

1 AN ACT relating to highway work zones.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 189 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Automated speed enforcement device" means a photographic, radar, lidar,*
7 *laser, or other device with one (1) or more vehicle sensors that transmits a*
8 *vehicle's speed and an image of the rear license plate of a vehicle exceeding*
9 *the speed limit; and*

10 *(b) "Images" means images transmitted by an automated speed enforcement*
11 *device showing the speed and rear license plate of a motor vehicle.*

12 *(2) A peace officer may issue a citation at the time of an offense in a highway work*
13 *zone based on images transmitted by an automated speed enforcement device if:*

14 *(a) A motor vehicle is detected traveling in excess of ten (10) miles per hour*
15 *over the posted speed limit;*

16 *(b) At least one (1) bona fide worker is present in the highway work zone; and*

17 *(c) There is a peace officer certified under KRS 15.380 to 15.404 present in or*
18 *near the end of the highway work zone in a marked vehicle.*

19 *(3) The cabinet shall:*

20 *(a) 1. Install signage in highway work zones notifying the public that vehicle*
21 *speed within the work zone may be enforced by an automated speed*
22 *enforcement device; and*

23 *2. Require the signage to be affixed with lights that shall be flashing at*
24 *all times when the automated speed enforcement device is active; and*

25 *(b) Calibrate the automated speed enforcement device on an annual basis.*

26 *(4) An image transmitted by an automated speed enforcement device under this*
27 *section shall not be disclosed to anyone other than the driver of the vehicle.*

1 **(5) The cabinet shall promulgate administrative regulations in accordance with KRS**
 2 **Chapter 13A relating to any matters necessary for the efficient administration of**
 3 **automated speed enforcement under this section.**

4 ➔Section 2. KRS 189.2327 is amended to read as follows:

5 (1) Subject to the requirements of subsection (2) of this section, if a violation of KRS
 6 189.290 to 189.575, ~~or~~ 189.910 to 189.960, **or Section 1 of this Act** occurred in a
 7 highway work zone, the fine shall be:

8 (a) **1.** Five hundred dollars (\$500) if no person is physically injured or dies as
 9 a result of the violation. Notwithstanding the provisions of KRS
 10 189.999, the fine under this paragraph is prepayable; and

11 **2. A driver may attend a state traffic school or a county attorney-**
 12 **operated traffic safety program established pursuant to KRS 186.574**
 13 **for a violation of Section 1 of this Act; and**

14 (b) Not less than five hundred dollars (\$500) nor more than ten thousand dollars
 15 (\$10,000) if the violation results in physical injury to or death of any person.

16 (2) (a) In order for an increased fine to be imposed under this section, the highway
 17 work zone must have:

18 1. Signs displayed informing drivers of the existence of a highway work
 19 zone and that fines are increased in it; and

20 2. At least one (1) bona fide worker **is present in the highway work**
 21 **zone**~~present~~.

22 (b) If a violation of any of the offenses identified in subsection (1) of this section
 23 can be classified as a misdemeanor, those penalties shall apply in addition to
 24 the penalties in subsection (1) of this section.

25 (3) All fines collected for violations in a highway work zone under this section shall be
 26 deposited into a separate trust and agency account within the Transportation
 27 Cabinet known as the "highway work zone safety fund." The highway work zone

- 1 safety fund shall be used exclusively by the Transportation Cabinet to hire or pay
- 2 for enhanced law enforcement of traffic laws within highway work zones.
- 3 ➔Section 3. This Act may be cited as the Jared Lee Helton Act of 2025.