

AN ACT relating to ferries.

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

➔Section 1. KRS 280.090 is amended to read as follows:

Representatives of the Department of Highways may, at any time and place, enter into or upon any toll bridge or toll ferry for the purpose of ascertaining whether any of the provisions of KRS 280.010 to 280.110 or any of the rules and regulations of the department have been violated. If the operator of such a toll bridge or toll ferry willfully refuses to permit a representative of the department to enter into or upon the bridge or ferry or to furnish ***the representative***~~[him]~~ any information as to rates charged, schedules observed or regulations obeyed, the refusal shall be sufficient ground for the revocation or suspension of ***the***~~[his]~~ certificate of convenience and necessity.

➔Section 2. KRS 280.210 is amended to read as follows:

- (1) If any applicant for a ferry privilege owns or has the right to use the land proposed as the site of the ferry only on one (1) side of the stream, and the landing on the opposite side is not at an established public highway, the applicant may, pursuant to the Eminent Domain Act of Kentucky, condemn the necessary right-of-way, not more than forty (40) feet wide, for the use of the ferry.
- (2) Any person having an established ferry on any river in this state may have condemned, for a period of twenty (20) years or permanently, at his ***or her*** option, not more than one-half (1/2) acre of land adjacent to the ferry for any purpose necessary for the use of the ferry pursuant to the Eminent Domain Act of Kentucky.

➔Section 3. KRS 280.220 is amended to read as follows:

- (1) If the grantee of a ferry privilege does not, within six (6) months after the grant, put and keep the required boats and hands in use, the county judge/executive shall, after notice to ***the grantee***~~[him]~~, revoke ***the***~~[his]~~ grant.
- (2) Any failure for one (1) year to keep up a ferry in the manner required, or any sale or lease of a ferry privilege made to, or contract not to use a ferry privilege made with,

the owner, tenant or partner of a ferry established within one (1) mile thereof, or the owner, tenant or partner of a ferry established on the other side of the Ohio River or Mississippi River, shall be deemed an abandonment of the ferry privilege, and the county judge/executive shall, upon notice to the grantee, revoke ~~the~~^{his} ferry privilege.

➔Section 4. KRS 280.250 is amended to read as follows:

- (1) At the time of granting any ferry privilege, the county judge/executive shall fix the rates of toll to be charged at the ferry~~[, which shall be in the following proportions: For every heavy four (4) wheeled wagon, carriage or coach and driver, the same as for six (6) horses; for every light or open four (4) wheeled carriage or light wagon and driver, the same as for four (4) horses; for every two (2) wheeled carriage or cart and driver, the same as for two (2) horses; for every hogshead of tobacco, not in a wagon or cart, the same as for one (1) horse; for every head of neat cattle, the same as for one (1) horse; for every sheep, goat, hog or lamb, one fifth (1/5) as much as for a horse].~~
- (2) The rates may be changed by order from time to time, but before an increase may be made reasonable notice of the application must be given to the county attorney, or posted for at least one (1) month on the courthouse door, and before a reduction may be made the county attorney must have written notice served on the owner of the ferry.
- (3) No owner or keeper of a ferry, or agent or servant thereof, shall demand or take from any person a greater toll than that allowed by the order of the county judge/executive fixing the rates of toll at ~~that~~^{his} ferry. A violation of this provision by a keeper, agent or servant shall be deemed a violation by the owner.