Local Government Mandate Statement Kentucky Legislative Research Commission Session

REVISED 2/24/2023

Part I: Measure Information

Bill Request #: 22	
Bill #: HB 12	
Document ID #:568	
Bill Subject/Title: AN ACT relating to operating motor vehicle.	
Sponsor: Representative James Tipton	
Unit of Government: x City x County x Urban-C Unified x Charter County x Consolidated Local x Government	Local
Office(s) Impacted: Law enforcement offices;	
Requirement: Mandatory Optional	
Effect on Powers & Duties:x Modifies Existing Adds New Eliminates Existi	ng

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 12 amends KRS 189.292 by defining new terms and clarifying the circumstances under which it is unlawful to use a personal communication device or stand-alone electronic device while operating a motor vehicle; amends KRS 189.294 to prohibit the use of a personal communication device or stand-alone electronic device by the operator of a motor vehicle when that person is under 18 years and has been issued an instruction permit, intermediate license, or operator's license; amends KRS 189.990 to set forth penalties for the violation of KRS 189.292 and 189.294; and creates a new section of KRS Chapter 281A to apply the above mentioned provisions to commercial motor vehicle drivers.

The exact fiscal impacts of HB 12 on local governments are indeterminable, but will include paying for educating the public about the new law(s) and the potential for an increase in court-fees revenue associated with individuals charged under KRS

189.292 or 189.294 who take their case to court rather than paying the prescribed fine.

An individual charged under KRS 189.292 or KRS 189.294 can either pay their prescribed fine or take their case to court. Dollars collected through fines revert back to the state's general fund. Court fees that are collected under KRS 24A.176 go to the Finance and Administration Cabinet and then a portion is reverted back to those local governments that have a police department, contract for police services, or have fiscal responsibilities for jails or the transporting of prisoners.

According to officials with the Administrative Office of the Courts, in FY 2022 nine adults were charged under KRS 1892.292 and 3 juveniles were charged under KRS 189.294, for a total of 12 charges, 8 of which were dismissed.

Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II was based on the introduced version of HB 12. No other versions exist for comparison.

Data Sourc	e(s):	LRC Staff; Adm	inistrative Offic	ce of the Courts		
Preparer:	CTH (WB)	Reviewer:	KHC	Date:	2/24/23