

1 AN ACT relating to slow-moving vehicles.

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

3 ➔Section 1. KRS 189.940 is amended to read as follows:

- 4 (1) Except as provided in KRS 189.920, the speed limitations set forth in the Kentucky
5 Revised Statutes do not apply to emergency vehicles:
- 6 (a) When responding to emergency calls; or
 - 7 (b) To police vehicles when in pursuit of an actual or suspected violator of the
8 law; or
 - 9 (c) To ambulances when transporting a patient to medical care facilities; and
 - 10 (d) The driver thereof is giving the warning required by subsection (5)(a) and (b)
11 of this section.

12 No portion of this subsection shall be construed to relieve the driver of the duty to
13 operate the vehicle with due regard for the safety of all persons using the street or
14 highway.

- 15 (2) The driver of an emergency vehicle, when responding to an emergency call, or of a
16 police vehicle in pursuit of an actual or suspected violator of the law, or of an
17 ambulance transporting a patient to a medical care facility and giving the warning
18 required by subsection (5) of this section, upon approaching any red light or stop
19 signal or any stop sign shall slow down as necessary for safety to traffic, but may
20 proceed past such red or stop light or stop sign with due regard for the safety of
21 persons using the street or highway.

- 22 (3) The driver of an emergency vehicle, when responding to an emergency call, or of a
23 police vehicle in pursuit of an actual or suspected violator of the law, or of an
24 ambulance transporting a patient to a medical care facility and giving warning
25 required by subsection (5) of this section, may drive on the left side of any highway
26 or in the opposite direction of a one-way street provided the normal lanes of traffic
27 are blocked and he ***or she*** does so with due regard for the safety of all persons using

1 the street or highway.

2 (4) The driver of an emergency or public safety vehicle may stop or park his vehicle
3 upon any street or highway without regard to the provisions of KRS 189.390 and
4 189.450, provided that, during the time the vehicle is parked at the scene of an
5 emergency, at least one (1) warning light is in operation at all times.

6 (5) The driver of an emergency vehicle desiring the use of any option granted by
7 subsections (1) through (3) of this section shall give warning in the following
8 manner:

9 (a) By illuminating the vehicle's warning lights continuously during the period of
10 the emergency; and

11 (b) By continuous sounding of the vehicle's siren, bell, or exhaust whistle; unless

12 (c) The vehicle is an ambulance and the driver is of the opinion that sounding of
13 the siren, bell, or exhaust whistle would be detrimental to the victim's
14 health. In the event the driver of an ambulance elects not to use the siren, bell,
15 or exhaust whistle he or she shall not proceed past red lights or drive in the
16 opposite direction on a one-way street or in oncoming lanes of traffic unless
17 no other vehicles are within five hundred (500) feet of the front of the
18 ambulance. The driver shall not extinguish the warning lights during the
19 period of the emergency.

20 (6) No driver or operator of any emergency or public safety or other vehicle shall use
21 the warning lights or siren, bell, or exhaust whistle of his or her vehicle for any
22 purposes or under any circumstances other than those permitted by KRS 189.910 to
23 189.950.

24 (7) KRS 189.910 to 189.950 does not relieve the driver of any emergency or public
25 safety vehicle from the duty to drive with due regard for the safety of all persons
26 and property upon the highway.

27 **(8) The driver of a public safety vehicle which also meets the definition of a slow-**

1 moving vehicle under KRS 189.810 and any vehicle acting as an escort for the
2 slow-moving vehicle, may travel at a speed that may impede or block the normal
3 and reasonable movement of traffic, if:

4 (a) The vehicle is being operated in an official capacity;

5 (b) Operation of the vehicle is in compliance with all state and local
6 government policies; and

7 (c) It is necessary for the safe operation of the vehicle.

8 ➔Section 2. KRS 189.390 is amended to read as follows:

9 (1) As used in this section, unless the context requires otherwise:

10 (a) "Business district" means the territory contiguous to and including a highway
11 if, within six hundred (600) feet along the highway, there are buildings in use
12 for business or industrial purposes that occupy three hundred (300) feet of
13 frontage on one (1) side or three hundred (300) feet collectively on both sides
14 of the highway;

15 (b) "Residential district" means the territory contiguous to and including a
16 highway not comprising a business district if the property on the highway for a
17 distance of three hundred (300) feet or more is improved with residences or
18 residences and buildings in use for business; and

19 (c) "State highway" means a highway or street maintained by the Kentucky
20 Department of Highways.

21 (2) An operator of a vehicle upon a highway shall not drive at a greater speed than is
22 reasonable and prudent, having regard for the traffic and for the condition and use
23 of the highway.

24 (3) The speed limit for motor vehicles on state highways shall be as follows, unless
25 conditions exist that require lower speed for compliance with subsection (2) of this
26 section, or the secretary of the Transportation Cabinet establishes a different speed
27 limit in accordance with subsection (4) of this section:

- 1 (a) Sixty-five (65) miles per hour on interstate highways and parkways;
- 2 (b) Fifty-five (55) miles per hour on all other state highways; and
- 3 (c) Thirty-five (35) miles per hour in a business or residential district.
- 4 (4) (a) If the secretary of transportation determines, upon the basis of an engineering
- 5 and traffic investigation, that any speed limit is greater or less than is
- 6 reasonable or safe under the conditions found to exist at any intersection, or
- 7 upon any part of a state highway, the secretary of transportation may establish
- 8 by official order a reasonable and safe speed limit at the location. The
- 9 secretary shall not increase any speed limit established by subsection (3) of
- 10 this section in excess of sixty-five (65) miles per hour, except that,
- 11 notwithstanding the provisions of subsection (3)(a) of this section, the
- 12 secretary may increase the speed limit on any of the following segments of
- 13 highway to seventy (70) miles per hour:
- 14 1. Interstate 24 (entire length);
- 15 2. Interstate 64 from Interstate 264 to the West Virginia state line;
- 16 3. Interstate 65 from Interstate 264 to the Tennessee state line;
- 17 4. Interstate 69 (entire length);
- 18 5. Interstate 71 from Interstate 264 to Interstate 275;
- 19 6. Interstate 75 from the Tennessee state line to Interstate 275;
- 20 7. Interstate 165 (entire length);
- 21 8. The Audubon Parkway (entire length);
- 22 9. The Julian M. Carroll Purchase Parkway (entire length);
- 23 10. The Bert T. Combs Mountain Parkway (entire length);
- 24 11. The Bert T. Combs Mountain Parkway Extension (entire length);
- 25 12. The Edward T. Breathitt Pennyrile Parkway (entire length);
- 26 13. The Wendell H. Ford Western Kentucky Parkway (entire length);
- 27 14. The Louie B. Nunn Cumberland Expressway (entire length);

1 15. The Martha Layne Collins Bluegrass Parkway (entire length); and

2 16. The William H. Natcher Parkway (entire length).

3 (b) In a highway work zone, the Transportation Cabinet may temporarily reduce
4 established speed limits without an engineering or traffic investigation. A
5 speed limit established under this paragraph shall become effective when and
6 where posted. The Transportation Cabinet shall post signs notifying the
7 traveling public of the temporary highway work zone maximum speed limit.
8 Nothing in this paragraph shall be construed to prevent the Transportation
9 Cabinet from using moveable or portable speed limit signs in highway work
10 zones.

11 (5) (a) A city or a county may by ordinance establish speed limits within its own
12 jurisdiction, except as provided in paragraph (b) of this subsection.

13 (b) The alteration of speed limits on state highways within a city or a county shall
14 not be effective until the alteration has been approved by the secretary of
15 transportation. The secretary shall not approve any alteration that could
16 increase any speed limit established by subsection (3)(b) or (c) of this section
17 in excess of fifty-five (55) miles per hour.

18 (c) If a county determines, upon the basis of an engineering and traffic
19 investigation and study, that it is unsafe to park motor vehicles on or along
20 any highway, other than a state highway, within the unincorporated areas of
21 the county, or that in any business district the congestion of traffic justifies a
22 reasonable limitation on the length of time any one (1) motor vehicle is
23 permitted to park in such district so as to reduce the congestion, the fiscal
24 court may by ordinance establish "no parking" areas on the highway, or limit
25 the length of time any motor vehicle may be parked in any business district.

26 (6) The speed limit for motor vehicles in an off-street parking facility offered for public
27 use, whether publicly or privately owned, shall be fifteen (15) miles per hour.

- 1 (7) *Except as outlined in Section 1 of this Act,* a person shall not drive a motor vehicle
2 at a speed that will impede or block the normal and reasonable movement of traffic,
3 except when reduced speed is necessary for safe operation or in compliance with
4 law.
- 5 (8) In every charge for a violation of any speed limit specified in this section, the
6 warrant or citation shall specify the speed at which the defendant is alleged to have
7 driven, and the lawful speed limit applicable at the location where the violation is
8 charged to have occurred.