

1 AN ACT relating to the Department of Kentucky State Police.

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

3 ➔Section 1. KRS 16.060 is amended to read as follows:

4 **(1)** It shall be the duty of the commissioner, each officer of the department, and each  
5 individual employed as a Trooper R Class or CVE R Class to:

6 **(a)** Detect and prevent crime;~~;~~

7 **(b)** Apprehend criminals;~~;~~

8 **(c)** Maintain law and order throughout the state;~~;~~

9 **(d)** ~~to~~ Collect, classify, and maintain information useful for the detection of  
10 crime and the identification, apprehension, and conviction of criminals; and

11 **(e)** ~~to~~ Enforce the criminal, ~~as well as the~~ motor vehicle, and traffic laws of  
12 the Commonwealth.

13 **(2)** ~~To this end~~ The commissioner, each officer of the department, and each individual  
14 employed as a Trooper R Class or CVE R Class is individually vested with the  
15 powers of a peace officer and shall:

16 **(a)** Have in all parts of the state the same powers with respect to criminal matters  
17 and enforcement of ~~the~~ laws ~~relating thereto~~ as sheriffs, constables granted  
18 peace officer powers, and police officers in their respective jurisdictions;~~;~~  
19 and ~~shall~~

20 **(b)** Possess all the immunities and matters of defense now available or hereafter  
21 made available to sheriffs, constables granted peace officer powers, and police  
22 officers in any suit brought against them in consequence of acts done in the  
23 course of their employment.

24 **(3)** Any warrant of arrest may be executed by the commissioner, any officer of the  
25 department, and each individual employed as a Trooper R Class or CVE R Class.

26 **(4)** ***The commissioner shall allow officers of the department or individuals employed***  
27 ***as a Trooper R Class or CVE R Class to engage in law enforcement-related off-***

1 duty police employment and secondary employment that:

2 (a) Has been reviewed and approved by the commissioner or his or her  
3 designee;

4 (b) Does not:

5 1. Create a conflict with the officer or individual's duties as an employee  
6 of the department;

7 2. Reflect unfavorably upon the department or the officer or individual;  
8 or

9 3. Impair the officer's or individual's performance of departmental  
10 duties;

11 (c) May include contracts involving:

12 1. Public entities;

13 2. Projects for which a contractor is providing services to a public entity,  
14 including but not limited to the Transportation Cabinet;

15 3. Nonpublic entities that receive state funding; and

16 4. Ticketed events where public safety is a concern; and

17 (d) Shall not include contracts involving:

18 1. Retail establishments;

19 2. Weddings or private parties; or

20 3. Establishments or businesses that sell alcoholic beverages for on-site  
21 consumption as a regular and primary part of the business enterprise.

22 (5) The commissioner shall establish policies and procedures consistent with  
23 subsection (4) of this section related to off-duty police employment and secondary  
24 employment for officers of the department or individuals employed as a Trooper  
25 R Class or CVE R Class.

26 ➔Section 2. KRS 16.070 is amended to read as follows:

27 (1) (a) The commissioner is the head and chief executive officer of the department.

1 He or she shall provide for himself or herself, each officer of the department,  
2 and each individual employed as a Trooper R Class or CVE R Class, under  
3 the provisions of KRS 45A.045 to 45A.650, such uniforms, equipment, and  
4 facilities, including motor vehicles, necessary to the performance of their  
5 respective duties, but all uniforms, equipment, and facilities, including motor  
6 vehicles, shall remain the property of the Commonwealth.

7 **(b)** The commissioner may sell through the Finance and Administration Cabinet,  
8 under the provisions of KRS 45A.045 to 45A.650, such uniforms, equipment,  
9 and facilities, including motor vehicles, as become unfit for use, and all  
10 moneys received~~[therefrom]~~ shall be paid into the State Treasury and credited  
11 to a revolving fund to be used by the department.

12 (2) The commissioner shall keep an inventory and shall charge against each officer and  
13 each individual employed as a Trooper R Class or CVE R Class the value of all  
14 property of the department issued to him or her, and if it is determined by the  
15 commissioner that any loss or destruction of property was due to the carelessness or  
16 neglect of an officer or an individual employed as a Trooper R Class, then the value  
17 of the property shall be deducted from the pay of the officer or the individual  
18 employed as a Trooper R Class or CVE R Class.

19 (3) **(a)** By agreement with the commissioner of highways of the Commonwealth, the  
20 commissioner of the Department of Kentucky State Police may provide for  
21 the leasing of motor vehicles and accessories thereto, radio facilities and  
22 equipment, office equipment, and other property or facilities, upon ~~[such~~  
23 ~~]terms and conditions and for [such] compensation as provided in the~~  
24 ~~agreement~~~~[said agreement may provide].~~

25 **(b)** The commissioner of highways and the commissioner of the Department of  
26 Kentucky State Police may further provide, by agreement, for the service and  
27 repair at any state garage of motor vehicles or accessories thereto which are

1 owned, operated, or rented by the department, upon ~~[such]~~ terms and  
 2 conditions and for ~~[such]~~ compensation as **provided in the agreement**~~[said  
 3 agreement may provide].~~

4 **(c)** Subject to KRS Chapter 42, the department is authorized, by lease or  
 5 purchase, to acquire, maintain, and operate motor vehicles, and the officers of  
 6 **the**~~[said]~~ department, including the commissioner and individuals employed  
 7 as a Trooper R Class or CVE R Class, are authorized and empowered to  
 8 operate **these**~~[such]~~ motor vehicles in the course of their duties, and in  
 9 carrying out the purposes, responsibilities, and functions provided for in KRS  
 10 16.010 to 16.170 **in both an on-duty or off-duty capacity.**

11 (4) The commissioner shall establish local headquarters so as to best distribute the  
 12 officers, individuals employed as a Trooper R Class or CVE R Class, and  
 13 employees of the department throughout the various sections of the Commonwealth  
 14 where they will be most efficient in carrying out the provisions of KRS 16.010 to  
 15 16.199.

16 **(5) The commissioner shall establish policies and procedures related to the approval**  
 17 **and use of uniforms, equipment, and facilities, including motor vehicles,**  
 18 **necessary in the performance of an officer's or individual's off-duty police**  
 19 **employment or secondary employment.**

20 ➔Section 3. KRS 44.045 is amended to read as follows:

21 (1) A passenger motor vehicle or vehicles may be purchased by the Finance and  
 22 Administration Cabinet for the use of the Governor and the Lieutenant Governor.

23 (2) Motor vehicles, including passenger motor vehicles, may be purchased by the  
 24 Finance and Administration Cabinet as are deemed necessary by the secretary of the  
 25 Finance and Administration Cabinet or by the secretary of the Transportation  
 26 Cabinet for the discharge of the authorized duties and functions of the various  
 27 agencies of the state. The vehicles shall be used for official purposes only and for

1 no other purposes. The assignment of passenger motor vehicles to specific  
2 individuals shall be discouraged but may be made upon approval by the secretary of  
3 the Finance and Administration Cabinet of a written request to make the assignment  
4 by the head of the agency involved.

5 (3) **(a)** All motor vehicles purchased pursuant to this section shall be issued official  
6 license plates and shall bear on one (1) door on each side the great seal of the  
7 Commonwealth, and the words "For official use only."

8 **(b)** It shall not be necessary that the vehicles purchased pursuant to subsections  
9 (1), (4), and (5) of this section bear the seal and the words.

10 (4) **(a)** The Department of Revenue, Justice and Public Safety Cabinet, and the  
11 Department of Law may, upon approval by the secretary of the Finance and  
12 Administration Cabinet of a written request by the head of the agency  
13 involved, register a vehicle or vehicles under KRS 186.020 and be issued  
14 regular license plates.

15 **(b) Except as provided in Sections 1 and 2 of this Act involving off-duty police**  
16 **employment by officers or individuals employed as Trooper R Class or CVE**  
17 **R Class**, the vehicles shall be used for investigatory purposes only and for no  
18 other purposes.

19 (5) The Administrative Office of the Courts may register a vehicle or vehicles used by  
20 Justices and Judges of the Supreme Court and Court of Appeals under KRS 186.020  
21 and be issued regular license plates.

22 (6) The secretary of the Finance and Administration Cabinet may **promulgate**~~[adopt]~~  
23 administrative regulations **in accordance with**~~[pursuant to]~~ KRS Chapter 13A  
24 necessary to govern the use of those state-owned vehicles acquired pursuant to the  
25 provisions of this section.

26 (7) Any person violating subsections (2) and (4) of this section shall, on conviction~~[~~  
27 ~~thereof]~~, be subject to the penalties prescribed in KRS 44.990.