

1 AN ACT relating to the transportation of persons.

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

3 ➔Section 1. KRS 281.605 is amended to read as follows:

4 The provisions of this chapter shall not apply, except as to safety regulations, to:

- 5 (1) Motor vehicles used as school buses and while engaged in the transportation of
6 students, under the supervision and control and at the direction of school
7 authorities;
- 8 (2) Except as provided in paragraph (e) of this subsection, motor vehicles, regardless of
9 ownership, used exclusively:
- 10 (a) For the transportation of agricultural and dairy products, including fruit,
11 livestock, meats, fertilizer, wood, lumber, cotton, products of grove or
12 orchard, poultry, and eggs, while owned by the producer of the products,
13 including landlord where the relation of landlord and tenant or landlord and
14 cropper is involved, from the farm to a market, warehouse, dairy, or mill, or
15 from one (1) market, warehouse, dairy, or mill to another market, warehouse,
16 dairy, or mill. As used in this paragraph and in paragraph (b) of this
17 subsection, "livestock" means cattle, sheep, swine, goats, horses, alpacas,
18 llamas, buffaloes, or any other animals of the bovine, ovine, porcine, caprine,
19 equine, or camelid species;
- 20 (b) For the transportation of agricultural and dairy products, livestock, farm
21 machinery, feed, fertilizer, and other materials and supplies essential to farm
22 operation, from market or shipping terminal to farm;
- 23 (c) For both the purposes described in paragraphs (a) and (b) of this subsection;
- 24 (d) For the transportation of agricultural and dairy products from farm to regularly
25 organized fairs and exhibits and return; or
- 26 (e) Motor vehicles used for the transportation of fly ash, in bags, sacks, or other
27 containers, the aggregate weight of which does not exceed ten thousand

- 1 (10,000) pounds; or bottom ash, waste ash, sludge, and pozatec which is being
2 removed from the premises of a power generator facility for the purpose of
3 disposal;
- 4 (3) Motor vehicles used exclusively as church buses and while operated in the
5 transportation of persons to and from a church or place of worship or for other
6 religious work under the supervision and control and at the direction of church
7 authorities;
- 8 (4) Motor vehicles used exclusively for the transportation of property belonging to a
9 nonprofit cooperative association or its members where the vehicle is owned or
10 leased exclusively by the association;
- 11 (5) Motor vehicles owned in whole or in part by any person and used by such person to
12 transport commodities of which such person is the bona fide owner, lessee,
13 consignee, or bailee; provided, however, that such transportation is for the purpose
14 of sale, lease, rent, or bailment, and is an incidental adjunct to an established private
15 business owned and operated by such person within the scope and in furtherance of
16 any primary commercial enterprise of such person other than the business of
17 transportation of property for hire;
- 18 (6) Motor vehicles used in pick-up or delivery service within a city or within a city and
19 its commercial area for a carrier by rail;
- 20 (7) Motor vehicles used exclusively for the transportation of coal from the point at
21 which such coal is mined to a railhead or tipple where the railhead or tipple is
22 located at a point not more than fifty (50) air miles from the point at which the coal
23 is mined;
- 24 (8) Motor vehicles used as ambulances in transporting wounded, injured, or sick
25 animals or as ambulances as defined in KRS 311A.010;
- 26 (9) Motor vehicles used by transit authorities as created and defined in KRS Chapter
27 96A except as required by KRS 96A.170. Vehicles operated under the authority and

1 direct responsibility of such transit authorities, through contractual agreement, shall
2 be included within this exemption, without regard to the legal ownership of the
3 vehicles, but only for such times as they are operated under the authority and
4 responsibility of the transit authority;

5 (10) Motor vehicles having a seating capacity of fifteen (15) or fewer passengers and
6 while transporting persons between their places of residence, on the one hand, and,
7 on the other, their places of employment, provided the driver himself *or herself* is
8 on his way to or from his *or her* place of employment, and further provided that any
9 person who operates or controls the operation of vehicles hereunder of which said
10 person is the owner or lessee, and any spouse of said person and any partnership or
11 corporation with said person or his *or her* spouse having an interest therein doing
12 such, shall be eligible to so operate an aggregate number of not more than one (1)
13 vehicle on other than a nonprofit basis;

14 (11) Motor vehicles used to transport cash letters, data processing material, instruments,
15 or documents, regardless of the ownership of any of said cash letters, data
16 processing material, instruments, or documents;

17 (12) Motor vehicles operated by integrated intermodal small package carriers who
18 provide intermodal-air-and-ground-transportation. For the purposes of this section,
19 "integrated intermodal small package carrier" shall mean an air carrier holding a
20 certificate or qualifying as an indirect air carrier that undertakes, by itself or through
21 a company affiliated through common ownership, to provide intermodal-air-and-
22 ground-transportation, and "intermodal-air-and-ground-transportation" shall mean
23 transportation involving the carriage of articles weighing not more than one hundred
24 fifty (150) pounds by aircraft or other forms of transportation, including by motor
25 vehicle, wholly within the Commonwealth of Kentucky. The incidental or
26 occasional use of aircraft in transporting packages or articles shall not constitute an
27 integrated intermodal operation within the meaning of this section;

- 1 (13) Motor vehicles operated pursuant to a grant of funds in furtherance of and governed
2 by 49 U.S.C. secs. 5310 or 5311, including all amendments, and whose operators
3 have jurisdictions and services approved annually by the Transportation Cabinet in
4 accordance with 49 C.F.R. Title VI;
- 5 (14) Motor vehicles used to transport children to educational events or conservation
6 camps run by, or sponsored by, the Department of Fish and Wildlife;
- 7 (15) Motor vehicles used to transport children to events or camps run by, or sponsored
8 by, the Kentucky Sheriffs Association; or
- 9 (16) (a) Motor vehicles used in the transportation of persons who are eighteen
10 (18)~~[sixty (60)]~~ years of age or older~~[or who are visually impaired]~~, if the
11 motor vehicles are owned by a nonprofit organization or being used on behalf
12 of a nonprofit organization that is exempt from federal income tax under
13 Section 501(c)(3) of the Internal Revenue Code.
- 14 (b) Motor vehicles owned and operated by a nonprofit organization that are
15 exempt under this subsection shall be subject to liability insurance coverage as
16 established by KRS 281.655.
- 17 (c) Motor vehicles owned privately but operated on behalf of a nonprofit
18 organization that are exempt under this subsection shall be subject to liability
19 insurance coverage as established by KRS 304.39-110.