

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2017 REGULAR SESSION
Unofficial Document

Amend printed copy of **HB 404/GA**

Beginning on page 1, line 3, and continuing through page 2, line 22, by deleting Section 1 in its entirety and inserting the following in lieu thereof:

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

(1) As used in this section:

(a) "Commercial delivery personnel" means employees of a licensed commercial delivery service;

(b) "Golf cart" has the same meaning as in KRS 189.286;

(c) "Local government" has the same meaning as in KRS 189.286;

(d) "Low-speed vehicle" has the same meaning as in Section 2 of this Act;

(e) "Residential area" means areas zoned primarily or exclusively for single-family or multifamily residential use; and

(f) "Utility vehicle" means a vehicle designed and manufactured for general maintenance, security, and landscaping purposes, but does not include any vehicle designed or used primarily for the transportation of persons or property on a street or highway, a golf cart, or an all-terrain vehicle as defined in KRS 189.010.

(2) Commercial delivery personnel may operate low-speed vehicles, golf carts, or utility vehicles solely for the purpose of delivering express envelopes and packages if:

Amendment No. SFA 1

Rep. Sen. Ernie Harris

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: White, Brandon

Adopted: _____

Date: _____

Rejected: _____

Doc. ID: XXXX

Not for Filing

Unofficial Document

- (a) The operator has a valid operator's license in his or her possession;
- (b) The vehicles are solely operated in residential areas and on public roadways with a posted speed limit of thirty-five (35) miles per hour or less;
- (c) At any point after a required notice of intent to operate is provided to the local government pursuant to subsection (8) of this section, the local government having jurisdiction over the public roadways described in paragraph (b) of this subsection has not enacted an ordinance prohibiting commercial delivery personnel from operating on those roadways;
- (d) The size of the combined length and girth packages does not exceed one hundred thirty (130) inches and the weight of the packages does not exceed one hundred fifty (150) pounds; and
- (e) The vehicles are being operated between:

 - 1. Sunrise and sunset; or
 - 2. A time period specified by local ordinance under the provisions of subsection (6) of this section.
- (3) Vehicles operating under subsection (2) of this section shall:

 - (a) Be titled in accordance with KRS Chapter 186A;
 - (b) Be registered as a motor vehicle in accordance with KRS 186.050(3)(a);
 - (c) Be insured in compliance with KRS 281.655;
 - (d) Meet the federal motor vehicle safety standards for low-speed vehicles set forth in 49 C.F.R. sec. 571.500;
 - (e) Be marked in a conspicuous manner with the name of the delivery service;
 - (f) Bear an identifying sticker or tag issued by the cabinet. The sticker or tag shall carry a unique ID; and
 - (g) Comply with vehicle standards established by administrative regulations

Unofficial Document

- promulgated under subsection (9) of this section.*
- (4) Commercial delivery personnel may pull a trailer from vehicles operated under this section if the trailer is registered in accordance with KRS 186.675(4).*
- (5) Commercial delivery personnel operating a vehicle on a public roadway under this section shall be subject to the traffic regulations in this chapter.*
- (6) The governing body of a local government may, by local ordinance, regulate a vehicle operating under this section on any public roadway under its jurisdiction by specifying:*
- (a) Each roadway that is prohibited for use by vehicles operating under this section;*
- and*
- (b) The time period during which vehicles under this section may operate.*
- (7) A local ordinance adopted under this section shall not assess fees or set forth vehicle equipment requirements.*
- (8) At least sixty (60) days prior to commencing the operation of low-speed vehicles, golf carts, or utility vehicles under this section, a commercial delivery service shall provide notice to a local government of its intent to operate on roadways under the local government's jurisdiction. Notification under this subsection shall not be required for local governments that have adopted an ordinance under KRS 189.286.*
- (9) The Transportation Cabinet may promulgate administrative regulations pursuant to KRS Chapter 13A to establish requirements and to set forth standards for vehicles used by commercial delivery personnel operating under this section, including but not limited to issuance of an identification sticker or tag."*