is present in the highway work zone; and*
- (c) *There is a peace officer certified under KRS 15.380 to 15.404 present in or near the end of the highway work zone in a marked vehicle.*

(3) *The cabinet shall:*

- (a) *1. Install signage in highway work zones notifying the public that vehicle speed within the work zone may be enforced by an automated speed enforcement device; and*
2. Require the signage to be affixed with lights that shall be flashing at all times when the automated speed enforcement device is active; and
- (b) *Calibrate the automated speed enforcement device on an annual basis.*

(4) *An image transmitted by an automated speed enforcement device under this section shall not be disclosed to anyone other than the driver of the vehicle.*

(5) *The cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A relating to any matters necessary for the efficient administration of automated speed enforcement under this section.*

➔Section 2. 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,~~[-or]~~ 189.910 to 189.960, *or Section 1 of this Act* occurred in a highway work zone, the fine shall be:

- (a) *1. 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*
2. A driver may attend a state traffic school or a county attorney-operated traffic safety program established pursuant to KRS 186.574 for a violation of Section 1 of this Act; 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.*

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

- 1. Signs displayed informing drivers of the existence of a highway work zone and that fines are increased in it; and
- 2. At least one (1) bona fide worker *is present in the highway work zone*~~[-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 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 3. KRS 610.010 is amended to read as follows:

- (1) Unless otherwise exempted by KRS Chapters 600 to 645, the juvenile session of the District Court of each county shall have exclusive jurisdiction in proceedings concerning any child living or found within the county who has not reached his or her eighteenth birthday or of any person who at the time of committing a public offense was under the age of eighteen (18) years, who allegedly has committed a public offense prior to his or her eighteenth birthday, except a motor vehicle offense involving a child **fifteen (15)**~~sixteen (16)~~ years of age or older. A child **fifteen (15)**~~sixteen (16)~~ years of age or older taken into custody upon the allegation that the child has committed a motor vehicle offense shall be treated as an adult and shall have the same conditions of release applied to him or her as an adult. A child taken into custody upon the allegation that he or she has committed a motor vehicle offense who is not released under conditions of release applicable to adults shall be held, pending his or her appearance before the District Court, in a facility as defined in KRS 15A.067. Children **fifteen (15)**~~sixteen (16)~~ years of age or older who are convicted of, or plead guilty to, a motor vehicle offense shall, if sentenced to a term of confinement, be placed in a facility for that period of confinement preceding their eighteenth birthday and an adult detention facility for that period of confinement subsequent to their eighteenth birthday. The term "motor vehicle offense" shall not be deemed to include the offense of stealing or converting a motor vehicle nor operating the same without the owner's consent nor any offense which constitutes a felony;
- (2) Unless otherwise exempted by KRS Chapters 600 to 645, the juvenile session of the District Court of each county or the family division of the Circuit Court shall have exclusive jurisdiction in proceedings concerning any child living or found within the county who has not reached his or her eighteenth birthday and who allegedly:
- (a) Is beyond the control of the school or beyond the control of parents as defined in KRS 600.020;
 - (b) Is an habitual truant from school;
 - (c) Is an habitual runaway from his or her parent or other person exercising custodial control or supervision of the child;
 - (d) Is dependent, neglected, or abused;
 - (e) Has committed an alcohol offense in violation of KRS 244.085; or
 - (f) Is mentally ill.
- (3) Actions brought under subsection (1) of this section shall be considered to be public offense actions.
- (4) Actions brought under subsection (2)(a), (b), (c), and (e) of this section shall be considered to be status offense actions.
- (5) Actions brought under subsection (2)(d) of this section shall be considered to be nonoffender actions.
- (6) Actions brought under subsection (2)(f) of this section shall be considered to be mental health actions.
- (7) Nothing in this chapter shall deprive other courts of the jurisdiction to determine the custody or guardianship of children upon writs of habeas corpus or to determine the custody or guardianship of children when such custody or guardianship is incidental to the determination of other causes pending in such other courts; nor shall anything in this chapter affect the jurisdiction of Circuit Courts over adoptions and proceedings for termination of parental rights.
- (8) The court shall have no jurisdiction to make permanent awards of custody of a child except as provided by KRS 620.027.
- (9) If the court finds an emergency to exist affecting the welfare of a child, or if the child is eligible for the relative or fictive kin caregiver assistance as established in KRS 620.142, it may make temporary orders for the child's custody; however, if the case involves allegations of dependency, neglect, or abuse, no emergency removal or temporary custody orders shall be effective unless the provisions of KRS Chapter 620 are followed. Such orders shall be entirely without prejudice to the proceedings for permanent custody of the child and shall remain in effect until modified or set aside by the court. Upon the entry of a temporary or final judgment in the Circuit Court awarding custody of such child, all prior orders of the juvenile session of the District Court in

conflict therewith shall be deemed canceled. This section shall not work to deprive the Circuit Court of jurisdiction over cases filed in Circuit Court.

- (10) The court of each county wherein a public offense, as defined in subsection (1) of this section, is committed by a child who is a resident of another county of this state shall have concurrent jurisdiction over such child with the court of the county wherein the child resides or the court of the county where the child is found. Whichever court first acquires jurisdiction of such child may proceed to final disposition of the case, or in its discretion may make an order transferring the case to the court of the county of the child's residence or the county wherein the offense was committed, as the case may be.
- (11) Nothing in this chapter shall prevent the court from holding a child in contempt of court to enforce valid court orders previously issued by the court, subject to the requirements contained in KRS 610.265 and 630.080.
- (12) Except as provided in KRS 635.060(4), 630.120(5), or 635.090, nothing in this chapter shall confer upon the District Court or the family division of the Circuit Court, as appropriate, jurisdiction over the actions of the Department of Juvenile Justice or the cabinet in the placement, care, or treatment of a child committed to the Department of Juvenile Justice or committed to or in the custody of the cabinet; or to require the department or the cabinet to perform, or to refrain from performing, any specific act in the placement, care, or treatment of any child committed to the department or committed to or in the custody of the cabinet.
- (13) Unless precluded by KRS Chapter 635 or 640, in addition to informal adjustment, the court shall have the discretion to amend the petition to reflect jurisdiction pursuant to the proper chapter of the Kentucky Unified Juvenile Code.
- (14) The court shall have continuing jurisdiction over a child pursuant to subsection (1) of this section, to review dispositional orders, and to conduct permanency hearings under 42 U.S.C. sec. 675(5)(c) until the child is placed for adoption, returned home to his or her parents with all the court imposed conditions terminated, completes a disposition pursuant to KRS 635.060, or reaches the age of eighteen (18) years.

➔Section 4. Sections 1 and 2 of this Act may be cited as the Jared Lee Helton Act of 2025.

➔Section 5. Whereas portions of this Act relate to the effective implementation of 2025 RS HB 15, 2025 Ky. Acts ch. 81, which took effect March 25, 2025, an emergency is declared to exist, and Section 3 of this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

➔Section 6. This Act may be cited as the Jared Lee Helton Act of 2025.

Signed by Governor April 4, 2025.