

1 AN ACT relating to motor carriers.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 281 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) The Motor Carrier Commission is hereby created as an agency of the*  
6 *Commonwealth to carry out the functions and duties conferred upon it by this*  
7 *section.*

8 *(2) The commission shall consist of twelve (12) members as follows:*

9 *(a) The commissioner of the Department of Vehicle Regulation;*

10 *(b) The director of the Division of Commercial Vehicle Enforcement or his or*  
11 *her designee;*

12 *(c) The director of the Division of Motor Carriers; and*

13 *(d) Nine (9) representatives of the motor carrier industry who shall be*  
14 *appointed by the Governor.*

15 *(3) Except for initial appointments, citizen members of the commission shall be*  
16 *appointed for a term of three (3) years.*

17 *(4) Members of the commission shall qualify by taking a constitutional oath of office*  
18 *which shall, with the certificate of appointment, be evidence of the authority of*  
19 *the member to act.*

20 *(5) The commission shall meet no less than quarterly during each calendar year, but*  
21 *may meet more frequently, if required. Meetings may be held at any place within*  
22 *the Commonwealth as determined by the commission. All citizen members of the*  
23 *commission may be reimbursed for travel and other expenses incurred in*  
24 *carrying out the responsibilities of the commission. The Transportation Cabinet*  
25 *shall provide meeting facilities and administrative assistance and support to the*  
26 *commission and the expense of operations of the commission shall be paid from*  
27 *the budget of the Department of Vehicle Regulation.*

1 (6) The commission shall elect from its membership a chair and a vice chair. Seven  
 2 (7) members of the commission shall constitute a quorum for the transaction of  
 3 any business, for the performance of any duty, or for the exercise of any power of  
 4 the commission. A vacancy in the commission shall not impair the right of the  
 5 remaining commissioners to exercise all the powers of the commission.

6 (7) The duties of the commission shall include but not be limited to:

7 (a) Creating strategies for increasing commercial vehicle enforcement,  
 8 including public safety inspections and road fund revenue collection;

9 (b) Developing and implementing initiatives that increase the issuance of  
 10 commercial driver's licenses and assist with job placement by partnering  
 11 with state agencies and members of the motor carrier industry;

12 (c) Improving the process of registering commercial vehicle fleets in Kentucky;

13 (d) Providing oversight to the motor carrier safety management audit programs  
 14 for improving vehicle safety, maintenance, and fiscal responsibility; and

15 (e) Constructing and implementing an equitable system of civil penalties  
 16 administration for safety and tax violations, which shall be set forth in  
 17 administrative regulations promulgated by the Transportation Cabinet  
 18 pursuant to KRS Chapter 13A.

19 (8) The commission may hold hearings that shall be conducted in accordance with  
 20 KRS Chapter 13B. A member of the commission shall not participate in the  
 21 deliberations of the commission and shall not vote on any matter if the member  
 22 has been disqualified on any of the grounds under KRS 13B.040.

23 ➔Section 2. The following KRS sections are repealed:

24 281.900 Kentucky Motor Carrier Advisory Committee.

25 281.905 Duties—Meetings—Chairman—Annual Report.

26 ➔Section 3. Initial appointments to the Motor Carrier Commission shall be  
 27 staggered with three (3) members serving for a one (1) year term that expires June 30,

- 1 2018, three (3) members serving for a two (2) year term that expires June 30, 2019, and
- 2 three (3) members serving for a three (3) year term that expires June 30, 2020.