

CHAPTER 125

(HB 622)

AN ACT relating to roads and declaring an emergency.

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

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 179 IS CREATED TO READ AS FOLLOWS:

- (1) *As used in this section:*
- (a) *"Chip seal" means a pavement surface treatment that combines one (1) or more layers of asphalt with one (1) or more layers of gravel or fine aggregate; and*
- (b) *"Reclaimed asphalt pavement" or "RAP" means removed or reprocessed pavement materials containing asphalt and aggregates generated when asphalt pavements are removed for reconstruction, resurfacing, or to obtain access to buried utilities.*
- (2) *Beginning July 1, 2026, and ending June 30, 2030, the Department of Rural and Municipal Aid shall oversee a pilot project evaluating the use of chip seal and RAP on gravel roads.*
- (3) *Subject to the limitations in subsection (4) of this section, a county may use funds allocated to it under KRS 177.320(2) to use chip seal or RAP on existing gravel roads in that county's road system.*
- (4) *The maximum percentage of county road aid funds a county may use in any fiscal year on chip seal or RAP for county roads under subsection (3) of this section shall be equal to the percentage of roads in that county's county road system that are surfaced with gravel on July 1 of that fiscal year.*
- (5) *No later than October 31, 2027, and annually thereafter until October 31, 2030, the Department of Rural and Municipal Aid shall submit a report to the Legislative Research Commission for referral to the Interim Joint Committee on Appropriations and Revenue and the Interim Joint Committee on Transportation on the use of chip seal and RAP on county roads.*
- (6) *The report required under subsection (5) of this section shall include:*
- (a)
1. *A listing of road miles chip sealed, by county;*
 2. *The cost per mile of chip sealing, by county;*
 3. *An evaluation of the durability of chip seal pavement; and*
 4. *An evaluation of chip seal pavement quality; and*
- (b)
1. *A listing of road miles using RAP, by county;*
 2. *The cost per mile of using RAP, by county;*
 3. *An evaluation of the durability of RAP; and*
 4. *An evaluation of RAP pavement quality.*

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 176 IS CREATED TO READ AS FOLLOWS:

- (1) *As used in this section, "reclaimed asphalt pavement" or "RAP" has the same meaning as in Section 1 of this Act.*
- (2) *The Transportation Cabinet shall not restrict the use of recycled asphalt products used on a project, provided that the asphalt mixture meets the performance standards and criteria used by the cabinet.*
- (3) *No later than October 31, 2026, and annually thereafter, the cabinet shall submit a report to the Legislative Research Commission for referral to the Interim Joint Committee on Appropriations and Revenue and the Interim Joint Committee on Transportation on the use of RAP in projects undertaken by the cabinet. This report shall include an analysis of the use of RAP as opposed to traditional asphalt according to the following criteria:*
- (a) *The amount of road miles using each substance;*
- (b) *The cost per mile of each substance;*

(c) *An comparison of pavement durability; and*

(d) *An comparison of pavement quality.*

➔Section 3. Whereas, the pilot project set out under Section 1 of this Act is most efficiently and effectively administered at the beginning of the fiscal year, an emergency is declared to exist, and this Act takes effect July 1, 2026.

Signed by Governor April 13, 2026.