

1 AN ACT relating to electric vehicle infrastructure development and declaring an  
2 emergency.

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

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 174 IS CREATED TO  
5 READ AS FOLLOWS:

6 *(1) The Transportation Cabinet shall develop an electric vehicle infrastructure*  
7 *development plan that, along with corridor and site locations, describes how the*  
8 *Commonwealth plans to use its share of funds from the National Electric Vehicle*  
9 *Infrastructure Formula Program.*

10 *(2) The plan developed under this section shall include a consideration of:*

11 *(a) The future charging infrastructure needs of the general public, school*  
12 *systems, public transportation, counties and municipalities, and other*  
13 *public and private entities; and*

14 *(b) A tiered matching funds requirement schedule that ensures a fair and*  
15 *equitable grant process for public and private entities, regardless of size, as*  
16 *well as urban and rural locales.*

17 *(3) If any federal law or rule requires conditions for funding the National Electric*  
18 *Vehicle Infrastructure Formula Program that conflict with this section, the*  
19 *federal law or rule shall govern.*

20 ➔Section 2. (1) Except as provided in subsection (2) of this section, prior to  
21 submitting the final plan to the Federal Highway Administration, the cabinet shall present  
22 the plan to a meeting of the Interim Joint Committee on Transportation no later than June  
23 30, 2022.

24 (2) If the Federal Highway Administration requires the state to submit the final  
25 plan prior to the date of the first meeting of the Interim Joint Committee on  
26 Transportation in 2022, the cabinet shall submit the plan to the Interim Joint Committee  
27 on Transportation at its first meeting of 2022.

1           ➔Section 3. KRS 186A.170 is amended to read as follows:

2       (1) The Department of Vehicle Regulation shall:

3           (a) Within five (5) working days following receipt by it of an application for a  
4           certificate of title in proper form, process the application and its supporting  
5           documents in the manner provided in this section, and unless it finds  
6           discrepancies with respect to it or its supporting documents, issue a certificate  
7           of title in the name of the owner and send it postpaid to such owner;~~and~~

8           (b) Within forty-eight (48) hours following electronic notification by a county  
9           clerk's office of an application for a certificate of title, issue a speed title  
10          which shall be held for pickup or returned to the owner by mail. The clerk  
11          shall take the application for title and process the appropriate paperwork as  
12          provided for in this chapter. Subject to the limitations outlined in paragraph  
13          (c) of this subsection, the department may provide, by administrative  
14          regulation, for exceptions to the speed title procedure; and

15          (c) Not exempt vehicles with salvage and rebuilt titles from the speed title  
16          procedures, but may extend the processing time on salvage and rebuilt title  
17          applications for which the documentation is complete and accurate:

18                1. For up to fifteen (15) business days for rebuilt vehicles that have been  
19                branded as unrebuildable in another state under KRS 186A.530(5)  
20                and (6); and

21                2. For up to five (5) business days for all other salvage and rebuilt  
22                vehicles.

23       (2) Upon receiving an application packet from a county clerk, the application receipt  
24       clerk of the Department of Vehicle Regulation shall:

25           (a) Cause the date and time of receipt to be stamped on both the department's  
26           copy and the acknowledgment copy of the application transmittal record and  
27           accompanying documents;

- 1 (b) Cause at least duplicate sets of images to be made of each transmittal record  
2 application and supporting document by a means that will provide rapid,  
3 selective, automated retrieval of individual document images by appropriate  
4 indexing methods or keys; and
- 5 (c) Compare the application transmittal record with the documents accompanying  
6 it and, if all applications shown upon the record are accompanying the record,  
7 endorse the department's copy of the transmittal record and the  
8 acknowledgment copy, and forward the acknowledgment copy to the clerk  
9 who issued it.
- 10 (3) In the event there is a discrepancy between the application transmittal record and  
11 the application attached to it, the Department of Vehicle Regulation shall note the  
12 discrepancy upon the department's copy and the acknowledgment copy, and shall  
13 promptly contact the issuing clerk and resolve the discrepancy. After resolving the  
14 discrepancy, the department shall note the nature of the disposition of the  
15 discrepancy and endorse the respective copies and forward the acknowledgment  
16 copy with the discrepancy disposition noted thereon to the issuing clerk.
- 17 (4) After executing the acknowledgment of receipt of applications, the Department of  
18 Vehicle Regulation shall carry out the following action with respect to each  
19 application:
- 20 (a) Examine the owner's application for legibility and proper execution, presence  
21 of required information, including required supporting documents, and the  
22 presence of required signatures. The Department of Vehicle Regulation shall  
23 ensure also that the required supporting documents are consistent in pertinent  
24 part with the information shown on the owner's application;
- 25 (b) The documents supporting an owner's application shall be examined as to  
26 authenticity and to determine if fraudulent alteration has occurred;
- 27 (c) Ensure that the vehicle identification number of the subject vehicle is

- 1           apparently legitimate;
- 2           (d) Ensure that the vehicle identification number and any other appropriate
- 3           information with respect to a vehicle for which a certificate of title has been
- 4           applied for is compared against the National Crime Information Center
- 5           (NCIC) computerized listings of vehicles reported stolen, unless NCIC is not
- 6           operational and the department has official notification that it is not expected
- 7           to be operational within four (4) working days following the day on which an
- 8           application for a certificate of title is received by it; and
- 9           (e) Compare the computer-produced certificate of title for consistency with the
- 10          owner's application and supporting documents.
- 11       (5) When the title application has been completed, and the application examiner at each
- 12          significant stage has indicated, by placing his unique symbol upon the application in
- 13          the space provided thereon, that an application has passed the required
- 14          examinations, the application shall be examined by a title examination certifier.
- 15       (6) The title application certifier shall ensure that each application has received the
- 16          required examinations as indicated by the presence of each required examiner's
- 17          symbol. Upon satisfying himself that an application has passed the required
- 18          examinations, the title examination certifier shall place his unique symbol together
- 19          with the date upon the application.
- 20       (7) The Department of Vehicle Regulation shall withhold issuance of a title, until its
- 21          questions are resolved to its satisfaction, when it finds material discrepancies or has
- 22          information giving probable cause to believe:
- 23           (a) That an applicant is not the lawful owner of a vehicle for which he seeks a
- 24           title;
- 25           (b) His application is not in order;
- 26           (c) The documentation supporting an application is insufficient or fraudulent;
- 27           (d) The vehicle has an illegitimate vehicle identification number;

- 1 (e) The vehicle is stolen; or
- 2 (f) That the computer-produced certificate of title is not consistent with the  
3 owner's application.
- 4 (8) In the case of multiple owners, the Department of Vehicle Regulation shall require  
5 only two (2) primary owners' names to be printed on the certificate of title. Upon  
6 submission of the title application, if more than two (2) owners are listed, the  
7 primary owners shall be determined by the title applicants. In such instances, the  
8 certificate of the title shall note that there are more than two (2) owners. The names  
9 of all title applicants shall be documented in AVIS.
- 10 (9) When the Department of Vehicle Regulation finds that a certificate of title should  
11 be issued for a vehicle, the endorsement of the commissioner of the Department of  
12 Vehicle Regulation shall be engrossed upon the certificate of title following a  
13 preprinted statement which shall read: I certify that the Department of Vehicle  
14 Regulation has exercised due diligence in examining an application for a certificate  
15 of title for the above-described vehicle, and to the best of our knowledge and belief,  
16 the applicant whose name appears above is the lawful owner of the apparently  
17 legitimate vehicle described herein. ----- (signature), commissioner,  
18 Department of Vehicle Regulation, Kentucky Transportation Cabinet.

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

21 *As used in Sections 4 to 9 of this Act, unless the context requires otherwise:*

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

24 *(a) Produces recorded images; and*

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

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

1 (3) "County" means a county, urban-county, consolidated local government, unified  
 2 local government, or charter county;

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

4 (5) "Recorded images" means two (2) or more photographic images or a segment of  
 5 any video medium recorded by a camera monitoring system which show on at  
 6 least one (1) image or portion of video the registration plate number of a motor  
 7 vehicle being operated in violation of subsection (1) of Section 11 of this Act; and

8 (6) "Stop arm camera violation" means a violation of subsection (1) of Section 11 of  
 9 this Act recorded by a camera monitoring system and enforced in accordance  
 10 with an ordinance adopted by a county.

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

13 The legislative body of a county may:

14 (1) Authorize, by ordinance:

15 (a) A local school district to:

16 1. Install and maintain a camera monitoring system in or on the school  
 17 buses operated by a school district for the purpose of recording  
 18 violations of subsection (1) of Section 11 of this Act; or

19 2. Contract with a private vendor to do so on behalf of the school district;  
 20 and

21 (b) Enforcement of a civil penalty against the owner of a motor vehicle for a  
 22 stop arm camera violation; and

23 (2) Enter into an interlocal agreement in accordance with KRS 65.210 to 65.300 for  
 24 the purposes of implementing and enforcing an ordinance enacted in accordance  
 25 with subsection (1) of this section. The interlocal agreement shall:

26 (a) Not be entered into without a public comment period of at least thirty (30)  
 27 days from the date the terms of the agreement are made available to the

- 1           public;
- 2           (b) Require that the stop arm camera violation is enforced by a law
- 3           enforcement authority;
- 4           (c) Establish clear requirements for record keeping, retention, and deletion, so
- 5           as to properly secure any recorded images and other records related to a
- 6           specific stop arm camera violation as private information only accessible to
- 7           authorized personnel for the purpose of issuing and enforcing stop arm
- 8           camera violations;
- 9           (d) For the first school year in which a school district initiates the operation of
- 10           a camera monitoring system, a uniform civil citation for a stop arm camera
- 11           violation shall not be issued for an offense that occurs within thirty (30)
- 12           days from the first student attendance day after operation is initiated.
- 13           During this period, the law enforcement authority designated by a
- 14           legislative body of a county to enforce a stop arm camera violation shall
- 15           issue a written warning to the owner of a motor vehicle within thirty (30)
- 16           days of a stop arm camera violation; and
- 17           (e) Include terms specifying the manner in which the revenue generated from a
- 18           civil penalty for stop arm camera violation that is to be distributed by the
- 19           county.
- 20           (3) An ordinance enacted in accordance with subsection (1) of this section shall
- 21           require each school bus equipped with a camera monitoring system to display a
- 22           warning sign notifying the public of the camera monitoring system.
- 23           ➔SECTION 6. A NEW SECTION OF KRS CHAPTER 67 IS CREATED TO
- 24 READ AS FOLLOWS:
- 25           (1) The amount of a civil penalty for a stop arm camera violation shall be set by the
- 26           legislative body of the county but shall not exceed:
- 27           (a) Three hundred dollars (\$300) for the first civil penalty; and

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

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

7 (b) If the county has entered into an interlocal agreement in accordance with  
8 KRS 65.210 to 65.300 for the purposes of implementing and enforcing an  
9 ordinance enacted in accordance with Section 5 of this Act, the revenue  
10 generated from a civil penalty for a stop arm camera violation shall be  
11 distributed by the county in accordance with the terms of the interlocal  
12 agreement.

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

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

17 (1) An ordinance adopted pursuant to Section 5 of this Act shall specify by whom the  
18 following documents shall be sent by certified mail to the owner of a motor  
19 vehicle within thirty (30) days of a stop arm camera violation:

20 (a) The stop arm camera form as described in subsection (2) of this section;

21 (b) A copy of the recorded images for the stop arm camera violation; and

22 (c) A signed, sworn statement from a law enforcement officer that, based on  
23 inspection of recorded images, the motor vehicle was being operated in  
24 violation of subsection (1) of Section 11 of this Act. This statement may be  
25 admissible in any proceeding challenging a stop arm camera violation.

26 (2) The form of a stop arm camera violation shall be designated by the legislative  
27 body of the county, but shall contain in substance the following information:



- 1        (a) The name and address of the registered owner of the vehicle;  
 2        (b) A statement that the notice represents a determination that a stop arm  
 3                camera violation has been committed by the owner of the vehicle and that  
 4                the determination shall be final unless contested in accordance with Section  
 5                8 of this Act;  
 6        (c) The date and time of the violation;  
 7        (d) The location of the violation;  
 8        (e) The amount of the civil penalty imposed and the date by which the civil  
 9                penalty shall be paid;  
 10        (f) Instructions on how to pay the civil penalty;  
 11        (g) Information advising the owner as to the manner and time in which the  
 12                uniform civil citation may be contested; and  
 13        (h) A warning that failure to pay the civil penalty imposed or to contest the  
 14                matter in a timely manner is an admission of liability and shall result in the  
 15                suspension of the motor vehicle's registration.

- 16        (3) A recorded image produced by a camera monitoring system shall be destroyed:  
 17                (a) No later than thirty-one (31) days from the date the recorded image is  
 18                captured if the recorded image does not result in a stop arm camera  
 19                violation issued pursuant to subsection (1) of this section; or  
 20                (b) Upon final disposition of the stop arm camera violation if the recorded  
 21                image results in a stop arm camera violation issued pursuant to subsection  
 22                (1) of this section.

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

- 25        (1) A recorded image produced by a monitoring system shall be sufficient evidence of  
 26                a violation of an ordinance adopted pursuant to Section 5 of this Act and shall be  
 27                admitted without further authentication for the purposes of enforcing the

1 ordinance and shall be admissible in any civil or criminal proceeding arising  
2 from a violation of Section 11 of this Act or the enforcement of the ordinance but  
3 shall not be admissible for any other purpose in any other civil or criminal  
4 proceeding.

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

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

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

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

16 (d) The person operating the motor vehicle received a citation from a law  
17 enforcement officer for a violation of subsection (1) of Section 11 of this Act  
18 at the date and approximate time listed on the stop arm camera violation  
19 form;

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

21 (f) The violation was necessary to avoid injuring the person or property of  
22 another;

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

24 (h) The violation was necessary in order for the operator to comply with any  
25 other general statute or regulation concerning the operation of a motor  
26 vehicle.

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

1 violation shall be conducted in accordance with KRS 65.8825, 65.8828,  
 2 65.8829, and 65.8831, except notwithstanding KRS 65.8828(4), when a  
 3 board determines that a violation has been committed, the board shall issue  
 4 an order upholding the citation and shall order the offender to pay the civil  
 5 penalty in full.

6 (b) In a county without a code enforcement board, a contest to a stop arm  
 7 camera violation shall be heard by the District Court, and the legislative  
 8 body of the county shall direct the county attorney to defend the stop arm  
 9 camera violation in accordance with KRS 69.210(1).

10 ➔SECTION 9. A NEW SECTION OF KRS CHAPTER 67 IS CREATED TO  
 11 READ AS FOLLOWS:

12 (1) If a stop arm camera violation is not paid or contested in accordance with Section  
 13 8 of this Act within sixty (60) days, the county may notify the Transportation  
 14 Cabinet of the nonpayment. Upon notice of nonpayment, the cabinet shall  
 15 suspend the registration of a motor vehicle until the civil penalty is paid.

16 (2) A county shall notify the cabinet of the need to release a suspension levied in  
 17 accordance with subsection (1) of this section within one (1) business day of  
 18 collecting the funds to satisfy the civil penalty.

19 ➔Section 10. KRS 189.990 is amended to read as follows:

20 (1) Any person who violates any of the provisions of KRS 189.020 to 189.040,  
 21 subsection (1) or (4) of KRS 189.050, KRS 189.060 to 189.080, subsections (1) to  
 22 (3) of KRS 189.090, KRS 189.100, 189.110, 189.130 to 189.160, subsections (2) to  
 23 (4) of KRS 189.190, KRS 189.200, 189.285, 189.290, 189.300 to 189.360, KRS  
 24 189.380, KRS 189.400 to 189.430, KRS 189.450 to 189.458, KRS 189.4595 to  
 25 189.480, subsection (1) of KRS 189.520, KRS 189.540, KRS 189.570 to 189.590,  
 26 except subsection (1)(b) or (6)(b) of KRS 189.580, KRS 189.345, subsection (6) of  
 27 KRS 189.456, and 189.960 shall be fined not less than twenty dollars (\$20) nor

1 more than one hundred dollars (\$100) for each offense. Any person who violates  
2 subsection (1)(a) of KRS 189.580 shall be fined not less than twenty dollars (\$20)  
3 nor more than two thousand dollars (\$2,000) or imprisoned in the county jail for not  
4 more than one (1) year, or both, unless the accident involved death or serious  
5 physical injury and the person knew or should have known of the death or serious  
6 physical injury, in which case the person shall be guilty of a Class D felony. Any  
7 person who violates paragraph (c) of subsection (5) of KRS 189.390 shall be fined  
8 not less than eleven dollars (\$11) nor more than thirty dollars (\$30). Neither court  
9 costs nor fees shall be taxed against any person violating paragraph (c) of  
10 subsection (5) of KRS 189.390.

11 (2) (a) Any person who violates the weight provisions of KRS 189.212, 189.221,  
12 189.222, 189.226, 189.230, 189.270, or 189.2713 shall be fined two cents  
13 (\$0.02) per pound for each pound of excess load when the excess is five  
14 thousand (5,000) pounds or less. When the excess exceeds five thousand  
15 (5,000) pounds the fine shall be two cents (\$0.02) per pound for each pound of  
16 excess load, but the fine levied shall not be less than one hundred dollars  
17 (\$100) and shall not be more than five hundred dollars (\$500).

18 (b) Any person who violates the provisions of KRS 189.271 and is operating on a  
19 route designated on the permit shall be fined one hundred dollars (\$100);  
20 otherwise, the penalties in paragraph (a) of this subsection shall apply.

21 (c) Any person who violates any provision of subsection (2) or (3) of KRS  
22 189.050, subsection (4) of KRS 189.090, KRS 189.221 to 189.230, 189.270,  
23 189.2713, 189.280, or the dimension provisions of KRS 189.212, for which  
24 another penalty is not specifically provided shall be fined not less than ten  
25 dollars (\$10) nor more than five hundred dollars (\$500).

26 (d) 1. Any person who violates the provisions of KRS 177.985 while operating  
27 on a route designated in KRS 177.986 shall be fined one hundred dollars

- 1 (\$100).
- 2 2. Any person who operates a vehicle with a permit under KRS 177.985 in  
3 excess of eighty thousand (80,000) pounds while operating on a route  
4 not designated in KRS 177.986 shall be fined one thousand dollars  
5 (\$1,000).
- 6 (e) Nothing in this subsection or in KRS 189.221 to 189.228 shall be deemed to  
7 prejudice or affect the authority of the Department of Vehicle Regulation to  
8 suspend or revoke certificates of common carriers, permits of contract  
9 carriers, or drivers' or chauffeurs' licenses, for any violation of KRS 189.221  
10 to 189.228 or any other act applicable to motor vehicles, as provided by law.
- 11 (3) (a) Any person who violates subsection (1) of KRS 189.190 shall be fined not  
12 more than fifteen dollars (\$15).
- 13 (b) Any person who violates subsection (5) of KRS 189.190 shall be fined not  
14 less than thirty-five dollars (\$35) nor more than two hundred dollars (\$200).
- 15 (4) (a) Any person who violates subsection (1) of KRS 189.210 shall be fined not  
16 less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100).
- 17 (b) Any peace officer who fails, when properly informed, to enforce KRS 189.210  
18 shall be fined not less than twenty-five dollars (\$25) nor more than one  
19 hundred dollars (\$100).
- 20 (c) All fines collected under this subsection, after payment of commissions to  
21 officers entitled thereto, shall go to the county road fund if the offense is  
22 committed in the county, or to the city street fund if committed in the city.
- 23 (5) Any person who violates KRS 189.370 shall for the first offense be fined not less  
24 than one hundred dollars (\$100) nor more than ~~three~~<sup>two</sup> hundred dollars  
25 ~~(\$300)~~<sup>(\$200)</sup> or imprisoned not less than thirty (30) days nor more than sixty (60)  
26 days, or both. For each subsequent offense occurring within three (3) years, the  
27 person shall be fined not less than three hundred dollars (\$300) nor more than five

- 1 hundred dollars (\$500) or imprisoned not less than sixty (60) days nor more than six  
2 (6) months, or both. The minimum fine for this violation shall not be subject to  
3 suspension. A minimum of six (6) points shall be assessed against the driving  
4 record of any person convicted.
- 5 (6) Any person who violates KRS 189.500 shall be fined not more than fifteen dollars  
6 (\$15) in excess of the cost of the repair of the road.
- 7 (7) Any person who violates KRS 189.510 or KRS 189.515 shall be fined not less than  
8 twenty dollars (\$20) nor more than fifty dollars (\$50).
- 9 (8) Any peace officer who violates subsection (2) of KRS 189.520 shall be fined not  
10 less than thirty-five dollars (\$35) nor more than one hundred dollars (\$100).
- 11 (9) (a) Any person who violates KRS 189.530(1) shall be fined not less than thirty-  
12 five dollars (\$35) nor more than one hundred dollars (\$100), or imprisoned  
13 not less than thirty (30) days nor more than twelve (12) months, or both.
- 14 (b) Any person who violates KRS 189.530(2) shall be fined not less than thirty-  
15 five dollars (\$35) nor more than one hundred dollars (\$100).
- 16 (10) Any person who violates any of the provisions of KRS 189.550 shall be guilty of a  
17 Class B misdemeanor.
- 18 (11) Any person who violates subsection (3) of KRS 189.560 shall be fined not less than  
19 thirty dollars (\$30) nor more than one hundred dollars (\$100) for each offense.
- 20 (12) The fines imposed by paragraph (a) of subsection (3) and subsections (6) and (7) of  
21 this section shall, in the case of a public highway, be paid into the county road fund,  
22 and, in the case of a privately owned road or bridge, be paid to the owner. These  
23 fines shall not bar an action for damages for breach of contract.
- 24 (13) Any person who violates any of the provisions of KRS 189.120 shall be fined not  
25 less than twenty dollars (\$20) nor more than one hundred dollars (\$100) for each  
26 offense.
- 27 (14) Any person who violates any provision of KRS 189.575 shall be fined not less than

- 1           twenty dollars (\$20) nor more than twenty-five dollars (\$25).
- 2   (15) Any person who violates subsection (2) of KRS 189.231 shall be fined not less than  
3           twenty dollars (\$20) nor more than one hundred dollars (\$100) for each offense.
- 4   (16) Any person who violates restrictions or regulations established by the secretary of  
5           transportation pursuant to subsection (3) of KRS 189.231 shall, upon first offense,  
6           be fined one hundred dollars (\$100) and, upon subsequent convictions, be fined not  
7           less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or  
8           imprisoned for thirty (30) days, or both.
- 9   (17) (a) Any person who violates any of the provisions of KRS 189.565 shall be guilty  
10           of a Class B misdemeanor.
- 11           (b) In addition to the penalties prescribed in paragraph (a) of this subsection, in  
12           case of violation by any person in whose name the vehicle used in the  
13           transportation of inflammable liquids or explosives is licensed, the person  
14           shall be fined not less than one hundred dollars (\$100) nor more than five  
15           hundred dollars (\$500). Each violation shall constitute a separate offense.
- 16   (18) Any person who abandons a vehicle upon the right-of-way of a state highway for  
17           three (3) consecutive days shall be fined not less than thirty-five dollars (\$35) nor  
18           more than one hundred dollars (\$100), or imprisoned for not less than ten (10) days  
19           nor more than thirty (30) days.
- 20   (19) Every person violating KRS 189.393 shall be guilty of a Class B misdemeanor,  
21           unless the offense is being committed by a defendant fleeing the commission of a  
22           felony offense which the defendant was also charged with violating and was  
23           subsequently convicted of that felony, in which case it is a Class A misdemeanor.
- 24   (20) Any law enforcement agency which fails or refuses to forward the reports required  
25           by KRS 189.635 shall be subject to the penalties prescribed in KRS 17.157.
- 26   (21) A person who operates a bicycle in violation of the administrative regulations  
27           promulgated pursuant to KRS 189.287 shall be fined not less than ten dollars (\$10)

- 1 nor more than one hundred dollars (\$100).
- 2 (22) Any person who violates KRS 189.860 shall be fined not more than five hundred  
3 dollars (\$500) or imprisoned for not more than six (6) months, or both.
- 4 (23) Any person who violates KRS 189.754 shall be fined not less than twenty-five  
5 dollars (\$25) nor more than three hundred dollars (\$300).
- 6 (24) Any person who violates the provisions of KRS 189.125(3)(a) shall be fined fifty  
7 dollars (\$50). This fine shall be subject to prepayment. A fine imposed under this  
8 subsection shall not be subject to court costs pursuant to KRS 24A.175, additional  
9 court costs pursuant to KRS 24A.176, the fee imposed pursuant to KRS 24A.1765,  
10 or any other additional fees or costs.
- 11 (25) Any person who violates the provisions of KRS 189.125(3)(b) ~~shall not be issued a~~  
12 ~~uniform citation, but shall instead receive a courtesy warning up until July 1, 2009.~~  
13 ~~For a violation on or after July 1, 2009, the person~~ shall be fined thirty dollars  
14 (\$30). This fine shall be subject to prepayment. A fine imposed under this  
15 subsection shall not be subject to court costs pursuant to KRS 24A.175, additional  
16 court costs pursuant to KRS 24A.176, a fee imposed pursuant to KRS 24A.1765, or  
17 any other additional fees or costs. A person who has not been previously charged  
18 with a violation of KRS 189.125(3)(b) may elect to acquire a booster seat meeting  
19 the requirements of KRS 189.125. Upon presentation of sufficient proof of the  
20 acquisition, the charge shall be dismissed and no fees or costs shall be imposed.
- 21 (26) Any person who violates the provisions of KRS 189.125(6) shall be fined an  
22 amount not to exceed twenty-five dollars (\$25). This fine shall be subject to  
23 prepayment. A fine imposed under this subsection shall not be subject to court costs  
24 pursuant to KRS 24A.175, additional court costs pursuant to KRS 24A.176, the fee  
25 imposed pursuant to KRS 24A.1765, or any other additional fees or costs.
- 26 (27) Fines levied pursuant to this chapter shall be assessed in the manner required by  
27 KRS 534.020, in amounts consistent with this chapter. Nonpayment of fines shall



- 1 be governed by KRS 534.020 and 534.060.
- 2 (28) A licensed driver under the age of eighteen (18) charged with a moving violation  
3 pursuant to this chapter as the driver of a motor vehicle may be referred, prior to  
4 trial, by the court to a diversionary program. The diversionary program under this  
5 subsection shall consist of one (1) or both of the following:
- 6 (a) Execution of a diversion agreement which prohibits the driver from operating  
7 a vehicle for a period not to exceed forty-five (45) days and which allows the  
8 court to retain the driver's operator's license during this period; and
- 9 (b) Attendance at a driver improvement clinic established pursuant to KRS  
10 186.574. If the person completes the terms of this diversionary program  
11 satisfactorily the violation shall be dismissed.
- 12 (29) A person who violates the provisions of subsection (2) or (3) of KRS 189.459 shall  
13 be fined two hundred fifty dollars (\$250). The fines and costs for a violation of  
14 subsection (2) or (3) of KRS 189.459 shall be collected and disposed of in  
15 accordance with KRS 24A.180. Once deposited into the State Treasury, ninety  
16 percent (90%) of the fine collected under this subsection shall immediately be  
17 forwarded to the personal care assistance program under KRS 205.900 to 205.920.  
18 Ten percent (10%) of the fine collected under this subsection shall annually be  
19 returned to the county where the violation occurred and distributed equally to all  
20 law enforcement agencies within the county.
- 21 (30) Any person who violates KRS 189.292 or 189.294 shall be fined twenty-five dollars  
22 (\$25) for the first offense and fifty dollars (\$50) for each subsequent offense.
- 23 (31) Any person who violates KRS 189.281(5) or (7)(b) shall be subject to a fine of two  
24 hundred fifty dollars (\$250). This fine shall be subject to prepayment. A fine  
25 imposed under this subsection shall not be subject to court costs pursuant to KRS  
26 24A.175, additional costs pursuant to KRS 24A.176, the fee imposed pursuant to  
27 KRS 24A.1765, or any other additional fees or costs.

1           ➔Section 11. KRS 189.370 is amended to read as follows:

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

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

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

18           ➔Section 12. KRS 64.090 is amended to read as follows:

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

- 24      (a) Executing and returning process..... \$20.00;
- 25      (b) Serving an order of court and return ..... 3.00;
- 26      (c) Summoning or subpoenaing each witness, fee to be paid by requester  
27          to sheriff before service ..... 10.00;

- 1 (d) Summoning an appraiser or reviewer ..... 2.00;
- 2 (e) Attending a surveyor, when ordered by a
- 3 court, per deputy or sheriff assigned ..... 20.00;
- 4 (f) Taking any bond that he is authorized or
- 5 required to take in any action ..... 5.00;
- 6 (g) Collecting money under execution or distress warrant, if the debt is paid or the
- 7 property sold, or a delivery bond given and not complied with, six percent
- 8 (6%) on the first three hundred dollars (\$300) and three percent (3%) on the
- 9 residue; when he or she levies an execution or distress warrant, and the
- 10 defendant replevies the debt, or the writ is stayed by legal proceedings or by
- 11 the order of the plaintiff, half of the above commissions, to be charged to the
- 12 plaintiff and collected as costs in the case;
- 13 (h) Taking a recognizance of a witness ..... 3.00;
- 14 (i) Levying an attachment ..... 5.00;
- 15 (j) When property attached is sold by an officer other than the officer levying the
- 16 attachment, the court shall, in the judgment, make the officer an additional
- 17 and reasonable allowance for levying the attachment, and the fee of the officer
- 18 selling the property shall be lessened by that sum. Reasonable charges for
- 19 removing and taking care of attached property shall be allowed by order of
- 20 court;
- 21 (k) Summoning a garnishee ..... 3.00;
- 22 (l) Summoning a jury in a misdemeanor case, attending the trial, and
- 23 conducting the defendant to jail, to be paid by the party
- 24 convicted ..... 8.00;
- 25 (m) Serving process or arresting the party in
- 26 misdemeanor cases, to be paid by the plaintiff ..... 30.00;
- 27 (n) Serving an order or process of revivor ..... 3.00;

- 1 (o) Executing a writ of possession against each tenant or defendant ..... 7.00;
- 2 (p) Executing a capias ad satisfaciendum, the same commission as collecting
- 3 money on execution. If the debt is not paid, but stayed or secured, half
- 4 commission;
- 5 (q) Summoning and attending a jury in a case of forcible entry and
- 6 detainer, besides fees for summoning witnesses ..... 8.00;
- 7 (r) Collecting militia fines and fee-bills, ten percent (10%), to be deducted out of
- 8 the fee-bill or fine;
- 9 (s) Levying for a fee-bill ..... 3.00;
- 10 (t) Serving a notice ..... 2.00;
- 11 (u) Serving summons, warrants or process of arrest in cases of
- 12 children born out of wedlock ..... 6.00;
- 13 (v) Serving a civil summons in a nonsupport case ..... 10.00;
- 14 (w) Serving each order appointing surveyors of
- 15 roads, to be paid out of the county levy ..... 5.00;
- 16 (x) Serving each summons or order of court in applications concerning
- 17 roads, to be paid out of the county levy if the road is established,
- 18 and in all other cases to be paid by the applicant ..... 5.00;
- 19 (y) Like services in cases of private passways to
- 20 be paid by the applicant ..... 5.00;
- 21 (z) Executing each writ of habeas corpus, to be
- 22 paid by the petitioner ..... 3.00;
- 23 (aa) All services under a writ issued under
- 24 KRS 381.460 to 381.570 ..... 10.00;
- 25 (bb) Fingerprinting persons for professional, trade, or commercial
- 26 purposes, or for personal use, per set of impressions ..... 10.00;
- 27 (cc) Taking or copying photographs for professional, trade,

1 or commercial purposes, or for personal use, per photograph.....5.00; and  
 2 (dd) For services in summoning grand and petit jurors and performing his or her  
 3 duties under KRS Chapter 29A the sheriff shall be allowed, for each person so  
 4 summoned, and paid out of the State Treasury for constructive service the sum  
 5 of \$1.50 and for personal service the sum of \$3.00.

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

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

17 **(4) If a county enters into an interlocal agreement pursuant to Section 5 of this Act,**  
 18 **the sheriff may charge and collect from the county a fee of twenty-five dollars**  
 19 **(\$25) from every civil penalty collected by the county for a stop arm camera**  
 20 **violation enforced by the sheriff's office.**

21 ➔SECTION 13. A NEW SECTION OF KRS CHAPTER 183 IS CREATED TO  
 22 READ AS FOLLOWS:

23 **(1) The Department of Aviation shall undertake a continuing study of the needs of**  
 24 **publicly owned or operated general aviation airports in the Commonwealth for**  
 25 **the purpose of bringing existing facilities to acceptable standards or for the**  
 26 **replacement of existing facilities when required.**

27 **(2) The department shall develop a recommended six (6) year aviation plan that**

1 identifies the individual projects or portions thereof that are scheduled to be  
2 developed at each publicly owned or operated general aviation airport and are  
3 funded in part by the aviation economic development fund established in KRS  
4 183.525. The recommended six (6) year aviation plan shall include a  
5 recommended biennial aviation development plan. The recommended six (6) year  
6 aviation plan and recommended biennial aviation development plan shall be  
7 submitted to the General Assembly as required by subsection (6)(f) of Section 15  
8 of this Act. The six (6) year aviation plan shall include but shall not be limited to  
9 the following information for each project:

10 (a) The name of the airport;

11 (b) A Kentucky Department of Aviation project identification number;

12 (c) A description of the project and the scope of improvement;

13 (d) The amount of local, state, or federal funds to be used on the project;

14 (e) The stage of development for the design and development phase;

15 (f) The fiscal year in which each phase of the project should commence;

16 (g) The estimated cost for each phase of the project; and

17 (h) The estimated cost to complete the project.

18 (3) The department shall identify projects in the six (6) year aviation plan that may,  
19 in accordance with this section, be advanced from later years, to maximize the  
20 use of all funds available to the cabinet, and to plan for the historical precedent  
21 of projects being delayed due to unforeseen circumstances. As required by  
22 Section 15 of this Act, the Governor shall submit to the General Assembly, as part  
23 of the proposed biennial aviation development plan, a list of projects from the last  
24 four (4) years of the six (6) year aviation plan, not to exceed ten percent (10%) of  
25 the recommended biennial aviation development appropriation, which can be  
26 advanced if additional money is received and all projects included in the enacted  
27 biennial aviation development plan have been advanced or completed to the

1 extent possible.

2 (4) The department shall, on a quarterly basis, transmit electronically to the General  
3 Assembly through the Legislative Research Commission a report on all activity  
4 relating to all projects with open activity conducted by the department during the  
5 biennium. The data for each project shall contain activity on projects funded  
6 through the department, including but not limited to the following:

7 (a) The Kentucky Department of Aviation project identification number;

8 (b) The airport name;

9 (c) Type of work;

10 (d) Description of the project;

11 (e) The year the project was enacted in a six (6) year aviation plan, and the  
12 notation "A" if the project is active and the notation "I" if the project is  
13 inactive;

14 (f) The phase code "D" for the design phase and "C" for the development  
15 phase;

16 (g) The original budget estimate and fiscal year each phase is expected to begin  
17 as enacted in the six (6) year aviation plan;

18 (h) The name of the contractor, current contract amount, and the current  
19 amount earned by the contractor;

20 (i) The estimated date for completion of the project, current percentage of work  
21 completed based upon time, and the actual contract completion date;

22 (j) The department's engineer's estimate for the project; and

23 (k) Total expenditures by phase.

24 ➔SECTION 14. A NEW SECTION OF KRS CHAPTER 183 IS CREATED TO  
25 READ AS FOLLOWS:

26 (1) The Department of Aviation shall develop a statewide prioritization process for  
27 the use of funds in the aviation economic development fund established in KRS

1 183.525. This prioritization process shall be used for the development of the  
 2 recommended biennial aviation development plan and the recommended six (6)  
 3 year aviation plan pursuant to Section 13 of this Act.

4 (2) The prioritization process shall be based on an objective and quantifiable  
 5 analysis that considers, at a minimum, the following factors relative to the cost of  
 6 the project:

7 (a) If runway-related, runway pavement conditions;

8 (b) Age and condition of other airport facilities;

9 (c) Traffic;

10 (d) Proximity to other airports;

11 (e) Potential benefits from technological upgrades; and

12 (f) Economic, educational, and workforce development potential.

13 (3) (a) The department shall weight the factors used in subsection (2) of this  
 14 section for each of the proposed projects and shall attempt to gauge the  
 15 potential return on the project investment.

16 (b) The department shall solicit input from localities, metropolitan planning  
 17 organizations, area development districts, and other stakeholders in its  
 18 development of the prioritization process pursuant to this section.

19 ➔Section 15. KRS 48.110 is amended to read as follows:

20 Each branch budget recommendation shall contain a complete financial plan for the  
 21 branch of government for each of the next two (2) fiscal years. Each branch budget  
 22 recommendation shall include:

23 (1) A budget message signed by:

24 (a) The Governor for the executive branch;

25 (b) The Chief Justice for the judicial branch; and

26 (c) The co-chairmen of the Legislative Research Commission for the legislative  
 27 branch;



- 1 (2) (a) Statements of income and receipts for the two (2) fiscal years last concluded,  
2 and the estimated income and receipts, for each budget unit of the branch of  
3 government for the current fiscal year and each of the next two (2) fiscal  
4 years.
- 5 (b) The statements of income and estimated income shall be itemized by budget  
6 unit and fund, and shall show separately receipts from:
- 7 1. Current income;
  - 8 2. Refunds and reimbursements of expenditures;
  - 9 3. The sale of assets; and
  - 10 4. Receipts on account of the income of prior years.
- 11 (c) Existing sources of income and receipts shall be analyzed as to their equity,  
12 productivity and need for revision, and any proposed new sources of income  
13 or receipts shall be explained;
- 14 (3) A statement of the surplus in any account and in any special fund of the branch of  
15 government. If a surplus exists in any account of the branch of government the  
16 statement shall show the excess of all current assets over all current liabilities as of  
17 the beginning of each of the two (2) fiscal years last concluded, and all changes in  
18 these accounts during each of such two (2) fiscal years;
- 19 (4) A statement as of the close of the last completed fiscal year and as of the close of  
20 the current fiscal year showing, for each budget unit the total funded debt, the value  
21 of sinking fund assets, the net funded debt, the floating liabilities as of the end of  
22 the current fiscal year, and the total debt as of the close of the last completed fiscal  
23 year and as of the close of the current fiscal year;
- 24 (5) Summary and detailed comparative statements of expenditures itemized by budget  
25 unit for each of the two (2) fiscal years last concluded and requests for  
26 appropriations by funds or accounts, the budget of the current year, and the  
27 recommendations for appropriations for each of the next two (2) fiscal years.

1       Following the lists of actual and proposed expenditures of each budget unit there  
2       shall be a detailed explanation of the actual and proposed expenditures, to include  
3       activities, beneficiaries and expected results of the programs or services of the  
4       budget units;

5       (6) A draft of the proposed branch budget bill containing:

6       (a) Recommendations of the branch of government for appropriations for the next  
7       two (2) fiscal years, and drafts of such revenue and other acts as may be  
8       recommended for implementing the proposed financial plan;

9       (b) Recommended appropriations for extraordinary expenses and capital outlays,  
10       which shall be itemized in the proposed branch budget bill for the branch by  
11       budget unit. The title of each budget unit shall be worded to limit each  
12       appropriation to the specific use or purpose intended;

13       (c) A plan for the reduction of the branch budget if there is a revenue shortfall of  
14       five percent (5%) or less in the general fund or road fund. In recommending  
15       budget reductions, the Governor, the Chief Justice, and the Legislative  
16       Research Commission shall not recommend universal percentage reductions,  
17       but shall weigh the needs of all budget units and shall strive to protect the  
18       highest possible level of service in their respective branches. Services which  
19       are not essential to constitutional functions shall be subject to reduction.  
20       Transfer of funds may be authorized by the budget reduction plan;

21       (d) 1. A plan for the expenditure of a general fund or road fund surplus of up  
22       to two and one-half percent (2.5%).

23       2. The plan shall include provisions for the expenditure of a surplus, and  
24       may provide for additional moneys for nonrecurring expenditures for  
25       which an appropriation was not made in a branch budget bill, or for a  
26       program or service authorized by law for which an appropriation was not  
27       made, or which was not fully funded.

- 1           3. In lieu of recommending the appropriation of funds, the plan may  
2           instead recommend the retention of surplus funds in the surplus account  
3           of the general fund or road fund for investment until appropriated by the  
4           General Assembly;
- 5       (e) 1. A recommended state capital projects program and a recommended  
6           program for the purchase of major items of equipment.
- 7           2. The recommended capital construction program shall include:
- 8           a. A complete list and summary description of each specific capital  
9           construction project recommended for funding during the  
10          biennium; and
- 11          b. For each project:
- 12           i. The agency and purpose for which it will be used;
- 13           ii. The justification for the project;
- 14           iii. Its estimated completion date;
- 15           iv. The total estimated cost of completing the project;
- 16           v. The estimated cost of the project during the biennium;
- 17           vi. The recommended sources of funds for the entire project;
- 18                       and
- 19           vii. The dollar amounts recommended for appropriation and the  
20           dollar amounts, listed by source, that are anticipated  
21           from every other source of funds for the biennium.
- 22       3. All information required by subparagraph 2. of this paragraph shall be  
23       included in each branch budget recommendation. Each branch budget  
24       bill shall contain only a complete list of the specific capital construction  
25       projects recommended for funding during the biennium and, for each  
26       project, the information specified in subparagraph 2.b.v., vi., and vii. of  
27       this paragraph.

- 1           4. A report which details the effect of recommended new debt on the debt  
2           position of the Commonwealth shall be submitted at the same time the  
3           recommended capital program is submitted. Information shall be  
4           presented separately, and in total, for the general fund, road fund, and  
5           any affected restricted fund account.
- 6           5. Information in the report shall include but not be limited to the  
7           following:
- 8           a. Debt service on existing appropriation-supported debt, as a  
9           percentage of anticipated total revenues;
- 10          b. Debt service on existing appropriation-supported debt, as a  
11          percentage of anticipated available revenues;
- 12          c. The sum of debt service on existing appropriation-supported debt  
13          and debt service on recommended new appropriation-supported  
14          debt, as a percentage of anticipated total revenues;
- 15          d. The sum of debt service on existing appropriation-supported debt  
16          and debt service on recommended new appropriation-supported  
17          debt, as a percentage of anticipated available revenues;
- 18          e. The sum of debt service on existing appropriation-supported debt  
19          and debt service on recommended new appropriation-supported  
20          debt, as a percentage of estimated state total personal income; and
- 21          f. The sum of existing appropriation-supported debt and  
22          recommended new appropriation-supported debt, as a percentage  
23          of estimated state total personal income.
- 24          6. The recommended program for the purchase of major items of  
25          equipment submitted by the head of each branch of government shall  
26          include:
- 27          a. A complete list and summary description of each specific major

- 1 item of equipment recommended for purchase during the  
2 biennium; and
- 3 b. For each major item of equipment:
- 4 i. The agency and purpose for which it will be used;
- 5 ii. The justification for the purchase;
- 6 iii. The estimated cost of the item, including ancillary expenses  
7 and any expenses necessary to make the equipment  
8 functional and operational;
- 9 iv. The recommended sources of funds; and
- 10 v. The dollar amounts recommended for appropriation and  
11 anticipated from every other source of funds for the  
12 purchase.
- 13 7. All information required by subparagraph 5. of this paragraph shall be  
14 included in the executive branch budget recommendation. The branch  
15 budget bill for the executive branch shall contain only a complete list of  
16 each specific item of major equipment recommended for purchase  
17 during the biennium and, for each item, the information specified in  
18 subparagraph 6.b.iii., iv., and v. of this paragraph;
- 19 (f) The branch budget recommendation for the Transportation Cabinet shall  
20 include the following information:
- 21 1. A separate branch budget bill;
- 22 2. A recommended biennial highway construction plan, which shall be  
23 presented as a separate bill, and which shall include a list of individual  
24 transportation projects included in the last four (4) years of the six (6)  
25 year road plan, not to exceed ten percent (10%) of the recommended  
26 biennial highway construction appropriation, which can be advanced if:
- 27 a. Additional funds are received; and

- 1                   b. All projects included in the biennial highway construction plan  
2                   have been advanced or completed to the extent possible;~~and~~
- 3           3. ***A recommended biennial aviation development plan, which shall be***  
4           ***presented as a separate bill, and which shall include a list of***  
5           ***individual projects included in the last four (4) years of the six (6) year***  
6           ***aviation plan, not to exceed ten percent (10%) of the recommended***  
7           ***biennial aviation development appropriation, which can be advanced***  
8           ***if:***
- 9           ***a. Additional funds are received; and***
- 10           ***b. All projects included in the biennial aviation development plan***  
11           ***have been advanced or completed to the extent possible; and***
- 12           4. The six (6) year road plan ***and the six (6) year aviation plan.*** The  
13           Governor shall have ten (10) working days after submission of the  
14           branch budget recommendation,~~and~~ the recommended biennial  
15           highway construction plan, ***and the recommended biennial aviation***  
16           ***development plan*** to submit the six (6) year road plan ***and the six (6)***  
17           ***year aviation plan.*** The six (6) year road plan ***and the six (6) year***  
18           ***aviation plan*** shall be submitted in a form and format cooperatively  
19           developed by the Transportation Cabinet and the General Assembly and  
20           approved by the Legislative Research Commission; and
- 21           (g) 1. In the executive branch budget recommendation, as a separate section,  
22           an amount sufficient to meet unexpected contingencies or emergencies,  
23           including but not limited to natural or man-made disasters, civil  
24           disorders, court orders requiring or resulting in the expenditure of state  
25           funds, or other related causes.
- 26           2. The amount shall be based on the nature, type, and frequency of named  
27           categories of events which may, from past experience, be reasonably

1 anticipated.

2 3. This portion of the budget recommendation shall detail similar incidents  
3 and the nature and amount of the expenditures for each during the ten  
4 (10) years immediately preceding.

5 The total amount of appropriations recommended from any fund shall not exceed  
6 the cash resources estimated to be available and to become available to meet  
7 expenditures under the appropriations;

8 (7) A certificate of the branch of government as to the accuracy of the statements of  
9 financial condition, of income and receipts, and of expenditures; and

10 (8) Such other information as is deemed desirable, or is required by law or regulation.

11 ➔Section 16. KRS 183.010 is amended to read as follows:

12 As used in this chapter unless the context otherwise requires:

13 (1) ~~"Federal Aviation Administration" shall mean that agency or board of the United~~  
14 ~~States government empowered to regulate operation of aircraft; aviation facilities~~  
15 ~~and persons operating and maintaining aircraft;~~

16 (2) ~~"Secretary" means the secretary of the Transportation Cabinet;~~

17 (3) ~~"Cabinet" means the Transportation Cabinet;~~

18 **(2) "Department" means the Department of Aviation;**

19 **(3) "Federal Aviation Administration" means the agency of the United States**  
20 **government empowered to regulate operation of aircraft; aviation facilities; and**  
21 **persons operating and maintaining aircraft; and**

22 **(4) "Secretary" means the secretary of the Transportation Cabinet**, ~~the statutory~~  
23 ~~administrative department of the Commonwealth of Kentucky}.~~

24 ➔Section 17. Sections 4 to 12 of this Act may be cited as the Randall Scott  
25 Combs Act.

26 ➔Section 18. Whereas plans need to be developed to determine electric vehicle  
27 infrastructure needs and the best use of NEVI Formula Program funds, an emergency is

- 1 declared to exist, and Sections 1 and 2 of this Act shall take effect upon their passage and
- 2 approval by the Governor or upon their otherwise becoming a law.