

1 AN ACT relating to the investigation of traffic accidents.

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) Except as provided in subsection (2) of this section, the local law enforcement*  
6 *agency having jurisdiction shall perform an investigation of all traffic accidents*  
7 *that:*  
8 *(a) Involve a fatality; and*  
9 *(b) Occur on a highway, as defined by KRS 189.010, that is state-maintained.*  
10 *(2) If the local law enforcement agency having jurisdiction does not have an accident*  
11 *reconstruction unit or an officer trained to investigate traffic accidents, and does*  
12 *not have a working agreement with another law enforcement agency to perform*  
13 *those investigations, an accident that meets the criteria outlined in subsection (1)*  
14 *of this section shall be investigated by the Department of Kentucky State Police or*  
15 *any law enforcement agency properly trained to investigate traffic accidents.*  
16 *(3) Any investigation of an accident that meets the criteria outlined in subsection (1)*  
17 *of this section shall occur during the initial response to the traffic accident while*  
18 *the responding agency is on the scene.*  
19 *(4) The responding agency shall preserve the scene until an investigator outlined in*  
20 *subsection (2) of this section arrives unless otherwise directed by the requested*  
21 *agency or investigator.*

22 ➔Section 2. KRS 16.065 is amended to read as follows:

23 In addition to the performance of all duties relating to the Department of Kentucky State  
24 Police, the department shall perform the following functions:

- 25 (1) Security of state facilities located in Frankfort;  
26 (2) Highway enforcement, *including performance of an investigation of all traffic*  
27 *accidents that:*

- 1        (a) Involve a fatality;  
2        (b) Occur on a highway, as defined by KRS 189.010, that is state-maintained;  
3                and  
4        (c) Occur in an area where the local law enforcement agency having  
5                jurisdiction does not have an accident reconstruction unit or an officer  
6                trained to investigate traffic accidents, and does not have a working  
7                agreement with another law enforcement agency to perform those  
8                investigations;

9        (3) Water safety enforcement as provided in KRS Chapter 235; and

10       (4) Personal protection of a Medal of Honor recipient who:

11           (a) Is a current Kentucky resident;

12           (b) Is attending any public event or ceremony occurring within the  
13           Commonwealth of Kentucky, to which he or she has received an official  
14           written invitation;

15           (c) Is representing for no reason other than being a recipient of the Medal of  
16           Honor; and

17           (d) Has requested protection, in writing and with a copy of the official invitation,  
18           to the department no less than fourteen (14) days prior to the event;

19        not to exceed six (6) instances of protection per year.

20        ➔Section 3. This Act may be cited as the John Carter Knight Act of 2020.