

**77.115 Air pollution control board is governing body of district -- Duties, responsibilities, and regulatory authority of board -- Vehicle exhaust testing program -- Limitations -- Exemptions.**

- (1) The air pollution control board is hereby declared to be the governing body of an air pollution control district, and shall manage and control all the affairs and property of such district, and shall exercise all the powers of such district not otherwise delegated by this chapter. In a county where a city-county compact under KRS 79.310 to 79.330 is in effect or in a county where a consolidated local government has been established, the air pollution control board shall assume all of the duties and responsibilities of the hearing board appointed under KRS 77.105, and the hearing board shall be abolished.
- (2) Notwithstanding any provision of this chapter to the contrary, in a county where a city-county compact under KRS 79.310 to 79.330 is in effect or in a county where a consolidated local government has been established, the air pollution control board shall have regulatory authority for the district, and the city, consolidated local government, or county, as appropriate, shall exercise funding and administrative control of the district.
- (3) If an air pollution control board finds the need for and requires the implementation of a vehicle exhaust testing program, the program shall prohibit emissions of, regulate, or control only mobile sources of air pollutants regulated under the state program established in accordance with KRS 224.20-710 to 224.20-765.
- (4) In a county where the air pollution control board makes a finding of a need for and requires the implementation of a vehicle exhaust testing program, the board shall exempt from the program vehicles registered to military personnel on active duty whose duty station is outside of the county.

**Effective:** July 15, 2002

**History:** Amended 2002 Ky. Acts ch. 346, sec. 81, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 136, sec. 1, effective July 14, 2000; and ch. 226, sec. 6, effective July 14, 2000. -- Amended 1994 Ky. Acts ch. 420, sec. 2, effective July 15, 1994. -- Created 1952 Ky. Acts ch. 53, sec. 25, effective March 14, 1952.