

1 AN ACT relating to school bus safety.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 67 IS CREATED TO
4 READ AS FOLLOWS:

5 *As used in Sections 1 to 6 of this Act, unless the context requires otherwise:*

6 *(1) "Camera monitoring system" means a system with one (1) or more camera*
7 *sensors and computers installed and operated on a school bus that:*

8 *(a) Produces recorded images; and*

9 *(b) Records the activation status of the stop arm and time, date, and location of*
10 *the motor vehicle when the recorded image or video is captured;*

11 *(2) "Code enforcement board" has the same meaning as in KRS 65.8805;*

12 *(3) "County" means a county, urban-county, consolidated local government, unified*
13 *local government, or charter county;*

14 *(4) "Owner" has the same meaning as in KRS 186.010;*

15 *(5) "Recorded images" means two (2) or more photographic images or a segment of*
16 *any video medium recorded by a camera monitoring system which show on at*
17 *least one (1) image or portion of video the registration plate number of a motor*
18 *vehicle being operated in violation of subsection (1) of Section 8 of this Act; and*

19 *(6) "Stop arm camera violation" means a violation of subsection (1) of Section 8 of*
20 *this Act recorded by a camera monitoring system and enforced in accordance*
21 *with an ordinance adopted by a county.*

22 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 67 IS CREATED TO
23 READ AS FOLLOWS:

24 *The legislative body of a county may:*

25 *(1) Authorize, by ordinance:*

26 *(a) A local school district to:*

27 *1. Install and maintain a camera monitoring system in or on the school*

- 1 buses operated by a school district for the purpose of recording
2 violations of subsection (1) of Section 8 of this Act; or
3 2. Contract with a private vendor to do so on behalf of the school district;
4 and
5 (b) Enforcement of a civil penalty against the owner of a motor vehicle for a
6 stop arm camera violation; and
7 (2) Enter into an interlocal agreement in accordance with KRS 65.210 to 65.300 for
8 the purposes of implementing and enforcing an ordinance enacted in accordance
9 with subsection (1) of this section. The interlocal agreement shall:
10 (a) Not be entered into without a public comment period of at least thirty (30)
11 days from the date the terms of the agreement are made available to the
12 public;
13 (b) Require that the stop arm camera violation is enforced by a law
14 enforcement authority;
15 (c) Establish clear requirements for record keeping, retention, and deletion, so
16 as to properly secure any recorded images and other records related to a
17 specific stop arm camera violation as private information only accessible to
18 authorized personnel for the purpose of issuing and enforcing stop arm
19 camera violations;
20 (d) For the first school year in which a school district initiates the operation of
21 a camera monitoring system, a uniform civil citation for a stop arm camera
22 violation shall not be issued for an offense that occurs within thirty (30)
23 days from the first student attendance day after operation is initiated.
24 During this period, the law enforcement authority designated by a
25 legislative body of a county to enforce a stop arm camera violation shall
26 issue a written warning to the owner of a motor vehicle within thirty (30)
27 days of a stop arm camera violation; and

1 (e) Include terms specifying the manner in which the revenue generated from a
 2 civil penalty for stop arm camera violation that is to be distributed by the
 3 county.

4 (3) An ordinance enacted in accordance with subsection (1) of this section shall
 5 require each school bus equipped with a camera monitoring system to display a
 6 warning sign notifying the public of the camera monitoring system.

7 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 67 IS CREATED TO
 8 READ AS FOLLOWS:

9 (1) The amount of a civil penalty for a stop arm camera violation shall be set by the
 10 legislative body of the county but shall not exceed:

11 (a) Three hundred dollars (\$300) for the first civil penalty; and

12 (b) Five hundred dollars (\$500) for each subsequent civil penalty issued to an
 13 owner within a three (3) year period.

14 (2) (a) All revenue generated from a civil penalty for stop arm camera violations
 15 shall be retained by the county, unless the fine is collected as a result of
 16 action taken in the Court of Justice in which court costs may be deducted
 17 from the amount paid to the county.

18 (b) If the county has entered into an interlocal agreement in accordance with
 19 KRS 65.210 to 65.300 for the purposes of implementing and enforcing an
 20 ordinance enacted in accordance with Section 2 of this Act, the revenue
 21 generated from a civil penalty for a stop arm camera violation shall be
 22 distributed by the county in accordance with the terms of the interlocal
 23 agreement.

24 (3) A stop arm camera violation shall not result in points being assessed against the
 25 driving record of the owner or operator of the vehicle in violation.

26 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 67 IS CREATED TO
 27 READ AS FOLLOWS:

- 1 (1) An ordinance adopted pursuant to Section 2 of this Act shall specify by whom the
2 following documents shall be sent by certified mail to the owner of a motor
3 vehicle within thirty (30) days of a stop arm camera violation:
- 4 (a) The stop arm camera form as described in subsection (2) of this section;
5 (b) A copy of the recorded images for the stop arm camera violation; and
6 (c) A signed, sworn statement from a law enforcement officer that, based on
7 inspection of recorded images, the motor vehicle was being operated in
8 violation of subsection (1) of Section 8 of this Act. This statement may be
9 admissible in any proceeding challenging a stop arm camera violation.
- 10 (2) The form of a stop arm camera violation shall be designated by the legislative
11 body of the county, but shall contain in substance the following information:
- 12 (a) The name and address of the registered owner of the vehicle;
13 (b) A statement that the notice represents a determination that a stop arm
14 camera violation has been committed by the owner of the vehicle and that
15 the determination shall be final unless contested in accordance with Section
16 5 of this Act;
- 17 (c) The date and time of the violation;
18 (d) The location of the violation;
19 (e) The amount of the civil penalty imposed and the date by which the civil
20 penalty shall be paid;
21 (f) Instructions on how to pay the civil penalty;
22 (g) Information advising the owner as to the manner and time in which the
23 uniform civil citation may be contested; and
24 (h) A warning that failure to pay the civil penalty imposed or to contest the
25 matter in a timely manner is an admission of liability and shall result in the
26 suspension of the motor vehicle's registration.
- 27 (3) A recorded image produced by a camera monitoring system shall be destroyed:

1 (a) No later than thirty-one (31) days from the date the recorded image is
2 captured if the recorded image does not result in a stop arm camera
3 violation issued pursuant to subsection (1) of this section; or

4 (b) Upon final disposition of the stop arm camera violation if the recorded
5 image results in a stop arm camera violation issued pursuant to subsection
6 (1) of this section.

7 ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 67 IS CREATED TO
8 READ AS FOLLOWS:

9 (1) A recorded image produced by a monitoring system shall be sufficient evidence of
10 a violation of an ordinance adopted pursuant to Section 2 of this Act and shall be
11 admitted without further authentication for the purposes of enforcing the
12 ordinance but shall not be admissible for any other purpose in any other civil or
13 criminal proceeding.

14 (2) In a contest to a stop arm camera violation, it shall be a defense that:

15 (a) The motor vehicle or the motor vehicle registration plates were stolen before
16 the violation occurred and were not under the control or possession of the
17 owner at the time of the violation;

18 (b) The ordinance is not enforceable because at the time and place of the
19 violation the stop arm was not extended or the signal lights were not
20 activated so as to be seen by an ordinarily observant individual;

21 (c) The owner was not operating the vehicle at the time of the violation. An
22 owner who uses this defense shall identify who was operating the vehicle at
23 the time of the violation, including, at a minimum, the operator's name and
24 address;

25 (d) The person operating the motor vehicle received a citation from a law
26 enforcement officer for a violation of subsection (1) of Section 8 of this Act
27 at the date and approximate time listed on the stop arm camera violation

1 form;

2 (e) The violation was necessary to allow the passage of an emergency vehicle;

3 (f) The violation was necessary to avoid injuring the person or property of

4 another;

5 (g) The violation was incurred while participating in a funeral procession; or

6 (h) The violation was necessary in order for the operator to comply with any

7 other general statute or regulation concerning the operation of a motor

8 vehicle.

9 (3) (a) In a county with a code enforcement board, a contest to a stop arm camera

10 violation shall be conducted in accordance with KRS 65.8825, 65.8828,

11 65.8829, and 65.8831, except notwithstanding KRS 65.8828(4), when a

12 board determines that a violation has been committed, the board shall issue

13 an order upholding the citation and shall order the offender to pay the civil

14 penalty in full.

15 (b) In a county without a code enforcement board, a contest to a stop arm

16 camera violation shall be heard by the District Court, and the legislative

17 body of the county shall direct the county attorney to defend the stop arm

18 camera violation in accordance with KRS 69.210(1).

19 ➔SECTION 6. A NEW SECTION OF KRS CHAPTER 67 IS CREATED TO

20 READ AS FOLLOWS:

21 (1) If a stop arm camera violation is not paid or contested in accordance with Section

22 5 of this Act within sixty (60) days, the county may notify the Transportation

23 Cabinet of the nonpayment. Upon notice of nonpayment, the cabinet shall

24 suspend the registration of a motor vehicle until the civil penalty is paid.

25 (2) A county shall notify the cabinet of the need to release a suspension levied in

26 accordance with subsection (1) of this section within one (1) business day of

27 collecting the funds to satisfy the civil penalty.

1 ➔Section 7. KRS 189.990 is amended to read as follows:

2 (1) Any person who violates any of the provisions of KRS 189.020 to 189.040,
3 subsection (1) or (4) of KRS 189.050, KRS 189.060 to 189.080, subsections (1) to
4 (3) of KRS 189.090, KRS 189.100, 189.110, 189.130 to 189.160, subsections (2) to
5 (4) of KRS 189.190, KRS 189.200, 189.285, 189.290, 189.300 to 189.360, KRS
6 189.380, KRS 189.400 to 189.430, KRS 189.450 to 189.458, KRS 189.4595 to
7 189.480, subsection (1) of KRS 189.520, KRS 189.540, KRS 189.570 to 189.590,
8 except subsection (1)(b) or (6)(b) of KRS 189.580, KRS 189.345, subsection (6) of
9 KRS 189.456, and 189.960 shall be fined not less than twenty dollars (\$20) nor
10 more than one hundred dollars (\$100) for each offense. Any person who violates
11 subsection (1)(a) of KRS 189.580 shall be fined not less than twenty dollars (\$20)
12 nor more than two thousand dollars (\$2,000) or imprisoned in the county jail for not
13 more than one (1) year, or both, unless the accident involved death or serious
14 physical injury and the person knew or should have known of the death or serious
15 physical injury, in which case the person shall be guilty of a Class D felony. Any
16 person who violates paragraph (c) of subsection (5) of KRS 189.390 shall be fined
17 not less than eleven dollars (\$11) nor more than thirty dollars (\$30). Neither court
18 costs nor fees shall be taxed against any person violating paragraph (c) of
19 subsection (5) of KRS 189.390.

20 (2) (a) Any person who violates the weight provisions of KRS 189.212, 189.221,
21 189.222, 189.226, 189.230, 189.270, or 189.2713 shall be fined two cents
22 (\$0.02) per pound for each pound of excess load when the excess is five
23 thousand (5,000) pounds or less. When the excess exceeds five thousand
24 (5,000) pounds the fine shall be two cents (\$0.02) per pound for each pound of
25 excess load, but the fine levied shall not be less than one hundred dollars
26 (\$100) and shall not be more than five hundred dollars (\$500).

27 (b) Any person who violates the provisions of KRS 189.271 and is operating on a

1 route designated on the permit shall be fined one hundred dollars (\$100);
2 otherwise, the penalties in paragraph (a) of this subsection shall apply.

3 (c) Any person who violates any provision of subsection (2) or (3) of KRS
4 189.050, subsection (4) of KRS 189.090, KRS 189.221 to 189.230, 189.270,
5 189.2713, 189.280, or the dimension provisions of KRS 189.212, for which
6 another penalty is not specifically provided shall be fined not less than ten
7 dollars (\$10) nor more than five hundred dollars (\$500).

8 (d) 1. Any person who violates the provisions of KRS 177.985 while operating
9 on a route designated in KRS 177.986 shall be fined one hundred dollars
10 (\$100).

11 2. Any person who operates a vehicle with a permit under KRS 177.985 in
12 excess of eighty thousand (80,000) pounds while operating on a route
13 not designated in KRS 177.986 shall be fined one thousand dollars
14 (\$1,000).

15 (e) Nothing in this subsection or in KRS 189.221 to 189.228 shall be deemed to
16 prejudice or affect the authority of the Department of Vehicle Regulation to
17 suspend or revoke certificates of common carriers, permits of contract
18 carriers, or drivers' or chauffeurs' licenses, for any violation of KRS 189.221
19 to 189.228 or any other act applicable to motor vehicles, as provided by law.

20 (3) (a) Any person who violates subsection (1) of KRS 189.190 shall be fined not
21 more than fifteen dollars (\$15).

22 (b) Any person who violates subsection (5) of KRS 189.190 shall be fined not
23 less than thirty-five dollars (\$35) nor more than two hundred dollars (\$200).

24 (4) (a) Any person who violates subsection (1) of KRS 189.210 shall be fined not
25 less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100).

26 (b) Any peace officer who fails, when properly informed, to enforce KRS 189.210
27 shall be fined not less than twenty-five dollars (\$25) nor more than one

- 1 hundred dollars (\$100).
- 2 (c) All fines collected under this subsection, after payment of commissions to
3 officers entitled thereto, shall go to the county road fund if the offense is
4 committed in the county, or to the city street fund if committed in the city.
- 5 (5) Any person who violates KRS 189.370 shall for the first offense be fined not less
6 than one hundred dollars (\$100) nor more than ~~three~~^{two} hundred dollars
7 ~~(\$300)~~~~(\$200)~~ or imprisoned not less than thirty (30) days nor more than sixty (60)
8 days, or both. For each subsequent offense occurring within three (3) years, the
9 person shall be fined not less than three hundred dollars (\$300) nor more than five
10 hundred dollars (\$500) or imprisoned not less than sixty (60) days nor more than six
11 (6) months, or both. The minimum fine for this violation shall not be subject to
12 suspension. A minimum of six (6) points shall be assessed against the driving
13 record of any person convicted.
- 14 (6) Any person who violates KRS 189.500 shall be fined not more than fifteen dollars
15 (\$15) in excess of the cost of the repair of the road.
- 16 (7) Any person who violates KRS 189.510 or KRS 189.515 shall be fined not less than
17 twenty dollars (\$20) nor more than fifty dollars (\$50).
- 18 (8) Any peace officer who violates subsection (2) of KRS 189.520 shall be fined not
19 less than thirty-five dollars (\$35) nor more than one hundred dollars (\$100).
- 20 (9) (a) Any person who violates KRS 189.530(1) shall be fined not less than thirty-
21 five dollars (\$35) nor more than one hundred dollars (\$100), or imprisoned
22 not less than thirty (30) days nor more than twelve (12) months, or both.
- 23 (b) Any person who violates KRS 189.530(2) shall be fined not less than thirty-
24 five dollars (\$35) nor more than one hundred dollars (\$100).
- 25 (10) Any person who violates any of the provisions of KRS 189.550 shall be guilty of a
26 Class B misdemeanor.
- 27 (11) Any person who violates subsection (3) of KRS 189.560 shall be fined not less than

- 1 thirty dollars (\$30) nor more than one hundred dollars (\$100) for each offense.
- 2 (12) The fines imposed by paragraph (a) of subsection (3) and subsections (6) and (7) of
3 this section shall, in the case of a public highway, be paid into the county road fund,
4 and, in the case of a privately owned road or bridge, be paid to the owner. These
5 fines shall not bar an action for damages for breach of contract.
- 6 (13) Any person who violates any of the provisions of KRS 189.120 shall be fined not
7 less than twenty dollars (\$20) nor more than one hundred dollars (\$100) for each
8 offense.
- 9 (14) Any person who violates any provision of KRS 189.575 shall be fined not less than
10 twenty dollars (\$20) nor more than twenty-five dollars (\$25).
- 11 (15) Any person who violates subsection (2) of KRS 189.231 shall be fined not less than
12 twenty dollars (\$20) nor more than one hundred dollars (\$100) for each offense.
- 13 (16) Any person who violates restrictions or regulations established by the secretary of
14 transportation pursuant to subsection (3) of KRS 189.231 shall, upon first offense,
15 be fined one hundred dollars (\$100) and, upon subsequent convictions, be fined not
16 less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or
17 imprisoned for thirty (30) days, or both.
- 18 (17) (a) Any person who violates any of the provisions of KRS 189.565 shall be guilty
19 of a Class B misdemeanor.
- 20 (b) In addition to the penalties prescribed in paragraph (a) of this subsection, in
21 case of violation by any person in whose name the vehicle used in the
22 transportation of inflammable liquids or explosives is licensed, the person
23 shall be fined not less than one hundred dollars (\$100) nor more than five
24 hundred dollars (\$500). Each violation shall constitute a separate offense.
- 25 (18) Any person who abandons a vehicle upon the right-of-way of a state highway for
26 three (3) consecutive days shall be fined not less than thirty-five dollars (\$35) nor
27 more than one hundred dollars (\$100), or imprisoned for not less than ten (10) days

- 1 nor more than thirty (30) days.
- 2 (19) Every person violating KRS 189.393 shall be guilty of a Class B misdemeanor,
3 unless the offense is being committed by a defendant fleeing the commission of a
4 felony offense which the defendant was also charged with violating and was
5 subsequently convicted of that felony, in which case it is a Class A misdemeanor.
- 6 (20) Any law enforcement agency which fails or refuses to forward the reports required
7 by KRS 189.635 shall be subject to the penalties prescribed in KRS 17.157.
- 8 (21) A person who operates a bicycle in violation of the administrative regulations
9 promulgated pursuant to KRS 189.287 shall be fined not less than ten dollars (\$10)
10 nor more than one hundred dollars (\$100).
- 11 (22) Any person who violates KRS 189.860 shall be fined not more than five hundred
12 dollars (\$500) or imprisoned for not more than six (6) months, or both.
- 13 (23) Any person who violates KRS 189.754 shall be fined not less than twenty-five
14 dollars (\$25) nor more than three hundred dollars (\$300).
- 15 (24) Any person who violates the provisions of KRS 189.125(3)(a) shall be fined fifty
16 dollars (\$50). This fine shall be subject to prepayment. A fine imposed under this
17 subsection shall not be subject to court costs pursuant to KRS 24A.175, additional
18 court costs pursuant to KRS 24A.176, the fee imposed pursuant to KRS 24A.1765,
19 or any other additional fees or costs.
- 20 (25) Any person who violates the provisions of KRS 189.125(3)(b) ~~shall not be issued a~~
21 ~~uniform citation, but shall instead receive a courtesy warning up until July 1, 2009.~~
22 ~~For a violation on or after July 1, 2009, the person } shall be fined thirty dollars~~
23 ~~(\$30). This fine shall be subject to prepayment. A fine imposed under this~~
24 ~~subsection shall not be subject to court costs pursuant to KRS 24A.175, additional~~
25 ~~court costs pursuant to KRS 24A.176, a fee imposed pursuant to KRS 24A.1765, or~~
26 ~~any other additional fees or costs. A person who has not been previously charged~~
27 ~~with a violation of KRS 189.125(3)(b) may elect to acquire a booster seat meeting~~

1 the requirements of KRS 189.125. Upon presentation of sufficient proof of the
2 acquisition, the charge shall be dismissed and no fees or costs shall be imposed.

3 (26) Any person who violates the provisions of KRS 189.125(6) shall be fined an
4 amount not to exceed twenty-five dollars (\$25). This fine shall be subject to
5 prepayment. A fine imposed under this subsection shall not be subject to court costs
6 pursuant to KRS 24A.175, additional court costs pursuant to KRS 24A.176, the fee
7 imposed pursuant to KRS 24A.1765, or any other additional fees or costs.

8 (27) Fines levied pursuant to this chapter shall be assessed in the manner required by
9 KRS 534.020, in amounts consistent with this chapter. Nonpayment of fines shall
10 be governed by KRS 534.020 and 534.060.

11 (28) A licensed driver under the age of eighteen (18) charged with a moving violation
12 pursuant to this chapter as the driver of a motor vehicle may be referred, prior to
13 trial, by the court to a diversionary program. The diversionary program under this
14 subsection shall consist of one (1) or both of the following:

15 (a) Execution of a diversion agreement which prohibits the driver from operating
16 a vehicle for a period not to exceed forty-five (45) days and which allows the
17 court to retain the driver's operator's license during this period; and

18 (b) Attendance at a driver improvement clinic established pursuant to KRS
19 186.574. If the person completes the terms of this diversionary program
20 satisfactorily the violation shall be dismissed.

21 (29) A person who violates the provisions of subsection (2) or (3) of KRS 189.459 shall
22 be fined two hundred fifty dollars (\$250). The fines and costs for a violation of
23 subsection (2) or (3) of KRS 189.459 shall be collected and disposed of in
24 accordance with KRS 24A.180. Once deposited into the State Treasury, ninety
25 percent (90%) of the fine collected under this subsection shall immediately be
26 forwarded to the personal care assistance program under KRS 205.900 to 205.920.
27 Ten percent (10%) of the fine collected under this subsection shall annually be

1 returned to the county where the violation occurred and distributed equally to all
2 law enforcement agencies within the county.

3 (30) Any person who violates KRS 189.292 or 189.294 shall be fined twenty-five dollars
4 (\$25) for the first offense and fifty dollars (\$50) for each subsequent offense.

5 (31) Any person who violates KRS 189.281(5) or (7)(b) shall be subject to a fine of two
6 hundred fifty dollars (\$250). This fine shall be subject to prepayment. A fine
7 imposed under this subsection shall not be subject to court costs pursuant to KRS
8 24A.175, additional costs pursuant to KRS 24A.176, the fee imposed pursuant to
9 KRS 24A.1765, or any other additional fees or costs.

10 ➔Section 8. KRS 189.370 is amended to read as follows:

11 (1) If any school or church bus used in the transportation of children is stopped upon a
12 highway for the purpose of receiving or discharging passengers, with the stop arm
13 and signal lights activated, the operator of a vehicle approaching from any direction
14 shall bring his vehicle to a stop and shall not proceed until the bus has completed
15 receiving or discharging passengers and has been put into motion. The stop
16 requirement provided for in this section shall not apply to vehicles approaching a
17 stopped bus from the opposite direction upon a highway of four (4) or more lanes
18 *divided by an elevated barrier or unpaved median.*

19 (2) Subsection (1) of this section shall be applicable only when the bus displays the
20 markings and equipment required by Kentucky minimum specifications for school
21 buses.

22 (3) If any vehicle is witnessed to be in violation of subsection (1) of this section and the
23 identity of the operator is not otherwise apparent, it shall be a rebuttable
24 presumption that the person in whose name the vehicle is registered or leased was
25 the operator of the vehicle at the time of the alleged violation and is subject to the
26 penalties as provided for in KRS 189.990(5).

27 ➔Section 9. KRS 64.090 is amended to read as follows:

1 (1) Sheriffs may charge and collect the following fees from the Commonwealth and any
 2 of its agencies, including the Department of Kentucky State Police, when the source
 3 of payment is not otherwise specified, if the Commonwealth, any of its agencies, or
 4 the Department of Kentucky State Police makes a request that the sheriff perform
 5 any of the following:

- 6 (a) Executing and returning process \$20.00;
- 7 (b) Serving an order of court and return 3.00;
- 8 (c) Summoning or subpoenaing each witness, fee to be paid by requester
 9 to sheriff before service 10.00;
- 10 (d) Summoning an appraiser or reviewer 2.00;
- 11 (e) Attending a surveyor, when ordered by a
 12 court, per deputy or sheriff assigned 20.00;
- 13 (f) Taking any bond that he is authorized or
 14 required to take in any action 5.00;
- 15 (g) Collecting money under execution or distress warrant, if the debt is paid or the
 16 property sold, or a delivery bond given and not complied with, six percent
 17 (6%) on the first three hundred dollars (\$300) and three percent (3%) on the
 18 residue; when he or she levies an execution or distress warrant, and the
 19 defendant replevies the debt, or the writ is stayed by legal proceedings or by
 20 the order of the plaintiff, half of the above commissions, to be charged to the
 21 plaintiff and collected as costs in the case;
- 22 (h) Taking a recognizance of a witness 3.00;
- 23 (i) Levying an attachment 5.00;
- 24 (j) When property attached is sold by an officer other than the officer levying the
 25 attachment, the court shall, in the judgment, make the officer an additional
 26 and reasonable allowance for levying the attachment, and the fee of the officer
 27 selling the property shall be lessened by that sum. Reasonable charges for

- 1 removing and taking care of attached property shall be allowed by order of
- 2 court;
- 3 (k) Summoning a garnishee 3.00;
- 4 (l) Summoning a jury in a misdemeanor case, attending the trial, and
- 5 conducting the defendant to jail, to be paid by the party
- 6 convicted 8.00;
- 7 (m) Serving process or arresting the party in
- 8 misdemeanor cases, to be paid by the plaintiff 30.00;
- 9 (n) Serving an order or process of revivor 3.00;
- 10 (o) Executing a writ of possession against each tenant or defendant 7.00;
- 11 (p) Executing a capias ad satisfaciendum, the same commission as collecting
- 12 money on execution. If the debt is not paid, but stayed or secured, half
- 13 commission;
- 14 (q) Summoning and attending a jury in a case of forcible entry and
- 15 detainer, besides fees for summoning witnesses 8.00;
- 16 (r) Collecting militia fines and fee-bills, ten percent (10%), to be deducted out of
- 17 the fee-bill or fine;
- 18 (s) Levying for a fee-bill 3.00;
- 19 (t) Serving a notice 2.00;
- 20 (u) Serving summons, warrants or process of arrest in cases of
- 21 children born out of wedlock 6.00;
- 22 (v) Serving a civil summons in a nonsupport case 10.00;
- 23 (w) Serving each order appointing surveyors of
- 24 roads, to be paid out of the county levy 5.00;
- 25 (x) Serving each summons or order of court in applications concerning
- 26 roads, to be paid out of the county levy if the road is established,
- 27 and in all other cases to be paid by the applicant 5.00;

- 1 (y) Like services in cases of private passways to
- 2 be paid by the applicant 5.00;
- 3 (z) Executing each writ of habeas corpus, to be
- 4 paid by the petitioner 3.00;
- 5 (aa) All services under a writ issued under
- 6 KRS 381.460 to 381.570 10.00;
- 7 (bb) Fingerprinting persons for professional, trade, or commercial
- 8 purposes, or for personal use, per set of impressions 10.00;
- 9 (cc) Taking or copying photographs for professional, trade,
- 10 or commercial purposes, or for personal use, per photograph5.00; and
- 11 (dd) For services in summoning grand and petit jurors and performing his or her
- 12 duties under KRS Chapter 29A the sheriff shall be allowed, for each person so
- 13 summoned, and paid out of the State Treasury for constructive service the sum
- 14 of \$1.50 and for personal service the sum of \$3.00.

15 (2) Sheriffs shall charge and collect a fee of sixty dollars (\$60) from any person not
 16 requesting the service of the sheriff on behalf of the Commonwealth, any of its
 17 agencies, or the Department of Kentucky State Police for the services provided in
 18 subsection (1) of this section where a percentage, commission, or reasonable fee is
 19 not otherwise allowed. If a percentage, commission, or reasonable fee is allowed,
 20 that amount shall be paid. If payment is specified from a person other than the
 21 person who requested the service, then the person specified shall be responsible for
 22 payment.

23 (3) Sheriffs may charge and collect a fee of twenty-five dollars (\$25) for the handling of
 24 an impounded vehicle and a fee of twenty-five dollars (\$25) per day for the storage
 25 of an impounded vehicle.

26 **(4) If a county enters into an interlocal agreement pursuant to Section 2 of this Act,**
 27 **the sheriff may charge and collect from the county a fee of twenty-five dollars**

1 *(\$25) from every civil penalty collected by the county for a stop arm camera*
2 *violation enforced by the sheriff's office.*

3 ➔ Section 10. This Act may be cited as the Randall Scott Combs Act.