

1 AN ACT relating to school bus safety.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
4 READ AS FOLLOWS:

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

6 *(a) "Camera monitoring system" means a system with one (1) or more camera*
7 *sensors or computers installed and operated on a school bus, which:*

8 *1. Produce recorded images; and*

9 *2. Record the activation status of the stop arm and the time, date, and*
10 *location of the school bus when the recorded images are captured;*

11 *(b) "Recorded images" means two (2) or more photographic images or a*
12 *segment of any video medium recorded by a camera monitoring system*
13 *which show on at least one (1) image or portion of video the registration*
14 *plate number of a motor vehicle being operated in violation of Section 3 of*
15 *this Act;*

16 *(c) "School district" means a county school district as described in KRS*
17 *160.010 or an independent school district as described in KRS 160.020; and*

18 *(d) "Stop arm camera violation" means a violation of Section 3 of this Act that*
19 *is recorded by a camera monitoring system.*

20 *(2) A school district may install and maintain a camera monitoring system on any*
21 *school bus operated by the school district for the enforcement of Section 3 of this*
22 *Act.*

23 *(3) A school district may contract with a private vendor or manufacturer to install,*
24 *operate, and maintain camera monitoring systems on school buses operated by*
25 *the school district.*

26 *(4) A school bus with a camera monitoring system installed and maintained in*
27 *accordance with this section shall display a warning sign notifying the public of*

1 the camera monitoring system.

2 (5) Recorded images and other records related to a specific stop arm camera
3 violation are private information and shall only be accessible to authorized
4 personnel for the purpose of enforcing stop arm camera violations, traffic
5 violations, and any other incidents captured by the camera monitoring system in
6 the course of normal operation that could result in civil or criminal liability.

7 (6) A recorded image produced by a camera monitoring system shall be destroyed no
8 later than thirty-one (31) days from the date the recorded image is captured if the
9 recorded image does not result in a stop arm camera violation under Section 3 of
10 this Act.

11 ➔Section 2. KRS 189.990 is amended to read as follows:

12 (1) Any person who violates any of the provisions of KRS 189.020 to 189.040,
13 subsection (1) or (4) of KRS 189.050, KRS 189.060 to 189.080, subsections (1) to
14 (3) of KRS 189.090, KRS 189.100, 189.110, 189.130 to 189.160, subsections (2) to
15 (4) of KRS 189.190, KRS 189.200, 189.285, subsection (1) or (2) of KRS 189.290,
16 189.300 to 189.360, KRS 189.380, KRS 189.400 to 189.430, KRS 189.450 to
17 189.458, KRS 189.4595 to 189.480, subsection (1) of KRS 189.520, KRS 189.540,
18 KRS 189.570 to 189.590, except subsection (1)(b) or (6)(b) of KRS 189.580, KRS
19 189.345, subsection (6) of KRS 189.456, and 189.960 shall be fined not less than
20 twenty dollars (\$20) nor more than one hundred dollars (\$100) for each offense.
21 Any person who violates subsection (1)(a) of KRS 189.580 shall be fined not less
22 than twenty dollars (\$20) nor more than two thousand dollars (\$2,000) or
23 imprisoned in the county jail for not more than one (1) year, or both, unless the
24 accident involved death or serious physical injury and the person knew or should
25 have known of the death or serious physical injury, in which case the person shall
26 be guilty of a Class D felony. Any person who violates paragraph (c) of subsection
27 (5) of KRS 189.390 shall be fined not less than eleven dollars (\$11) nor more than

1 thirty dollars (\$30). Neither court costs nor fees shall be taxed against any person
2 violating paragraph (c) of subsection (5) of KRS 189.390.

3 (2) (a) 1. Except as provided in subparagraph 2. of this paragraph, any person
4 who violates the weight provisions of KRS 189.212, 189.221, 189.222,
5 189.226, 189.230, 189.270, or 189.2713 shall be fined two cents (\$0.02)
6 per pound for each pound of excess load when the excess is five
7 thousand (5,000) pounds or less. When the excess exceeds five thousand
8 (5,000) pounds the fine shall be two cents (\$0.02) per pound for each
9 pound of excess load, but the fine levied shall not be less than one
10 hundred dollars (\$100) and shall not be more than five hundred dollars
11 (\$500).

12 2. Any person who violates a posted bridge weight limit on a state-
13 maintained bridge that is more than seventy-five (75) years old shall be
14 fined:

15 a. Five hundred dollars (\$500) for the first offense;

16 b. One thousand dollars (\$1,000) for the second offense within a one
17 (1) year period; and

18 c. Two thousand dollars (\$2,000) for any subsequent offense within a
19 one (1) year period.

20 The Transportation Cabinet shall erect signs warning drivers of the
21 increased fines in this subparagraph. Signs erected under this
22 subparagraph shall be placed in such a manner that drivers are given
23 adequate warning in order to exit the road prior to crossing the bridge. If
24 warning signs are not erected in accordance with this subparagraph, the
25 fines in this subparagraph shall not apply and violators shall be fined
26 under subparagraph 1. of this paragraph.

27 (b) Any person who violates the provisions of KRS 189.271 and is operating on a

1 route designated on the permit shall be fined one hundred dollars (\$100);
2 otherwise, the penalties in paragraph (a) of this subsection shall apply.

3 (c) Any person who violates any provision of subsection (2) or (3) of KRS
4 189.050, subsection (4) of KRS 189.090, KRS 189.221 to 189.230, 189.270,
5 189.2713, 189.280, or the dimension provisions of KRS 189.212, for which
6 another penalty is not specifically provided shall be fined not less than ten
7 dollars (\$10) nor more than five hundred dollars (\$500).

8 (d) 1. Any person who violates the provisions of KRS 177.985 while operating
9 on a route designated in KRS 177.986 shall be fined one hundred dollars
10 (\$100).

11 2. Any person who operates a vehicle with a permit under KRS 177.985 in
12 excess of eighty thousand (80,000) pounds while operating on a route
13 not designated in KRS 177.986 shall be fined one thousand dollars
14 (\$1,000).

15 (e) Nothing in this subsection or in KRS 189.221 to 189.228 shall be deemed to
16 prejudice or affect the authority of the Department of Vehicle Regulation to
17 suspend or revoke certificates of common carriers, permits of contract
18 carriers, or drivers' or chauffeurs' licenses, for any violation of KRS 189.221
19 to 189.228 or any other act applicable to motor vehicles, as provided by law.

20 (3) (a) Any person who violates subsection (1) of KRS 189.190 shall be fined not
21 more than fifteen dollars (\$15).

22 (b) Any person who violates subsection (5) of KRS 189.190 shall be fined not
23 less than thirty-five dollars (\$35) nor more than two hundred dollars (\$200).

24 (4) (a) Any person who violates subsection (1) of KRS 189.210 shall be fined not
25 less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100).

26 (b) Any peace officer who fails, when properly informed, to enforce KRS
27 189.210 shall be fined not less than twenty-five dollars (\$25) nor more than

1 one hundred dollars (\$100).

2 (c) All fines collected under this subsection, after payment of commissions to
3 officers entitled thereto, shall go to the county road fund if the offense is
4 committed in the county, or to the city street fund if committed in the city.

5 (5) Any person who violates KRS 189.370 shall for the first offense be fined not less
6 than ~~five~~~~one~~ hundred dollars ~~(\$500)~~~~(\$100)~~ nor more than ~~one thousand~~~~two~~
7 ~~hundred~~ dollars ~~(\$1,000)~~~~(\$200)~~ or imprisoned not less than thirty (30) days nor
8 more than sixty (60) days, or both. For each subsequent offense occurring within
9 three (3) years, the person shall be fined not less than ~~one thousand~~~~three hundred~~
10 dollars ~~(\$1,000)~~~~(\$300)~~ nor more than ~~one thousand~~ five hundred dollars
11 ~~(\$1,500)~~~~(\$500)~~ or imprisoned not less than sixty (60) days nor more than six (6)
12 months, or both. *The first three hundred dollars (\$300) of each fine assessed*
13 *under this subsection shall be transferred to the school district in the county*
14 *where the offense occurred, for the express purpose of purchasing and*
15 *maintaining camera monitoring systems on school buses operated by the school*
16 *district.* The minimum fine for this violation shall not be subject to suspension. A
17 minimum of six (6) points shall be assessed against the driving record of any person
18 convicted.

19 (6) Any person who violates KRS 189.500 shall be fined not more than fifteen dollars
20 (\$15) in excess of the cost of the repair of the road.

21 (7) Any person who violates KRS 189.510 or KRS 189.515 shall be fined not less than
22 twenty dollars (\$20) nor more than fifty dollars (\$50).

23 (8) Any peace officer who violates subsection (2) of KRS 189.520 shall be fined not
24 less than thirty-five dollars (\$35) nor more than one hundred dollars (\$100).

25 (9) (a) Any person who violates KRS 189.530(1) shall be fined not less than thirty-
26 five dollars (\$35) nor more than one hundred dollars (\$100), or imprisoned
27 not less than thirty (30) days nor more than twelve (12) months, or both.

- 1 (b) Any person who violates KRS 189.530(2) shall be fined not less than thirty-
2 five dollars (\$35) nor more than one hundred dollars (\$100).
- 3 (10) Any person who violates any of the provisions of KRS 189.550 shall be guilty of a
4 Class B misdemeanor.
- 5 (11) Any person who violates subsection (3) of KRS 189.560 shall be fined not less than
6 thirty dollars (\$30) nor more than one hundred dollars (\$100) for each offense.
- 7 (12) The fines imposed by paragraph (a) of subsection (3) and subsections (6) and (7) of
8 this section shall, in the case of a public highway, be paid into the county road fund,
9 and, in the case of a privately owned road or bridge, be paid to the owner. These
10 fines shall not bar an action for damages for breach of contract.
- 11 (13) Any person who violates any of the provisions of KRS 189.120 shall be fined not
12 less than twenty dollars (\$20) nor more than one hundred dollars (\$100) for each
13 offense.
- 14 (14) Any person who violates any provision of KRS 189.575 shall be fined not less than
15 twenty dollars (\$20) nor more than twenty-five dollars (\$25).
- 16 (15) Any person who violates subsection (2) of KRS 189.231 shall be fined not less than
17 twenty dollars (\$20) nor more than one hundred dollars (\$100) for each offense.
- 18 (16) Any person who violates restrictions or regulations established by the secretary of
19 transportation pursuant to subsection (3) of KRS 189.231 shall, upon first offense,
20 be fined one hundred dollars (\$100) and, upon subsequent convictions, be fined not
21 less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or
22 imprisoned for thirty (30) days, or both.
- 23 (17) (a) Any person who violates any of the provisions of KRS 189.565 shall be guilty
24 of a Class B misdemeanor.
- 25 (b) In addition to the penalties prescribed in paragraph (a) of this subsection, in
26 case of violation by any person in whose name the vehicle used in the
27 transportation of inflammable liquids or explosives is licensed, the person

1 shall be fined not less than one hundred dollars (\$100) nor more than five
2 hundred dollars (\$500). Each violation shall constitute a separate offense.

3 (18) Any person who abandons a vehicle upon the right-of-way of a state highway for
4 three (3) consecutive days shall be fined not less than thirty-five dollars (\$35) nor
5 more than one hundred dollars (\$100), or imprisoned for not less than ten (10) days
6 nor more than thirty (30) days.

7 (19) Every person violating KRS 189.393 shall be guilty of a Class B misdemeanor,
8 unless the offense is being committed by a defendant fleeing the commission of a
9 felony offense which the defendant was also charged with violating and was
10 subsequently convicted of that felony, in which case it is a Class A misdemeanor.

11 (20) Any law enforcement agency which fails or refuses to forward the reports required
12 by KRS 189.635 shall be subject to the penalties prescribed in KRS 17.157.

13 (21) A person who operates a bicycle in violation of the administrative regulations
14 promulgated pursuant to KRS 189.287 shall be fined not less than ten dollars (\$10)
15 nor more than one hundred dollars (\$100).

16 (22) Any person who violates KRS 189.860 shall be fined not more than five hundred
17 dollars (\$500) or imprisoned for not more than six (6) months, or both.

18 (23) Any person who violates KRS 189.754 shall be fined not less than twenty-five
19 dollars (\$25) nor more than three hundred dollars (\$300).

20 (24) Any person who violates the provisions of KRS 189.125(3)(a) shall be fined fifty
21 dollars (\$50). This fine shall be subject to prepayment. A fine imposed under this
22 subsection shall not be subject to court costs pursuant to KRS 24A.175, additional
23 court costs pursuant to KRS 24A.176, the fee imposed pursuant to KRS 24A.1765,
24 or any other additional fees or costs.

25 (25) Any person who violates the provisions of KRS 189.125(3)(b) shall ~~not be issued a~~
26 ~~uniform citation, but shall instead receive a courtesy warning up until July 1, 2009.~~
27 ~~For a violation on or after July 1, 2009, the person shall be~~ fined thirty dollars

1 (\$30). This fine shall be subject to prepayment. A fine imposed under this
2 subsection shall not be subject to court costs pursuant to KRS 24A.175, additional
3 court costs pursuant to KRS 24A.176, a fee imposed pursuant to KRS 24A.1765, or
4 any other additional fees or costs. A person who has not been previously charged
5 with a violation of KRS 189.125(3)(b) may elect to acquire a booster seat meeting
6 the requirements of KRS 189.125. Upon presentation of sufficient proof of the
7 acquisition, the charge shall be dismissed and no fees or costs shall be imposed.

8 (26) Any person who violates the provisions of KRS 189.125(6) shall be fined an
9 amount not to exceed twenty-five dollars (\$25). This fine shall be subject to
10 prepayment. A fine imposed under this subsection shall not be subject to court costs
11 pursuant to KRS 24A.175, additional court costs pursuant to KRS 24A.176, the fee
12 imposed pursuant to KRS 24A.1765, or any other additional fees or costs.

13 (27) Fines levied pursuant to this chapter shall be assessed in the manner required by
14 KRS 534.020, in amounts consistent with this chapter. Nonpayment of fines shall
15 be governed by KRS 534.020 and 534.060.

16 (28) A licensed driver under the age of eighteen (18) charged with a moving violation
17 pursuant to this chapter as the driver of a motor vehicle may be referred, prior to
18 trial, by the court to a diversionary program. The diversionary program under this
19 subsection shall consist of one (1) or both of the following:

20 (a) Execution of a diversion agreement which prohibits the driver from operating
21 a vehicle for a period not to exceed forty-five (45) days and which allows the
22 court to retain the driver's operator's license during this period; and

23 (b) Attendance at a driver improvement clinic established pursuant to KRS
24 186.574. If the person completes the terms of this diversionary program
25 satisfactorily the violation shall be dismissed.

26 (29) A person who violates the provisions of subsection (2) or (3) of KRS 189.459 shall
27 be fined two hundred fifty dollars (\$250). The fines and costs for a violation of

1 subsection (2) or (3) of KRS 189.459 shall be collected and disposed of in
2 accordance with KRS 24A.180. Once deposited into the State Treasury, ninety
3 percent (90%) of the fine collected under this subsection shall immediately be
4 forwarded to the personal care assistance program under KRS 205.900 to 205.920.
5 Ten percent (10%) of the fine collected under this subsection shall annually be
6 returned to the county where the violation occurred and distributed equally to all
7 law enforcement agencies within the county.

8 (30) Any person who violates KRS 189.292 or 189.294 shall be fined twenty-five dollars
9 (\$25) for the first offense and fifty dollars (\$50) for each subsequent offense.

10 (31) Any person who violates KRS 189.281(5) or (7)(b) shall be subject to a fine of two
11 hundred fifty dollars (\$250). This fine shall be subject to prepayment. A fine
12 imposed under this subsection shall not be subject to court costs pursuant to KRS
13 24A.175, additional costs pursuant to KRS 24A.176, the fee imposed pursuant to
14 KRS 24A.1765, or any other additional fees or costs.

15 (32) Any person who violates subsection (3) or (4) of KRS 189.290 and causes physical
16 injury to a person shall be fined five hundred dollars (\$500).

17 ➔Section 3. KRS 189.370 is amended to read as follows:

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

26 (2) ~~Subsection (1) of~~ This section shall be applicable only when the bus displays the
27 markings and equipment required by Kentucky minimum specifications for school

1 buses.

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

7 ➔Section 4. KRS 186.763 is amended to read as follows:

8 (1) Subject to the limitations in subsection (2) of this section, a person may operate a
9 fully autonomous vehicle on the highways of this state without a human driver
10 provided that the automated driving system is engaged and the vehicle meets the
11 following conditions:

12 (a) If a failure of the automated driving system occurs that renders that system
13 unable to perform the entire dynamic driving task relevant to its intended
14 operational design domain, the fully autonomous vehicle will achieve a
15 minimal risk condition;

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

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

25 (2) From July 15, 2024, until July 31, 2026, a fully autonomous vehicle for which the
26 declared gross weight of the vehicle and any towed unit is more than sixty-two
27 thousand (62,000) pounds shall have a human driver, with the appropriate

1 credentials to operate the vehicle, present in the vehicle to monitor the performance
2 of the vehicle and intervene if necessary.

- 3 (3) Prior to operating a fully autonomous vehicle on the highways of this state without
4 a human driver, a person shall submit a law enforcement interaction plan to the
5 Transportation Cabinet and the Department of Kentucky State Police that describes:
6 (a) How to communicate with a fleet support specialist who is available during
7 the times the vehicle is in operation;
8 (b) How to safely remove the fully autonomous vehicle from the roadway and
9 steps to safely tow the vehicle;
10 (c) How to recognize whether the automated driving system is engaged on the
11 fully autonomous vehicle; and
12 (d) Any additional information the manufacturer or owner deems necessary
13 regarding hazardous conditions or public safety risks associated with the
14 operation of the fully autonomous vehicle.

15 **(4) A school district shall not:**

- 16 **(a) Operate a fully autonomous vehicle as a school bus as defined in KRS**
17 **156.153; or**
18 **(b) Use any fully autonomous vehicle to transport students for any purpose.**

19 ➔Section 5. Sections 1 to 3 of this Act take effect January 1, 2026.