

1 AN ACT relating to autonomous vehicles.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
4 READ AS FOLLOWS:

5 *As used in Sections 1 to 7 of this Act:*

6 *(1) "Automated driving system" means hardware and software that are collectively*
7 *capable of performing the entire dynamic driving task on a sustained basis,*
8 *regardless of whether it is limited to a specific operational design domain;*

9 *(2) "Dynamic driving task" or "DDT":*

10 *(a) Means all of the real-time operational and tactical functions required to*
11 *operate a vehicle in on-road traffic, including without limitation:*

12 *1. Lateral vehicle motion control via steering;*

13 *2. Longitudinal motion control via acceleration and deceleration;*

14 *3. Monitoring the driving environment via object and event detection,*
15 *recognition, classification, and response preparation;*

16 *4. Object and event response execution;*

17 *5. Maneuver planning; and*

18 *6. Enhancing conspicuity via lighting, signaling, and gesturing; and*

19 *(b) Does not include strategic functions such as trip scheduling and the*
20 *selection of destinations and waypoints;*

21 *(3) "DDT fallback" means:*

22 *(a) The response by the person or human driver to either perform the DDT or*
23 *achieve a minimal risk condition after occurrence of a DDT performance*
24 *relevant system failure, or upon operational design domain exit; or*

25 *(b) The response by an automated driving system to achieve minimal risk*
26 *condition, given the same circumstances identified in paragraph (a) of this*
27 *subsection;*

- 1 (4) "Fully autonomous vehicle" means a motor vehicle equipped with an automated
2 driving system designed to function without a human driver as a level 4 or 5
3 system under SAE J3016;
- 4 (5) "Human driver" means a natural person in the vehicle with a valid license to
5 operate a motor vehicle who controls all or part of the dynamic driving task;
- 6 (6) "Minimal risk condition" means a condition to which a person, human driver, or
7 an automated driving system may bring a vehicle after performing the DDT
8 fallback in order to reduce the risk of a crash when a given trip cannot or should
9 not be completed;
- 10 (7) "Operational design domain" or "ODD" means the operating conditions under
11 which a given automated driving system is specifically designed to function,
12 including but not limited to:
- 13 (a) Environmental, geographical, and time-of-day restrictions; and
14 (b) The requisite presence or absence of certain traffic and roadway
15 characteristics;
- 16 (8) "Request to intervene" means a notification by an automated driving system to a
17 human driver that the human driver should promptly begin or resume
18 performance of part or all of the dynamic driving task; and
- 19 (9) "SAE J3016" means the "Taxonomy and Definitions for Terms Related to
20 Driving Automation Systems for On-Road Motor Vehicles" published by SAE
21 International on June 15, 2018.

22 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
23 READ AS FOLLOWS:

- 24 (1) A person may operate a fully autonomous vehicle on the highways of this state
25 without a human driver provided that the automated driving system is engaged
26 and the vehicle meets the following conditions:
- 27 (a) If a failure of the automated driving system occurs that renders that system

1 unable to perform the entire dynamic driving task relevant to its intended
2 operational design domain, the fully autonomous vehicle will achieve a
3 minimal risk condition;

4 (b) The fully autonomous vehicle is capable of operating in compliance with
5 the applicable traffic and motor vehicle safety laws and regulations of this
6 state when reasonable to do so, unless an exemption has been granted by
7 the Transportation Cabinet; and

8 (c) When required by federal law, the vehicle bears the required
9 manufacturer's certification label indicating that at the time of its
10 manufacture it has been certified to be in compliance with all applicable
11 federal motor vehicle safety standards, including any exemptions granted by
12 the National Highway Traffic Safety Administration.

13 (2) Prior to operating a fully autonomous vehicle on the highways of this state
14 without a human driver, a person shall submit a law enforcement interaction
15 plan to the Transportation Cabinet that describes:

16 (a) How to communicate with a fleet support specialist who is available during
17 the times the vehicle is in operation;

18 (b) How to safely remove the fully autonomous vehicle from the roadway and
19 steps to safely tow the vehicle;

20 (c) How to recognize whether the fully autonomous vehicle is in autonomous
21 mode; and

22 (d) Any additional information the manufacturer or owner deems necessary
23 regarding hazardous conditions or public safety risks associated with the
24 operation of the fully autonomous vehicle.

25 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
26 READ AS FOLLOWS:

27 (1) Before operating a fully autonomous vehicle that does not meet the definition of

1 a motor carrier under Section 12 of this Act on a highway in this state without a
2 human driver, a person shall submit proof of financial responsibility satisfactory
3 to the Transportation Cabinet that the fully autonomous vehicle is covered by
4 insurance or proof of self-insurance that satisfies the requirements of KRS
5 304.39-080 in amounts not less than the minimum amounts required by KRS
6 304.39-110.

7 (2) Before operating a fully autonomous vehicle that meets the definition of a motor
8 carrier under Section 12 of this Act on a highway in this state without a human
9 driver, a person shall submit proof of financial responsibility satisfactory to the
10 Transportation Cabinet that the fully autonomous vehicle is covered by insurance
11 or proof of self-insurance that satisfies the requirements of KRS 281.655.

12 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
13 READ AS FOLLOWS:

14 A fully autonomous vehicle shall be properly titled and registered in accordance with
15 KRS Chapters 186 and 186A. If a fully autonomous vehicle is titled and registered in
16 this state, the vehicle shall be identified on the title and registration as a fully
17 autonomous vehicle.

18 ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
19 READ AS FOLLOWS:

20 (1) A person may operate a motor vehicle equipped with an automated driving system
21 capable of performing the entire dynamic driving task if the automated driving
22 system:

23 (a) Will issue a request to intervene whenever the automated driving system is
24 not capable of performing the entire dynamic driving task with the
25 expectation that the person will respond appropriately to such a request;
26 and

27 (b) Is capable of being operated in compliance with KRS 189.285 to 189.450,

1 unless an exemption has been granted by the Transportation Cabinet.

2 (2) Nothing in this chapter or KRS Chapter 189 prohibits or restricts a human driver
3 from operating a fully autonomous vehicle equipped with controls that allow for
4 the human driver to control all or part of the dynamic driving task.

5 ➔SECTION 6. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
6 READ AS FOLLOWS:

7 A fully autonomous vehicle that meets the definition of a motor carrier under Section
8 12 of this Act shall also be subject to KRS Chapter 281.

9 ➔SECTION 7. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
10 READ AS FOLLOWS:

11 (1) Unless otherwise provided in this chapter, KRS Chapter 189, and KRS Chapter
12 281, fully autonomous vehicles and automated driving systems are governed
13 exclusively by the provisions of Sections 1 to 7 of this Act. The Transportation
14 Cabinet is the sole and exclusive state agency that may implement Sections 1 to 7
15 of this Act.

16 (2) No state agency shall prohibit the operation of fully autonomous vehicles or
17 automated driving systems, or otherwise enact or keep in force rules or
18 ordinances that would impose taxes, fees, or other requirements, including
19 performance standards, that are specific to the operation of fully autonomous
20 vehicles or automated driving systems.

21 (3) The Transportation Cabinet may promulgate administrative regulations in
22 accordance with KRS Chapter 13A to implement procedural provision of Sections
23 1 to 7 of this Act, but shall not impose additional requirements on the operation
24 of fully autonomous vehicles that are inconsistent with Sections 1 to 7 of this Act.

25 ➔Section 8. KRS 65.873 is amended to read as follows:

26 No city, county, urban-county, charter county, consolidated local government, unified
27 local government, or special district shall:

- 1 **(1)** Impose **any restrictions**~~[a restriction]~~ on the use of a **personal communication**
2 **device, as defined in KRS 189.292,**~~[mobile telephone]~~ in a motor vehicle; **or**
3 **(2)** **Prohibit the operation of fully autonomous vehicles or automated driving**
4 **systems, as defined in Section 1 of this Act, or otherwise enact or keep in force**
5 **rules or ordinances that would impose taxes, fees, or other requirements,**
6 **including performance standards, that are specific to the operation of fully**
7 **autonomous vehicles or automated driving systems.**

8 ➔Section 9. KRS 186.410 is amended to read as follows:

- 9 (1) **Except as provided in subsection (6) of this section,** every person **not**~~[except those]~~
10 exempted by KRS 186.420 and 186.430 shall, before operating a motor vehicle,
11 motorcycle, or moped upon a highway, secure an operator's license as provided in
12 this chapter.
- 13 (2) Except as provided in KRS 186.4121, all original, renewal, and duplicate personal
14 identification cards and licenses for the operation of motor vehicles, motorcycles, or
15 mopeds shall be applied for with the Transportation Cabinet, or through alternative
16 technology, and issued by the Transportation Cabinet. Subject to the provisions of
17 KRS 186.4101, applications for renewal licenses and personal identification cards
18 shall be made every eight (8) years within the birth month of the applicant. A
19 license shall not be issued until the application has been certified by the cabinet and
20 the applicant has, if required under KRS 186.635, successfully completed the
21 examinations required under KRS 186.480.
- 22 (3) All personal identification cards shall be issued under the provisions of KRS
23 186.4102, 186.4122, and 186.4123.
- 24 (4) A person under the age of eighteen (18) years who applies for an instruction permit
25 shall, at any time between the age of sixteen (16) and before the person's eighteenth
26 birthday, enroll in one (1) of the following driver training programs:
- 27 (a) A driver's education course administered by a school district;

- 1 (b) A driver training school licensed pursuant to KRS Chapter 332 which offers a
 2 course meeting or exceeding the minimum standards established by the
 3 Transportation Cabinet; or
- 4 (c) State traffic school. The person may seek to enroll in state traffic school
 5 before the person's eighteenth birthday. Persons enrolling in state traffic
 6 school pursuant to this paragraph shall not be required to pay a fee.
- 7 (5) Any applicant for any initial or renewal instruction permit, operator's license, or
 8 personal identification card under KRS 186.400 to 186.640 may apply for either:
- 9 (a) A voluntary travel ID document; or
- 10 (b) A standard document that does not meet standards for federal identification
 11 purposes.

12 **(6) When an automated driving system as defined in Section 1 of this Act is installed**
 13 **on a motor vehicle and is engaged, the automated driving system is considered:**

14 **(a) The driver or operator for the purpose of assessing compliance with**
 15 **applicable traffic or motor vehicle laws and shall be deemed to satisfy**
 16 **electronically all physical acts required by a driver or operator of the**
 17 **vehicle; and**

18 **(b) To be licensed to operate the vehicle.**

19 ➔SECTION 10. A NEW SECTION OF KRS CHAPTER 189 IS CREATED TO
 20 READ AS FOLLOWS:

21 **(1) As used in this section, "fully autonomous vehicle" and "automated driving**
 22 **system" shall have the same meaning as in Section 1 of this Act.**

23 **(2) A fully autonomous vehicle that is designed to be operated exclusively by the**
 24 **automated driving system for all trips shall not be subject to any of the provisions**
 25 **of KRS 189.020 to 189.205 that:**

26 **(a) Relate to or support motor vehicle operation by a human driver seated in**
 27 **the vehicle; and**

1 **(b) Are not relevant to an automated driving system.**

2 ➔Section 11. KRS 189.635 is amended to read as follows:

3 (1) The Justice and Public Safety Cabinet, Department of Kentucky State Police, shall
4 be responsible for maintaining a reporting system for all vehicle accidents which
5 occur within the Commonwealth. Such accident reports shall be utilized for such
6 purposes as will improve the traffic safety program in the Commonwealth involving
7 the collection, processing, storing, and dissemination of such data and the
8 establishment of procedures by administrative regulations to ensure that uniform
9 definitions, classifications, and other federal requirements are in compliance.

10 (2) **(a)** Any person operating a vehicle on the highways of this state who is involved
11 in an accident resulting in fatal or nonfatal personal injury to any person or
12 damage to the vehicle rendering the vehicle inoperable shall be required to
13 immediately notify a law enforcement officer having jurisdiction.

14 **(b)** In the event the operator fails to notify or is incapable of notifying a law
15 enforcement officer having jurisdiction, ~~the~~^[such] responsibility **to make the**
16 **notification under this subsection** shall rest with the owner of the vehicle or
17 any occupant of the vehicle at the time of the accident.

18 **(c) If the accident involves a fully autonomous vehicle, as defined in Section 1**
19 **of this Act, the responsibility to make the notification under this subsection**
20 **shall rest with the owner of the fully autonomous vehicle or a person on**
21 **behalf of the vehicle owner.**

22 **(d)** A law enforcement officer having jurisdiction shall investigate the accident
23 and file a written report of the accident with his or her law enforcement
24 agency.

25 (3) Every law enforcement agency whose officers investigate a vehicle accident of
26 which a report must be made as required in this chapter shall file a report of the
27 accident with the Department of Kentucky State Police within ten (10) days after

1 investigation of the accident upon forms supplied by the department.

2 (4) **(a)** Any person operating a vehicle on the highways of this state who is involved
3 in an accident resulting in any property damage exceeding five hundred
4 dollars (\$500) in which an investigation is not conducted by a law
5 enforcement officer shall file a written report of the accident with the
6 Department of Kentucky State Police within ten (10) days of occurrence of the
7 accident upon forms provided by the department.

8 **(b) If the accident involves a fully autonomous vehicle, as defined in Section 1**
9 **of this Act, the responsibility to file the report under this subsection shall**
10 **rest with the owner of the fully autonomous vehicle or a person on behalf of**
11 **the vehicle owner.**

12 (5) (a) All accident reports filed with the Department of Kentucky State Police in
13 compliance with subsection (4) of this section shall not be considered open
14 records under KRS 61.870 to 61.884 and shall remain confidential, except that
15 the department may:

16 1. Disclose the identity of a person involved in an accident when his or her
17 identity is not otherwise known or when he or she denies his or her
18 presence at an accident; and

19 2. Make the reports available:

20 a. To the persons named in paragraph (c) of this subsection; and

21 b. In accordance with subsection (8) of this section.

22 (b) All other accident reports required by this section, and the information
23 contained in the reports, shall be confidential and exempt from public
24 disclosure under KRS 61.870 to 61.884, except when:

25 1. Produced pursuant to a properly executed subpoena or court order; or

26 2. Disclosed as provided in this section.

27 (c) Accident reports shall be made available to:

- 1 1. The parties to the accident;
 - 2 2. The parents or guardians of a minor who is party to the accident;
 - 3 3. Insurers or their written designee for insurance business purposes of any
 - 4 party who is the subject of the report;
 - 5 4. The attorneys of the parties to the accident;
 - 6 5. Any party to litigation who files with the department a request for the
 - 7 report and includes a copy of the first page of a District or Circuit Court
 - 8 clerk-stamped complaint naming all parties; and
 - 9 6. The Department of Workplace Standards in the Education and Labor
 - 10 Cabinet if the accident report is pertinent to an occupational safety and
 - 11 health investigation.
- 12 (6) (a) Except as provided for in paragraph (b) of this subsection, the department
- 13 shall not release accident reports for a commercial purpose.
- 14 (b) Notwithstanding any other provision of this section, the department may, as a
- 15 matter of public safety, contract with an outside entity and release unredacted
- 16 vehicle damage data extracted from accident reports to the entity if the data is
- 17 used solely for the purpose of providing the public a means of determining a
- 18 vehicle's accident history. The department may further contract with a third
- 19 party to provide electronic access to reports for persons and entities who are
- 20 entitled to the reports under subsection (5) of this section.
- 21 (7) The department shall promulgate administrative regulations in accordance with
- 22 KRS Chapter 13A to set out a fee schedule for accident reports made available
- 23 pursuant to subsections (5) and (8) of this section. These fees shall be in addition to
- 24 those charged to the public for records produced under KRS Chapter 61.
- 25 (8) (a) The report shall be made available to a news-gathering organization, solely for
- 26 the purpose of publishing or broadcasting the news. The news-gathering
- 27 organization shall not use or distribute the report, or knowingly allow its use

1 or distribution, for a commercial purpose other than the news-gathering
2 organization's publication or broadcasting of the information in the report.

3 (b) For the purposes of this subsection:

4 1. "News-gathering organization" includes:

5 a. A newspaper or periodical if it:

6 i. Is published at least fifty (50) of fifty-two (52) weeks during
7 a calendar year;

8 ii. Contains at least twenty-five percent (25%) news content in
9 each issue or no more than seventy-five percent (75%)
10 advertising content in any issue in the calendar year; and

11 iii. Contains news of general interest to its readers that can
12 include news stories, editorials, sports, weddings, births, and
13 death notices;

14 b. A television or radio station with a valid broadcast license issued
15 by the Federal Communications Commission;

16 c. A news organization that broadcasts over a multichannel video
17 programming service as defined in KRS 136.602;

18 d. A Web site published by or affiliated with any entity described in
19 subdivision a., b., or c. of this subparagraph;

20 e. An online-only newspaper or magazine that publishes news or
21 opinion of interest to a general audience and is not affiliated with
22 any entity described in subparagraph 2. of this paragraph; and

23 f. Any other entity that publishes news content by any means to the
24 general public or to members of a particular profession or
25 occupational group; and

26 2. "News-gathering organization" does not include any product or
27 publication with the primary purpose of distributing advertising or of

1 publishing names and other personal identifying information concerning
2 parties to motor vehicle accidents which may be used to solicit for
3 services covered under Subtitle 39 of KRS Chapter 304.

4 (c) A news-gathering organization shall not be held to have used or knowingly
5 allowed the use of the report for a commercial purpose merely because of its
6 publication or broadcast.

7 (d) A request under this subsection shall be completed using a form promulgated
8 by the department through administrative regulations in accordance with KRS
9 Chapter 13A. The form under this paragraph shall include:

- 10 1. The name and address of the requestor and the news-gathering
11 organization the requestor represents;
- 12 2. A statement that the requestor is a news-gathering organization under
13 this subsection and identifying the specific subdivision of paragraph
14 (b)1. of this subsection under which the requester qualifies;
- 15 3. A statement that the request is in compliance with the criteria contained
16 in this section; and
- 17 4. A declaration of the requestor as to the accuracy and truthfulness of the
18 information provided in the request.

19 (e) 1. The department shall redact all personal information from a report prior
20 to making it available to a news-gathering organization as defined under
21 paragraph (b)1.f. of this subsection.

22 2. Reports may be provided to news-gathering organizations as defined
23 under paragraph (b)1.a. to e. of this subsection without redaction.

24 3. For the purposes of this paragraph, "personal information" means:

- 25 a. The address, driver's license number, phone number, date of birth,
26 and any other contact information contained in the report for each
27 person listed on the report; and

1 b. The vehicle identification numbers (VINs) for each vehicle listed
2 on the report.

3 (9) The motor vehicle insurers of any train engineer or other train crew member
4 involved in an accident on a railroad while functioning in their professional capacity
5 shall be prohibited from obtaining a copy of any accident report filed on the
6 accident under this section without written consent from the individual the company
7 insures. Insurance companies issuing motor vehicle policies in the Commonwealth
8 shall be prohibited from raising a policyholder's rates solely because the
9 policyholder, in his or her professional capacity, is a train engineer or other train
10 crew member involved in an accident on a railroad.

11 (10) For reporting and statistical purposes, motor scooters and autocycles as defined in
12 KRS 186.010 shall be listed as a distinct category and shall not be considered to be
13 a motor vehicle or a motorcycle for reports issued under this section.

14 ➔Section 12. KRS 281.010 (Effective January 1, 2023) is amended to read as
15 follows:

16 As used in this chapter:

17 (1) "Automobile club" means a person that, for consideration, promises to assist its
18 members or subscribers in matters relating to the assumption of or reimbursement
19 of the expense or a portion thereof for towing of a motor vehicle; emergency road
20 service; matters relating to the operation, use, and maintenance of a motor vehicle;
21 and the supplying of services which includes, augments, or is incidental to theft or
22 reward services, discount services, arrest bond services, lock and key services, trip
23 interruption services, and legal fee reimbursement services in defense of traffic-
24 related offenses;

25 (2) "Automobile utility trailer" means any trailer or semitrailer designed for use with
26 and towed behind a passenger motor vehicle;

27 (3) "Automobile utility trailer certificate" means a certificate authorizing a person to

- 1 engage in the business of automobile utility trailer lessor;
- 2 (4) "Automobile utility trailer lessor" means any person operating under an automobile
3 utility trailer certificate who is engaged in the business of leasing or renting
4 automobile utility trailers, but shall not include the agents of such persons;
- 5 (5) "Broker" means a person selected by the cabinet through a request for proposal
6 process to coordinate human service transportation delivery within a specific
7 delivery area. A broker may also provide transportation services within the specific
8 delivery area for which the broker is under contract with the cabinet;
- 9 (6) "Bus" means a motor vehicle operating under a bus certificate transporting
10 passengers for hire between points over regular routes;
- 11 (7) "Bus certificate" means a certificate granting authority for the operation of one (1)
12 or more buses;
- 13 (8) "Cabinet" means the Kentucky Transportation Cabinet;
- 14 (9) "Certificate" means a certificate of compliance issued under this chapter to motor
15 carriers;
- 16 (10) "Charter bus" means a motor vehicle operating under a charter bus certificate
17 providing for-hire intrastate transportation of a group of persons who, pursuant to a
18 common purpose under a single contract at a fixed charge for the motor vehicle,
19 have acquired the exclusive use of the motor vehicle to travel together under an
20 itinerary either specified in advance or modified after having left the place of origin;
- 21 (11) "Charter bus certificate" means a certificate granting authority for the operation of
22 one (1) or more charter buses;
- 23 (12) "Commissioner" means the commissioner of the Department of Vehicle Regulation;
- 24 (13) "CTAC" means the Coordinated Transportation Advisory Committee created in
25 KRS 281.870;
- 26 (14) "Department" means the Department of Vehicle Regulation;
- 27 (15) "Delivery area" means one (1) or more regions established by the cabinet in

- 1 administrative regulations promulgated under KRS Chapter 13A for the purpose of
2 providing human service transportation delivery in that region;
- 3 (16) "Disabled persons vehicle carrier" means a motor carrier for hire, transporting
4 passengers including the general public who require transportation in disabled
5 persons vehicles;
- 6 (17) "Disabled persons vehicle" means a motor vehicle operating under a disabled
7 persons vehicle certificate especially equipped for the transportation of passengers
8 with disabilities in accordance with 49 C.F.R. pt. 38, and is designed or constructed
9 with not more than fifteen (15) regular seats. It shall not mean an ambulance as
10 defined in KRS 311A.010. It shall not mean a motor vehicle equipped with a
11 stretcher;
- 12 (18) "Disabled persons vehicle certificate" means a certificate granting authority for the
13 operation of one (1) or more disabled persons vehicles transporting passengers for
14 hire;
- 15 (19) "Driveaway" means the transporting and delivering of motor vehicles, except
16 semitrailers and trailers, whether destined to be used in either a private or for-hire
17 capacity, under their own power or by means of a full mount method, saddle mount
18 method, the tow bar method, or any combination of them over the highways of this
19 state from any point of origin to any point of destination for hire. "Driveaway" does
20 not include the transportation of such vehicles by the full mount method on trailers
21 or semitrailers;
- 22 (20) "Driveaway certificate" means a certificate granting authority for the operation of
23 one (1) or more motor carrier vehicles operating as a driveaway;
- 24 (21) "Driver" means the person physically operating the motor vehicle;
- 25 (22) "Flatbed/rollback service" means a form of towing service which involves moving
26 vehicles by loading them onto a flatbed platform;
- 27 (23) **"Fully autonomous vehicle" has the same meaning as in Section 1 of this Act;**

- 1 (24) "Highway" means all public roads, highways, streets, and ways in this state, whether
2 within a municipality or outside of a municipality;
- 3 (25)~~(24)~~ "Household goods" has the same meaning as in 49 C.F.R. sec. 375.103;
- 4 (26)~~(25)~~ "Household goods carrier" has the same meaning as "household goods motor
5 carrier" in 49 C.F.R. sec. 375.103;
- 6 (27)~~(26)~~ "Household goods certificate" means a certificate granting authority for the
7 operation of one (1) or more household goods vehicles;
- 8 (28)~~(27)~~ "Human service transportation delivery" means the provision of transportation
9 services to any person that is an eligible recipient in one (1) of the following state
10 programs:
- 11 (a) Nonemergency medical transportation under KRS Chapter 205;
 - 12 (b) Mental health, intellectual disabilities, or comprehensive care under KRS
13 Chapter 202A, 202B, 210, or 645;
 - 14 (c) Work programs for public assistance recipients under KRS Chapter 205;
 - 15 (d) Adult services under KRS Chapter 205, 209, 216, or 273;
 - 16 (e) Vocational rehabilitation under KRS Chapter 151B or 157; or
 - 17 (f) Blind industries or rehabilitation under KRS Chapter 151B or 163;
- 18 (29)~~(28)~~ "Interstate commerce" has the same meaning as in 49 C.F.R. sec. 390.5;
- 19 (30)~~(29)~~ "Intrastate commerce" has the same meaning as in 49 C.F.R. sec. 390.5;
- 20 (31)~~(30)~~ "Limousine" means a motor vehicle operating under a limousine certificate
21 that is designed or constructed with not more than fifteen (15) regular seats;
- 22 (32)~~(31)~~ "Limousine certificate" means a certificate granting authority for the operation
23 of one (1) or more limousines transporting passengers for hire;
- 24 (33)~~(32)~~ "Mobile application" means an application or a computer program designed to
25 run on a smartphone, tablet computer, or other mobile device that is used by a TNC
26 to connect drivers with potential passengers;
- 27 (34)~~(33)~~ "Motor carrier" means any person in either a private or for-hire capacity who

1 owns, controls, operates, manages, or leases, except persons leasing to authorized
2 motor carriers, any motor vehicle for the transportation of passengers or property
3 upon any highway, and any person who engages in the business of automobile
4 utility trailer lessor, vehicle towing, driveaway, or U-Drive-It;

5 ~~(35)~~~~(34)~~ "Motor carrier vehicle" means a motor vehicle, including a fully autonomous
6 vehicle, used by a motor carrier to transport passengers or property;

7 ~~(36)~~~~(35)~~ "Motor carrier vehicle license" means a license issued by the department for a
8 motor carrier vehicle authorized to operate under a certificate;

9 ~~(37)~~~~(36)~~ "Motor carrier license plate" means a license plate issued by the department to
10 a motor carrier authorized to operate under a certificate other than a household
11 goods, property, TNC, peer-to-peer car sharing, or U-Drive-It certificate;

12 ~~(38)~~~~(37)~~ "Motor vehicle" means any motor-propelled vehicle used for the
13 transportation of passengers or property on a public highway, including any such
14 vehicle operated as a unit in combination with other vehicles;

15 ~~(39)~~~~(38)~~ "Passenger" means an individual or group of people;

16 ~~(40)~~~~(39)~~ "Peer-to-peer car sharing":

17 (a) Means the authorized use of a motor vehicle by an individual other than the
18 vehicle's owner through a peer-to-peer car sharing program; and

19 (b) Does not:

20 1. Include the operation of a U-Drive-It certificate as defined in this
21 section; or

22 2. Involve the sale or provision of rental vehicle insurance as defined in
23 KRS 304.9-020;

24 ~~(41)~~~~(40)~~ "Peer-to-peer car sharing certificate" means a certificate granting the authority
25 for the operation of a peer-to-peer car sharing program;

26 ~~(42)~~~~(41)~~ "Peer-to-peer car sharing company" means a person that operates a peer-to-
27 peer car sharing program;

1 ~~(43)~~~~(42)~~ "Peer-to-peer car sharing program":

2 (a) Means a business platform that connects shared vehicle owners with shared
3 vehicle drivers to enable the sharing of motor vehicles for financial
4 consideration; and

5 (b) Does not include a:

- 6 1. U-Drive-It;
- 7 2. Motor vehicle renting company as defined in KRS 281.687;
- 8 3. Rental vehicle agent as defined in KRS 304.9-020; or
- 9 4. Service provider that is solely providing hardware or software as a
10 service to a person or entity that is not effectuating payment of financial
11 consideration for use of a shared vehicle;

12 ~~(44)~~~~(43)~~ "Permit" means a temporary permit of compliance issued under this chapter
13 for a specified period not to exceed ten (10) days, and for a specific vehicle, to any
14 motor carrier, including one who is a nonresident of the Commonwealth, who
15 operates a motor vehicle and is not entitled to an exemption from the payment of
16 fees imposed under KRS 186.050 because of the terms of a reciprocal agreement
17 between the Commonwealth and the state in which the vehicle is licensed;

18 ~~(45)~~~~(44)~~ "Person" means any individual, firm, partnership, corporation, company,
19 association, or joint stock association, and includes any trustee, assignee, or
20 personal representative thereof;

21 ~~(46)~~~~(45)~~ "Platoon" means a group of two (2) individual commercial motor vehicles
22 traveling in a unified manner at electronically coordinated speeds at following
23 distances that are closer than would ordinarily be allowed under KRS
24 189.340(9)(b);

25 ~~(47)~~~~(46)~~ "Prearranged ride" means the period of time that begins when a transportation
26 network company driver accepts a requested ride through a digital network or
27 mobile application, continues while the driver transports the rider in a personal

1 vehicle, and ends when the transportation network company services end;

2 ~~(48)~~~~((47))~~ "Pre-trip acceptance liability policy" means the transportation network
3 company liability insurance coverage for incidents involving the driver for a period
4 of time when a driver is logged into a transportation network company's digital
5 network or mobile application but is not engaged in a prearranged ride;

6 ~~(49)~~~~((48))~~ "Property" means general or specific commodities, including hazardous and
7 nonhazardous materials;

8 ~~(50)~~~~((49))~~ "Property certificate" means a certificate granting authority for the
9 transportation of property, other than household goods, not exempt under KRS
10 281.605;

11 ~~(51)~~~~((50))~~ "Recovery":

12 (a) Means a form of towing service which involves moving vehicles by the use of
13 a wheel-lift device, such as a lift, crane, hoist, winch, cradle, jack, automobile
14 ambulance, tow dolly, or any other similar device as requested by a state or
15 local law enforcement agency; and

16 (b) Includes:

- 17 1. Relocating a vehicle or cargo from a place where towing is not possible
18 to a place where towing is possible; and
19 2. The cleanup of debris or cargo, and returning an area to pre-event
20 condition;

21 ~~(52)~~~~((51))~~ "Regular route" means the scheduled transportation of passengers between
22 designated points over designated routes under time schedules that provide a
23 regularity of services;

24 ~~(53)~~~~((52))~~ "Regular seat" means a seat ordinarily and customarily used by one (1)
25 passenger and, in determining such seating capacity, the manufacturer's rating may
26 be considered;

27 ~~(54)~~~~((53))~~ "Shared vehicle":

1 (a) Means a motor vehicle that is available for car sharing through a peer-to-peer
2 car sharing program; and

3 (b) Does not include a motor vehicle leased or rented by a person operating under
4 a U-Drive-It certificate;

5 ~~(55)~~~~(54)~~ "Shared vehicle driver" means an individual who has been authorized to drive
6 the shared vehicle by the shared vehicle owner under a car sharing program
7 agreement;

8 ~~(56)~~~~(55)~~ "Shared vehicle owner":

9 (a) Means the registered owner, or a person designated by the registered owner, of
10 a motor vehicle made available for sharing to shared vehicle drivers, through a
11 peer-to-peer car sharing program; and

12 (b) Does not include a:

- 13 1. Person operating a U-Drive-It certificate;
- 14 2. Motor vehicle renting company as defined in KRS 281.687; or
- 15 3. Rental vehicle agent as defined in KRS 304.9-020;

16 ~~(57)~~~~(56)~~ "Storage facility" means any lot, facility, or other property used to store motor
17 vehicles that have been removed from another location by a tow truck;

18 ~~(58)~~~~(57)~~ "Street hail" means a request for service made by a potential passenger using
19 hand gestures or verbal statement;

20 ~~(59)~~~~(58)~~ "Subcontractor" means a person who has signed a contract with a broker to
21 provide human service transportation delivery within a specific delivery area and
22 who meets human service transportation delivery requirements, including proper
23 operating authority;

24 ~~(60)~~~~(59)~~ "Tariff" means the listing of compensation received by a motor carrier for
25 household goods that includes the manner in which and the amount of fares an
26 authorized motor carrier may charge;

27 ~~(61)~~~~(60)~~ "Taxicab" means a motor vehicle operating under a taxicab certificate that is

1 designed or constructed with not more than eight (8) regular seats and may be
2 equipped with a taximeter;

3 ~~(62)~~~~((61))~~ "Taxicab certificate" means a certificate granting authority for the operation of
4 one (1) or more taxicabs transporting passengers for hire;

5 ~~(63)~~~~((62))~~ "Taximeter" means an instrument or device approved by the department that
6 automatically calculates and plainly indicates the charge to a passenger for hire who
7 is being charged on the basis of mileage;

8 ~~(64)~~~~((63))~~ "Tow truck" means a motor vehicle equipped to provide any form of towing
9 service, including recovery service or flatbed/rollback service;

10 ~~(65)~~~~((64))~~ "Tow truck operator" means an individual who operates a tow truck as an
11 employee or agent of a towing company;

12 ~~(66)~~~~((65))~~ "Towing" means:

13 (a) Emergency towing, which is the towing of a motor vehicle, with or without
14 the owner's consent, because of:

- 15 1. A motor vehicle accident on a public highway;
16 2. An incident related to an emergency; or
17 3. An incident that necessitates the removal of the motor vehicle from a
18 location for public safety reasons;

19 (b) Private property towing, which is the towing of a motor vehicle, without the
20 owner's consent, from private property:

- 21 1. On which the motor vehicle was illegally parked; or
22 2. Because of an exigent circumstance necessitating its removal to another
23 location; and

24 (c) Seizure towing, which is the towing of a motor vehicle for law enforcement
25 purposes involving the:

- 26 1. Maintenance of the chain of custody of evidence;
27 2. Forfeiture of assets; or

1 3. Delinquency of highway fuel tax, weight distance tax, or any other taxes
2 and fees administered by the Transportation Cabinet;

3 ~~(67)~~ "Towing company":

4 (a) Means a service or business operating as a motor carrier that:

5 1. Tows or otherwise moves motor vehicles by means of a tow truck; or

6 2. Owns or operates a storage lot;

7 (b) Includes a tow truck operator acting on behalf of a towing company when
8 appropriate in the context; and

9 (c) Does not include an automobile club, car dealership, insurance company,
10 repossession company, lienholders and entities hired by lienholders for the
11 purpose of repossession, local government, or any other entity that contracts
12 with a towing company;

13 ~~(68)~~ "Transportation network company" or "TNC" means a person or entity that
14 connects passengers through its digital network or mobile application to its drivers
15 for the provision of transportation network company services;

16 ~~(69)~~ "Transportation network company certificate" or "TNC certificate" means a
17 certificate granting the authority for the operation of one (1) or more transportation
18 network company vehicles transporting passengers for hire;

19 ~~(70)~~ "Transportation network company driver" or "TNC driver" means an
20 individual who operates a motor vehicle that is owned or leased by the individual,
21 or a motor vehicle for which the driver is an insured driver and has the permission
22 of the owner or lessee of the motor vehicle, and used to provide transportation
23 network company services;

24 ~~(71)~~ "Transportation network company service" or "TNC service" means a
25 prearranged passenger transportation service offered or provided through the use of
26 a transportation network company mobile application or digital network to connect
27 potential passengers with transportation network company drivers;

1 ~~(72)~~~~(71)~~ "Transportation network company vehicle" or "TNC vehicle" means a
2 privately owned or leased motor vehicle, including a fully autonomous vehicle,
3 designed or constructed with not more than eight (8) regular seats, operating under a
4 transportation network company certificate;

5 ~~(73)~~~~(72)~~ "U-Drive-It" means any person operating under a U-Drive-It certificate who
6 leases or rents a motor vehicle for consideration to be used for the transportation of
7 persons or property, but for which no driver is furnished, and the use of which
8 motor vehicle is not for the transportation of persons or property for hire by the
9 lessee or rentee; and

10 ~~(79)~~~~(73)~~ "U-Drive-It certificate" means a certificate granting authority for the operation
11 of one (1) or more U-Drive-Its.

12 ➔Section 13. KRS 281.630 (Effective January 1, 2023) is amended to read as
13 follows:

14 (1) A person shall not act as a motor carrier without first obtaining a certificate from
15 the department.

16 (2) A certificate for the intrastate transportation of passengers or property, including
17 household goods, shall be issued to any qualified applicant authorizing operation
18 covered by the application, if it is found that the applicant conforms to the
19 provisions of this chapter and the requirements of the administrative regulations
20 promulgated in accordance with this section.

21 (3) (a) The department shall issue the following certificates:

- 22 1. Taxicab certificate;
- 23 2. Limousine certificate;
- 24 3. Disabled persons vehicle certificate;
- 25 4. Transportation network company certificate;
- 26 5. Household goods certificate;
- 27 6. Charter bus certificate;

- 1 7. Bus certificate;
- 2 8. U-Drive-It certificate;
- 3 9. Property certificate;
- 4 10. Driveaway certificate;
- 5 11. Peer-to-peer car sharing certificate;~~[-and]~~
- 6 12. Automobile utility trailer certificate.

7 (b) Application for a certificate shall be made in such form as the department may
8 require. The department shall receive an application fee of two hundred fifty
9 dollars (\$250) for all applications, except that the department shall receive an
10 application fee of twenty-five dollars (\$25) for a property certificate.

11 (c) Before the department may issue a certificate, an applicant shall:

- 12 1. Pay the application fee established under paragraph (b) of this
13 subsection;
- 14 2. For entities other than TNCs and peer-to-peer car sharing companies,
15 file a motor carrier vehicle license application for each motor carrier
16 vehicle as required by KRS 281.631. The applicant shall file at least one
17 (1) motor carrier vehicle license application before being eligible for a
18 certificate;
- 19 3. For TNCs, file a TNC authority application with the department
20 pursuant to administrative regulations promulgated by the department;
- 21 4. For peer-to-peer car sharing companies, file a peer-to-peer car sharing
22 certificate application with the department pursuant to administrative
23 regulations promulgated by the department;
- 24 5. File with the department one (1) or more approved indemnifying bonds
25 or insurance policies as required by KRS 281.655;
- 26 6. For taxicab, limousine, disabled persons vehicle, TNC, household
27 goods, charter bus, and bus certificates, obtain and retain for a period of

- 1 at least three (3) years, a nationwide criminal background check, in
2 compliance with KRS 281.6301, of each owner, official, employee,
3 independent contractor, or agent operating a passenger vehicle or
4 household goods vehicle or entering a private residence or storage
5 facility for the purpose of providing or facilitating the transportation of
6 household goods;
- 7 7. For household goods certificates, file with the department a current
8 tariff; and
- 9 8. For a bus certificate, file with the department authorization from a city
10 as required by KRS 281.635.
- 11 (4) (a) Every certificate shall be renewed annually. Application for renewal shall be
12 in such form as the department may require.
- 13 (b) A certificate not renewed within one (1) calendar year after the date for its
14 renewal shall become null and void.
- 15 (c) The department shall not renew any certificate if it has been revoked or, if
16 suspended, during the period of any suspension. A certificate shall not be
17 considered revoked or suspended when an appeal of the revocation or
18 suspension is pending in a court of competent jurisdiction.
- 19 (d) For the renewal of an intrastate certificate, the department shall receive a fee
20 of two hundred fifty dollars (\$250), except for an application for renewal of a
21 property certificate, for which the department shall receive a fee of twenty-
22 five dollars (\$25).
- 23 (e) Before the department may renew a certificate, the certificate holder shall:
- 24 1. Pay the renewal fee established under paragraph (d) of this subsection;
- 25 2. For the entities other than TNCs and peer-to-peer car sharing companies,
26 file a motor carrier vehicle license application or renewal for each motor
27 carrier vehicle as required by KRS 281.631. The certificate holder shall

- 1 file at least one (1) motor carrier vehicle license application or renewal
2 before being eligible for renewal;
- 3 3. For TNCs, file a TNC authority application with the department
4 pursuant to administrative regulations promulgated by the department;
- 5 4. For peer-to-peer car sharing companies, file a peer-to-peer car sharing
6 certificate application with the department pursuant to administrative
7 regulations promulgated by the department;
- 8 5. File with the department one (1) or more approved indemnifying bonds
9 or insurance policies as required by KRS 281.655;
- 10 6. Every three (3) years, for taxicab, limousine, disabled persons vehicle,
11 TNC, household goods, charter bus, and bus certificates, obtain and
12 retain for a period of at least three (3) years, a nationwide criminal
13 background check in compliance with KRS 281.6301, of each owner,
14 official, employee, independent contractor, or agent operating a
15 passenger vehicle or entering a private residence or storage facility for
16 the purpose of providing or facilitating the transportation of household
17 goods. However, within the three (3) year period:
- 18 a. If a new owner, official, employee, independent contractor, or
19 agent joins the certificate holder and performs the aforementioned
20 duties; or
- 21 b. If the certificate holder has knowledge that a current owner,
22 official, employee, independent contractor, or agent who performs
23 the aforementioned duties has been convicted of or pled guilty to
24 any of the offenses listed in KRS 281.6301(2);
- 25 then the certificate holder shall obtain and retain for a period of at least
26 three (3) years, a nationwide criminal background check for that owner,
27 official, employee, independent contractor, or agent; and

- 1 7. For household goods certificates, have on file with the department a
2 current tariff.
- 3 (5) (a) A motor carrier operating under a household goods certificate shall, at all
4 times the certificate is in effect, maintain on file with the department a current
5 tariff.
- 6 (b) Except for a household goods certificate holder that has had only an out-of-
7 state address on file with the department prior to January 1, 2015, all
8 certificate holders shall maintain on file with the department an address within
9 the Commonwealth. The certificate holder shall keep open for public
10 inspection at that address such information as the department may require.
- 11 (c) The certificate holder shall not charge, demand, collect, or receive a greater,
12 less, or different compensation for the transportation of household goods or
13 for any service in connection therewith, than the tariff filed with the
14 department and in effect at the time would require. A certificate holder shall
15 not make or give any unreasonable preference or advantage to any person, or
16 subject any person to any unreasonable discrimination.
- 17 (6) A certificate shall not be transferred unless the transfer involves either the change of
18 the legal name of the existing certificate holder or the incorporation of a sole
19 proprietor certificate holder.
- 20 (7) A certificate authorizing a person to act as an automobile utility trailer lessor shall
21 also authorize the agents of the person to act on his or her behalf during the period
22 of their agency.
- 23 (8) A motor carrier vehicle shall not be operated after the expiration of the certificate
24 under which it is operated.
- 25 (9) A person shall not knowingly employ the services of a motor carrier not authorized
26 to perform such services.
- 27 (10) If the department, after a hearing held upon its own motion or upon complaint, finds

1 any existing rate unjustly discriminatory, or finds the services rendered or facilities
2 employed by any motor carrier to be unsafe, inadequate, inconvenient, or in
3 violation of law or of the administrative regulations of the department, it may by
4 final order do any or all of the following:

- 5 (a) Require the certificate holder to follow any rate or time schedule in effect at
6 the time of service;
- 7 (b) Require the certificate holder to issue a refund to the complainant;
- 8 (c) Require the certificate holder to pay the fine set out in KRS 281.990 to the
9 department; and
- 10 (d) Determine the reasonable, safe, adequate, and convenient service to be
11 thereafter furnished.

12 (11) Hearings conducted under authority of this section shall be conducted in the same
13 manner as provided in KRS 281.640.

14 (12) (a) Subject to the limitation of paragraph (b) of this subsection, the department
15 shall have the power to promulgate administrative regulations as it may deem
16 necessary to carry out the provisions of this section.

17 (b) Any administrative regulation that reasonably applies only to a human
18 driver shall not apply to the operation of a fully autonomous vehicle
19 licensed under this section.

20 ➔Section 14. KRS 281.764 is amended to read as follows:

21 (1) A motor carrier may operate a platoon on the highways of this state if the motor
22 carrier complies with this section.

23 (2) Motor carriers wishing to operate a platoon shall provide notification to the
24 department and the Kentucky State Police, including a plan for general platoon
25 operations. The department shall have thirty (30) days from the date of receipt to
26 review the notification plan submitted and determine whether it will approve or
27 reject the plan. If the department rejects a submitted plan, it shall inform the motor

1 carrier of the reason for the rejection and provide guidance on how to resubmit the
2 notification and plan to meet the standards.

3 (3) Only commercial motor vehicles shall be eligible to operate in a platoon.

4 (4) An appropriately endorsed driver who holds a valid commercial driver's license
5 shall be present behind the wheel of the lead~~each~~ commercial motor vehicle in a
6 platoon.

7 (5) A commercial motor vehicle involved in a platoon shall not draw another motor
8 vehicle in the platoon.

9 (6) Each commercial motor vehicle involved in a platoon shall display a marking
10 warning other motorists and law enforcement that the vehicle may be part of a
11 platoon.

12 (7) The department shall promulgate administrative regulations in accordance with
13 KRS Chapter 13A to set forth procedures for platooning, including required
14 elements of a platooning plan.