

1 AN ACT relating to child restraint systems and booster seats.

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

3 ➔Section 1. KRS 189.125 is amended to read as follows:

4 (1) Except as otherwise provided in this section, "motor vehicle" as used in this section
5 means every vehicle designed to carry fifteen (15) or fewer passengers and used for
6 the transportation of persons, but the term does not include:

7 (a) Motorcycles;

8 (b) Motor-driven cycles; or

9 (c) Farm trucks registered for agricultural use only and having a gross weight of
10 one (1) ton or more.

11 (2) A person shall not sell any new motor vehicle in this state nor shall any person
12 make application for registering a new motor vehicle in this state unless the front or
13 forward seat or seats have adequate anchors or attachments secured to the floor
14 and/or sides to the rear of the seat or seats to which seat belts may be secured.

15 (3) (a) Any driver of a motor vehicle, when transporting a child of forty (40) inches
16 in height or less in a motor vehicle operated on the roadways, streets, and
17 highways of this state, shall have the child properly secured in a child restraint
18 system of a type meeting federal motor vehicle safety standards.

19 (b) Any driver of a motor vehicle, when transporting a child under the age of
20 eight (8) years who is between forty (40) inches and fifty-seven (57) inches in
21 height in a motor vehicle operated on the roadways, streets, and highways of
22 this state, shall have the child properly secured in a child booster seat. A child
23 of any age who is greater than fifty-seven (57) inches in height shall not be
24 required to be secured in a child booster seat under this section.

25 ***(c) Any driver of a motor vehicle, when transporting a child who meets the***
26 ***requirements of paragraph (a) or (b) of this subsection in a motor vehicle***
27 ***that has a seating area behind the front seat, shall not place the child***

1 **restraint system or child booster seat in the front seat of the vehicle.**

2 (4) As used in this section:

3 (a) "Child restraint system" means any device manufactured to transport children
4 in a motor vehicle which conforms to all applicable federal motor vehicle
5 safety standards; and

6 (b) "Child booster seat" means a child passenger restraint system that meets the
7 standards set forth in 49 C.F.R. Part 571 that is designed to elevate a child to
8 properly sit in a federally approved lap-and-shoulder belt system.

9 (5) Failure to use a child passenger restraint system or a child booster seat **in**
10 **accordance with subsection (3) of this section** shall not be considered as
11 contributory negligence, nor shall such failure to use a passenger restraint system or
12 booster seat be admissible as evidence in the trial of any civil action. Failure of any
13 person to wear a seat belt shall not constitute negligence per se.

14 (6) A person shall not operate a motor vehicle manufactured after 1981 on the public
15 roadways of this state unless the driver and all passengers are wearing a properly
16 adjusted and fastened seat belt, unless the passenger is a child who is secured as
17 required in subsection (3) of this section. The provisions of this subsection shall not
18 apply to:

19 (a) A person who has in his possession at the time of the conduct in question a
20 written statement from a physician, advanced practice registered nurse, or
21 licensed chiropractor that he is unable, for medical or physical reasons, to
22 wear a seat belt; or

23 (b) A letter carrier of the United States postal service while engaged in the
24 performance of his duties.

25 (7) A conviction for a violation of subsection (6) of this section shall not be transmitted
26 by the court to the Transportation Cabinet. The Transportation Cabinet shall not
27 include a conviction for a violation of subsection (6) of this section as part of any

1 person's driving history record.

2 (8) The provisions of subsection (6) of this section shall supersede any existing local
3 ordinance involving the use of seat belts. No ordinance contrary to subsection (6) of
4 this section may be enacted by any unit of local government.

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

6 (1) Any person who violates any of the provisions of KRS 189.020 to 189.040,
7 subsection (1) or (4) of KRS 189.050, KRS 189.060 to 189.080, subsections (1) to
8 (3) of KRS 189.090, KRS 189.100, 189.110, 189.130 to 189.160, subsections (2) to
9 (4) of KRS 189.190, KRS 189.200, 189.285, 189.290, 189.300 to 189.360, KRS
10 189.380, KRS 189.400 to 189.430, KRS 189.450 to 189.458, KRS 189.4595 to
11 189.480, subsection (1) of KRS 189.520, KRS 189.540, KRS 189.570 to 189.590,
12 except subsection (1)(b) or (6)(b) of KRS 189.580, KRS 189.345, subsection (6) of
13 KRS 189.456, and 189.960 shall be fined not less than twenty dollars (\$20) nor
14 more than one hundred dollars (\$100) for each offense. Any person who violates
15 subsection (1)(a) of KRS 189.580 shall be fined not less than twenty dollars (\$20)
16 nor more than two thousand dollars (\$2,000) or imprisoned in the county jail for not
17 more than one (1) year, or both, unless the accident involved death or serious
18 physical injury and the person knew or should have known of the death or serious
19 physical injury, in which case the person shall be guilty of a Class D felony. Any
20 person who violates paragraph (c) of subsection (5) of KRS 189.390 shall be fined
21 not less than eleven dollars (\$11) nor more than thirty dollars (\$30). Neither court
22 costs nor fees shall be taxed against any person violating paragraph (c) of
23 subsection (5) of KRS 189.390.

24 (2) (a) Any person who violates the weight provisions of KRS 189.212, 189.221,
25 189.222, 189.226, 189.230, 189.270, or 189.2713 shall be fined two cents
26 (\$0.02) per pound for each pound of excess load when the excess is five
27 thousand (5,000) pounds or less. When the excess exceeds five thousand

1 (5,000) pounds the fine shall be two cents (\$0.02) per pound for each pound of
2 excess load, but the fine levied shall not be less than one hundred dollars
3 (\$100) and shall not be more than five hundred dollars (\$500).

4 (b) Any person who violates the provisions of KRS 189.271 and is operating on a
5 route designated on the permit shall be fined one hundred dollars (\$100);
6 otherwise, the penalties in paragraph (a) of this subsection shall apply.

7 (c) Any person who violates any provision of subsection (2) or (3) of KRS
8 189.050, subsection (4) of KRS 189.090, KRS 189.221 to 189.230, 189.270,
9 189.2713, 189.280, or the dimension provisions of KRS 189.212, for which
10 another penalty is not specifically provided shall be fined not less than ten
11 dollars (\$10) nor more than five hundred dollars (\$500).

12 (d) 1. Any person who violates the provisions of KRS 177.985 while operating
13 on a route designated in KRS 177.986 shall be fined one hundred dollars
14 (\$100).

15 2. Any person who operates a vehicle with a permit under KRS 177.985 in
16 excess of eighty thousand (80,000) pounds while operating on a route
17 not designated in KRS 177.986 shall be fined one thousand dollars
18 (\$1,000).

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

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

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

- 1 (4) (a) Any person who violates subsection (1) of KRS 189.210 shall be fined not
2 less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100).
- 3 (b) Any peace officer who fails, when properly informed, to enforce KRS 189.210
4 shall be fined not less than twenty-five dollars (\$25) nor more than one
5 hundred dollars (\$100).
- 6 (c) All fines collected under this subsection, after payment of commissions to
7 officers entitled thereto, shall go to the county road fund if the offense is
8 committed in the county, or to the city street fund if committed in the city.
- 9 (5) Any person who violates KRS 189.370 shall for the first offense be fined not less
10 than one hundred dollars (\$100) nor more than two hundred dollars (\$200) or
11 imprisoned not less than thirty (30) days nor more than sixty (60) days, or both. For
12 each subsequent offense occurring within three (3) years, the person shall be fined
13 not less than three hundred dollars (\$300) nor more than five hundred dollars (\$500)
14 or imprisoned not less than sixty (60) days nor more than six (6) months, or both.
15 The minimum fine for this violation shall not be subject to suspension. A minimum
16 of six (6) points shall be assessed against the driving record of any person
17 convicted.
- 18 (6) Any person who violates KRS 189.500 shall be fined not more than fifteen dollars
19 (\$15) in excess of the cost of the repair of the road.
- 20 (7) Any person who violates KRS 189.510 or KRS 189.515 shall be fined not less than
21 twenty dollars (\$20) nor more than fifty dollars (\$50).
- 22 (8) Any peace officer who violates subsection (2) of KRS 189.520 shall be fined not
23 less than thirty-five dollars (\$35) nor more than one hundred dollars (\$100).
- 24 (9) (a) Any person who violates KRS 189.530(1) shall be fined not less than thirty-
25 five dollars (\$35) nor more than one hundred dollars (\$100), or imprisoned
26 not less than thirty (30) days nor more than twelve (12) months, or both.
- 27 (b) Any person who violates KRS 189.530(2) shall be fined not less than thirty-

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

- 1 hundred dollars (\$500). Each violation shall constitute a separate offense.
- 2 (18) Any person who abandons a vehicle upon the right-of-way of a state highway for
3 three (3) consecutive days shall be fined not less than thirty-five dollars (\$35) nor
4 more than one hundred dollars (\$100), or imprisoned for not less than ten (10) days
5 nor more than thirty (30) days.
- 6 (19) Every person violating KRS 189.393 shall be guilty of a Class B misdemeanor,
7 unless the offense is being committed by a defendant fleeing the commission of a
8 felony offense which the defendant was also charged with violating and was
9 subsequently convicted of that felony, in which case it is a Class A misdemeanor.
- 10 (20) Any law enforcement agency which fails or refuses to forward the reports required
11 by KRS 189.635 shall be subject to the penalties prescribed in KRS 17.157.
- 12 (21) A person who operates a bicycle in violation of the administrative regulations
13 promulgated pursuant to KRS 189.287 shall be fined not less than ten dollars (\$10)
14 nor more than one hundred dollars (\$100).
- 15 (22) Any person who violates KRS 189.860 shall be fined not more than five hundred
16 dollars (\$500) or imprisoned for not more than six (6) months, or both.
- 17 (23) Any person who violates KRS 189.754 shall be fined not less than twenty-five
18 dollars (\$25) nor more than three hundred dollars (\$300).
- 19 (24) Any person who violates the provisions of **subsection (3) of Section 1 of this**
20 **Act**~~[KRS 189.125(3)(a)]~~ shall be fined fifty dollars (\$50). This fine shall be subject
21 to prepayment. A fine imposed under this subsection shall not be subject to court
22 costs pursuant to KRS 24A.175, additional court costs pursuant to KRS 24A.176,
23 the fee imposed pursuant to KRS 24A.1765, or any other additional fees or costs.†
- 24 ~~(25) Any person who violates the provisions of KRS 189.125(3)(b) shall not be issued a~~
25 ~~uniform citation, but shall instead receive a courtesy warning up until July 1, 2009.~~
26 ~~For a violation on or after July 1, 2009, the person shall be fined thirty dollars (\$30).~~
27 ~~This fine shall be subject to prepayment. A fine imposed under this subsection shall~~

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

7 (25)~~(26)~~ Any person who violates the provisions of KRS 189.125(6) shall be fined an
8 amount not to exceed twenty-five dollars (\$25). This fine shall be subject to
9 prepayment. A fine imposed under this subsection shall not be subject to court costs
10 pursuant to KRS 24A.175, additional court costs pursuant to KRS 24A.176, the fee
11 imposed pursuant to KRS 24A.1765, or any other additional fees or costs.

12 (26)~~(27)~~ Fines levied pursuant to this chapter shall be assessed in the manner required
13 by KRS 534.020, in amounts consistent with this chapter. Nonpayment of fines
14 shall be governed by KRS 534.020 and 534.060.

15 (27)~~(28)~~ A licensed driver under the age of eighteen (18) charged with a moving
16 violation pursuant to this chapter as the driver of a motor vehicle may be referred,
17 prior to trial, by the court to a diversionary program. The diversionary program
18 under this subsection shall consist of one (1) or both of the following:

- 19 (a) Execution of a diversion agreement which prohibits the driver from operating
20 a vehicle for a period not to exceed forty-five (45) days and which allows the
21 court to retain the driver's operator's license during this period; and
- 22 (b) Attendance at a driver improvement clinic established pursuant to KRS
23 186.574. If the person completes the terms of this diversionary program
24 satisfactorily the violation shall be dismissed.

25 (28)~~(29)~~ A person who violates the provisions of subsection (2) or (3) of KRS 189.459
26 shall be fined two hundred fifty dollars (\$250). The fines and costs for a violation of
27 subsection (2) or (3) of KRS 189.459 shall be collected and disposed of in

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

7 ~~(29)~~~~(30)~~ Any person who violates KRS 189.292 or 189.294 shall be fined twenty-five
8 dollars (\$25) for the first offense and fifty dollars (\$50) for each subsequent offense.

9 ➔Section 3. KRS 186.574 is amended to read as follows:

10 (1) The Transportation Cabinet shall establish a state traffic school for new drivers and
11 for traffic offenders. The school shall be composed of uniform education and
12 training elements designed to create a lasting influence on new drivers and a
13 corrective influence on traffic offenders. District Courts may in lieu of assessing
14 penalties for traffic offenses, other than for KRS 189A.010, sentence offenders to
15 state traffic school and no other. The Transportation Cabinet shall enroll a person in
16 state traffic school who fails to complete a driver's education course pursuant to
17 KRS 186.410(5).

18 (2) If a District Court stipulates in its judgment of conviction that a person attend state
19 traffic school, the court shall indicate this in the space provided on the abstract of
20 conviction filed with the Transportation Cabinet. Upon receipt of an abstract, the
21 Transportation Cabinet, or its representative, shall schedule the person to attend
22 state traffic school. Failure of the person to attend and satisfactorily complete state
23 traffic school in compliance with the court order, may be punished as contempt of
24 the sentencing court. The Transportation Cabinet shall not assess points against a
25 person who satisfactorily completes state traffic school. However, if the person
26 referred to state traffic school holds or is required to hold a commercial driver's
27 license, the underlying offense shall appear on the person's driving history record.

- 1 (3) The Transportation Cabinet shall supervise, operate, and administer state traffic
2 school, and shall promulgate administrative regulations pursuant to KRS Chapter
3 13A governing facilities, equipment, courses of instruction, instructors, and records
4 of the program. In the event a person sentenced under subsection (1) of this section
5 does not attend or satisfactorily complete state traffic school, the Transportation
6 Cabinet may deny that person a license or suspend the license of that person until he
7 reschedules attendance or completes state traffic school, at which time a denial or
8 suspension shall be rescinded.
- 9 (4) Persons participating in the state traffic school as provided in this section shall pay a
10 fee of fifteen dollars (\$15) to defray the cost of operating the school, except that if
11 enrollment in state traffic school is to satisfy the requirement of KRS 186.410(4)(c),
12 a fee shall not be assessed. Any funds collected pursuant to KRS 186.535(1) that are
13 dedicated to the road fund for use in the state driver education program may be used
14 for the purposes of state traffic school.
- 15 (5) The following procedures shall govern persons attending state traffic school
16 pursuant to this section:
- 17 (a) A person convicted of any violation of traffic codes set forth in KRS Chapters
18 177, 186, or 189, and who is otherwise eligible, may in the sole discretion of
19 the trial judge, be sentenced to attend state traffic school. Upon payment of the
20 fee required by subsection (4) of this section, and upon successful completion
21 of state traffic school, the sentence to state traffic school shall be the person's
22 penalty in lieu of any other penalty, except for the payment of court costs;
- 23 (b) Except as provided in subsection (27) of Section 2 of this Act~~KRS~~
24 ~~189.990(28)]~~, a person shall not be eligible to attend state traffic school who
25 has been cited for a violation of KRS Chapters 177, 186, or 189 that has a
26 penalty of mandatory revocation or suspension of an offender's driver's
27 license;

- 1 (c) Except as provided in subsection (27) of Section 2 of this Act~~[KRS~~
2 ~~189.990(28)]~~, a person shall not be eligible to attend state traffic school for
3 any violation if, at the time of the violation, the person did not have a valid
4 driver's license or the person's driver's license was suspended or revoked by
5 the cabinet;
- 6 (d) Except as provided in subsection (27) of Section 2 of this Act~~[KRS~~
7 ~~189.990(28)]~~, a person shall not be eligible to attend state traffic school more
8 than once in any one (1) year period, unless the person wants to attend state
9 traffic school to comply with the driver education requirements of KRS
10 186.410; and
- 11 (e) The cabinet shall notify the sentencing court regarding any person who was
12 sentenced to attend state traffic school who was ineligible to attend state
13 traffic school. A court notified by the cabinet pursuant to this paragraph shall
14 return the person's case to an active calendar for a hearing on the matter. The
15 court shall issue a summons for the person to appear and the person shall
16 demonstrate to the court why an alternative sentence should not be imposed.
- 17 (6) (a) Except as provided in paragraph (b) of this subsection, a county attorney may
18 operate a traffic safety program for traffic offenders prior to the adjudication
19 of the offense.
- 20 (b) Offenders alleged to have violated KRS 189A.010 or 304.39-080, offenders
21 holding a commercial driver's license under KRS Chapter 281A, or offenders
22 coming within the provisions of subsection (5)(b) or (c) of this section shall be
23 excluded from participation in a county attorney-operated program.
- 24 (c) A county attorney that operates a traffic safety program:
- 25 1. May charge a reasonable fee to program participants, which shall only
26 be used for payment of county attorney office operating expenses; and
27 2. Shall, by October 1 of each year, report to the Prosecutors Advisory

1 Council the fee charged for the county attorney-operated traffic safety
2 program and the total number of traffic offenders diverted into the
3 county attorney-operated traffic safety program for the preceding fiscal
4 year categorized by traffic offense.

5 (d) Each participant in a county attorney-operated traffic safety program shall, in
6 addition to the fee payable to the county attorney, pay a twenty-five dollar
7 (\$25) fee to the court clerk, which shall be paid into a trust and agency
8 account with the Administrative Office of the Courts and is to be used by the
9 circuit clerks to hire additional deputy clerks and to enhance deputy clerk
10 salaries.

11 (e) Each participant in a county attorney-operated traffic safety program shall, in
12 addition to the fee payable to the county attorney and the fee required by
13 paragraph (d) of this subsection, pay a thirty dollar (\$30) fee to the county
14 attorney in lieu of court costs. On a monthly basis, the county attorney shall
15 forward the fees collected pursuant to this paragraph to the Finance and
16 Administration Cabinet to be distributed as follows:

- 17 1. Ten and eight-tenths percent (10.8%) to the spinal cord and head injury
18 research trust fund created in KRS 211.504;
- 19 2. Nine and one-tenth percent (9.1%) to the traumatic brain injury trust
20 fund created in KRS 211.476;
- 21 3. Five and eight-tenths percent (5.8%) to the special trust and agency
22 account set forth in KRS 42.320(2)(f) for the Department of Public
23 Advocacy;
- 24 4. Five and seven-tenths percent (5.7%) to the crime victims compensation
25 fund created in KRS 49.480;
- 26 5. One and two-tenths percent (1.2%) to the Justice and Public Safety
27 Cabinet to defray the costs of conducting record checks on prospective

- 1 firearms purchasers pursuant to the Brady Handgun Violence Prevention
- 2 Act and for the collection, testing, and storing of DNA samples;
- 3 6. Sixteen and eight-tenths percent (16.8%) to the county sheriff in the
- 4 county from which the fee was received;
- 5 7. Nine and one-tenth percent (9.1%) to the county treasurer in the county
- 6 from which the fee was received to be used by the fiscal court for the
- 7 purposes of defraying the costs of operation of the county jail and the
- 8 transportation of prisoners;
- 9 8. Thirty-three and two-tenths percent (33.2%) to local governments in
- 10 accordance with the formula set forth in KRS 24A.176(5); and
- 11 9. Eight and three-tenths percent (8.3%) to the Cabinet for Health and
- 12 Family Services for the implementation and operation of a telephonic
- 13 behavioral health jail triage system as provided in KRS 210.365 and
- 14 441.048.

15 ➔Section 4. KRS 431.452 is amended to read as follows:

- 16 (1) An offense which is designated as subject to prepayment by specific statutory
- 17 designation may be prepaid by the violator subject to the terms and conditions of
- 18 the statute involved.
- 19 (2) When an offense that is not designated as subject to prepayment by specific
- 20 statutory designation is cited on the same citation with another offense that is
- 21 subject to prepayment, the officer shall cite the violator to court for all cited
- 22 offenses. However, if the offense for which prepayment is not allowed is dismissed
- 23 by the judge prior to the court date listed on the citation, the offense subject to
- 24 prepayment by specific statutory designation may be prepaid by the violator, and the
- 25 violator shall not be required to appear in court.
- 26 (3) An offense which is designated as subject to prepayment is subject to the following
- 27 conditions:

- 1 (a) Designation as subject to prepayment does not preclude a physical arrest by a
2 peace officer for that offense;
- 3 (b) Designation as subject to prepayment shall preclude a requirement that the
4 defendant make a court appearance on a uniform citation;
- 5 (c) Except as provided for in subsections (24) and (25) of Section 2 of this
6 Act~~[KRS 189.990(26)]~~, for any offense designated as subject to prepayment,
7 the defendant may elect to pay the minimum fine for the offense plus court
8 costs to the circuit clerk before the date of his trial or be tried in the normal
9 manner, unless the citation is marked for mandatory court appearance
10 pursuant to KRS 431.015 or subsection (2) of this section, except that the fine
11 for violations of KRS 189.221, 189.222, 189.226, 189.270, or 189.271 shall
12 be in accordance with KRS 189.990(2)(a) and the defendant shall not be
13 allowed to pay the minimum fine as otherwise allowed by this paragraph; and
- 14 (d) Prepayment of the fine and costs shown on the citation or accompanying
15 schedule shall be considered as a plea of guilty for all purposes.
- 16 (4) When a peace officer issues a uniform citation and no physical arrest is made he or
17 she shall, where the citation is designated as subject to prepayment, mark the
18 citation as "PAYABLE", except as provided in KRS 431.015 or subsection (2) of
19 this section.
- 20 (5) The Administrative Office of the Courts, after consultation with the Department of
21 Kentucky State Police, the Transportation Cabinet, the Division of Forestry, the
22 Department of Fish and Wildlife Resources, and a representative of law
23 enforcement shall develop a prepayable fine and cost schedule and a uniform
24 statewide instruction sheet for the Commonwealth.