



KENTUCKY

Commercial Vehicle Safety Plan

**Federal Motor Carrier Safety Administration's
Motor Carrier Safety Assistance Program**

Fiscal Years 2025 - 2027

Date of Approval: March 02, 2026

FINAL CVSP



**U.S. Department of Transportation
Federal Motor Carrier Safety Administration**

Part 1 - MCSAP Overview

Part 1 Section 1 - Introduction

The Federal Motor Carrier Safety Administration (FMCSA) Motor Carrier Safety Assistance Program (MCSAP) is a Federal grant program that provides financial assistance to States to help reduce the number and severity of crashes and hazardous materials incidents involving commercial motor vehicles (CMV). The goal of the MCSAP is to reduce CMV-involved crashes, fatalities, and injuries through consistent, uniform, and effective CMV safety programs.

A State lead MCSAP agency, as designated by its Governor, is eligible to apply for grant funding by submitting a commercial vehicle safety plan (CVSP), in accordance with the provisions of [49 CFR 350.209, 350.211 and 350.213](#). The lead agency must submit the State's CVSP to FMCSA by the due date each year. For a State to receive funding, the CVSP needs to be complete and include all required documents. The State must submit a multi-year performance-based plan or annual update each year to receive MCSAP funds.

The online CVSP tool (eCVSP) outlines the State's CMV safety objectives, strategies, activities and performance measures and is organized into the following five parts:

- Part 1: MCSAP Overview (FY 2025 - 2027)
- Part 2: Crash Reduction and National Program Elements (FY 2025 - 2027)
- Part 3: National Emphasis Areas and State Specific Objectives (FY 2025 - 2027)
- Part 4: Financial Information (FY 2025)
- Part 5: Certifications and Documents (FY 2025)

All of the five eCVSP parts listed above contain subsections. Each subsection category will provide you with detailed explanation and instruction on what to do to complete the necessary tables and narratives.

The MCSAP program includes the eCVSP tool to assist States in developing and monitoring their grant applications. The eCVSP provides ease of use and promotes a uniform, consistent process for all States to complete and submit their plans. States and territories will use the eCVSP to complete the CVSP and to submit either a 3-year plan or an Annual Update. As used within the eCVSP, the term 'State' means all the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the Virgin Islands.

REMINDERS FOR FY 2025:

Multi-Year plans- All States will be utilizing the multi-year CVSP format. This means that objectives, projected goals, and activities in the plan will cover a full three-year period. The financial information and certifications will be updated each fiscal year.

Annual Updates for Multi-Year plans- States in Year 2 or Year 3 of a multi-year plan will be providing an Annual Update only. States will review the project plan submitted the previous year and indicate if any updates are needed for the upcoming fiscal year by answering the "Yes/No" question provided in each Section of Parts 1-3.

- If **"Yes"** is selected, the information provided for Year 1 will be editable and State users can make any necessary changes to their project plan. Answer carefully as there is only one opportunity to select "Yes" before the question is locked.
- If **"No"** is selected, the information in this section will not be editable and the user should move forward to the next section.
- Trend Analysis information that supports your current activities is not editable in Year 2 or 3 of an Annual Update plan.

All multi-year and annual update plans have been pre-populated with data and information from their FY 2024 plans. States must carefully review and update this information to reflect FY 2025 activities prior to submission to FMCSA. The financial information and certifications will be updated each fiscal year.

- Any information added should detail major programmatic changes.
- Add any updates to the narrative areas and indicate changes by preceding it with the heading **"FY 2025 Update"**. Below the heading, include descriptions of the changes to your program, including how any tables were modified.
- The Trend Analysis areas in each section can only be edited in Year 1 of a three-year plan. Trend Analysis data cannot be edited in Years 2 and 3.

Personally Identifiable Information - PII is information which, on its own or matched with other data, would permit identification of an individual. Examples of PII include: name, home address, social security number, driver's license number or State-issued identification number, date and/or place of birth, mother's maiden name, financial, medical, or educational

records, non-work telephone numbers, criminal or employment history, etc. PII, if disclosed to or altered by unauthorized individuals, could adversely affect the Agency's mission, personnel, or assets or expose an individual whose information is released to harm, such as identity theft.

States are reminded **not** to include any PII in their CVSP. The final CVSP approved by FMCSA is required to be posted to a public FMCSA website.

Part 1 Section 2 - Mission/Goal Statement**Instructions:**

Briefly describe the mission or goal of the lead State commercial motor vehicle safety agency responsible for administering this Commercial Vehicle Safety Plan (CVSP) throughout the State.

NOTE: Please do not include information on any other FMCSA grant activities or expenses in the CVSP.

The Kentucky State Police (KSP) is the lead agency for the Motor Carrier Safety Assistance Program in Kentucky. Within the KSP, the Division of Commercial Vehicle Enforcement (CVE) is the primary statewide entity responsible for the enforcement of commercial motor vehicle (CMV) safety regulations in addition to size and weight enforcement. KSP is committed to working with our federal and local partners to enhance highway safety through the following primary activities:

- Enforcement of motor vehicle and criminal laws and regulations with a special emphasis on CMVs
- Regulation of CMVs and CMV activity in partnership with the Kentucky Transportation Cabinet (KYTC) and Federal Motor Carrier Safety Administration (FMCSA)
- Public Outreach and Education concerning the unique dangers and challenges posed by the operation of CMVs on the highway
- Inspection of CMVs in operation and the investigation of CMV related complaints
- Compliance Investigations on non-compliant motor carriers
- New Entrant Safety Audits on motor carriers entering interstate commerce for the first time
- Crash data collection and analysis
- Collision investigation and reconstruction

Where appropriate, KSP collaborates with local enforcement agencies (as subawardees) to enhance its ability to address CMV problem areas, particularly in urban zones with their unique challenges. Through robust partnerships and dedicated activities, the KSP aims to improve highway safety, reduce CMV-involved collisions, and investigate CMV-involved criminal activities throughout the Commonwealth of Kentucky.

Updated: 08/30/2024

Part 1 Section 3 - MCSAP Structure Explanation

Instructions:

Answer the questions about your CVSP initiatives and briefly describe the State's commercial motor vehicle (CMV) enforcement program funded by the MCSAP grant. For questions answered "Yes", describe your State's initiatives and indicate if more details are provided in other CVSP sections. Please do not include activities or expenses associated with any other FMCSA grant program.

Yes	No	CVSP Initiative Questions
☒	☐	Is the National Roadway Safety Strategy (NRSS) being used as a resource in developing the CVSP?
☒	☐	Are initiatives involving rural roads included in the CVSP?
☒	☐	Are activities regarding Migrant Worker Transportation in Rural Areas included in the CVSP?
☒	☐	Are initiatives regarding human trafficking/smuggling included in the CVSP?
☒	☐	Are activities regarding drug interdiction included in the CVSP?
☒	☐	Are initiatives regarding work zone safety included in the CVSP?
☒	☐	Is your State submitting an annual Training Plan to the National Training Center (NTC)?

Note: This section serves as a summary of both the MCSAP Structure in Kentucky, but also for how Kentucky is responding to the goals set forth in the FFY2025 MCSAP Basic Notice of Funding Opportunity (NOFO). This section may be used as a high level summary of the entire MCSAP Program, with additional information being provided at the location indicated in each section below.

Overall MCSAP Program Structure

The Department of Kentucky State Police (KSP), part of the Justice and Public Safety Cabinet, is the lead agency for the Motor Carrier Safety Assistance Program in Kentucky. Within KSP, the Division of Commercial Vehicle Enforcement (CVE) is the primary statewide entity responsible for the enforcement of commercial motor vehicle (CMV) safety regulations in addition to size and weight enforcement.

In this CVSP, KSP is used when referring to the agency generally (including CVE) and CVE is used when speaking about functions specific to the CVE Division. For example, in Part 2, Section 2 (CMV Crash Reduction) of this CVSP, CVE will be referenced in most of the discussion because KSP as a whole does not participate in the CMV crash reduction function using MCSAP funds, that is overwhelmingly a CVE specific function. Additionally, KSP's crash reduction strategy does not involve the coordination of MCSAP and non-MCSAP personnel as a part of its overall crash reduction mission beyond incidental overlap and the provision of MCSAP overtime to non-CVE personnel. Whereas in Part 4, Section 2 (Personnel), KSP is referenced in most of the discussion because personnel outside of CVE are included in the personnel cost discussion.

By law, KSP is the only entity in Kentucky responsible for selecting and certifying North American Standard (NAS) Commercial Motor Vehicle (CMV) safety inspectors, whether sworn law enforcement or civilians. This certification process follows the policies set forth by the Commercial Vehicle Safety Alliance (CVSA). However, any sworn law enforcement officer may enforce any statute or regulation for which they have authority and familiarity (i.e. cite a CMV for speeding), but only those selected, monitored, and certified by KSP may complete CMV NAS safety inspections.

KSP certifies (for inspection purposes) sworn law enforcement personnel both inside and outside of the CVE Division. Sworn NAS certified personnel outside of the CVE Division may inspect CMVs as a secondary duty or as a part of working overtime, but they complete comparatively few inspections. There are certain exceptions to this that are included later in this section.

The CVE Division is the primary entity responsible for CMV enforcement efforts throughout the state. For command purposes, CVE's patrol and enforcement function is currently broken down into West, Central, and Eastern regions with each region encompassing a number of KSP Post areas. Under the ultimate authority of the CVE MCSAP commander, each region has a regional commander who oversees regional supervisors, sworn law enforcement, civilian inspectors, and support staff. KSP currently operates 14 fixed facilities (weigh stations) spread throughout the state and primarily staffed by civilian inspectors.

Also under the authority of the MCSAP commander, CVE has a Program Support Branch that oversees the MCSAP program generally. The Program Support Branch provides general administrative support; grants management and oversight; data, data quality, and analytical support; technical support and assistance; oversees the DataQs, Compliance Investigation and New Entrant Safety Audit Programs; and many similar functions.

MCSAP Staffing Levels (as of July 31, 2024):

See Part 4, Section 2 of this CVSP for additional details, but the current staffing of the MCSAP program is summarized as follows:

- Regional Patrol and Weigh Stations: 75 total staff
 - 35 Sworn officers assigned to patrol and enforcement in a CVE Region
 - 14 Sworn supervisors assigned to supervise patrol and enforcement, or weigh stations, in a CVE Region
 - 23 Civilian inspectors assigned to a weigh station in a CVE Region
 - 3 Civilian administrative support or maintenance staff
- Program Support and Administration: 20 total staff
 - 2 Sworn officers assigned as Compliance Investigators
 - 1 Sworn officer assigned as a DataQs Analyst
 - 3 Sworn supervisors assigned to oversee non-patrol CVE functions such as grants, Compliance Investigation, Safety Audits, and other functions.
 - 1 Sworn supervisor assigned to KSP Headquarters as CVE's MCSAP Commander
 - 9 Civilian inspectors assigned as Safety Auditors
 - 4 Civilian administrative support staff
- Non-CVE MCSAP-dedicated Support Staff: 3 total staff
 - 1 Civilian financial specialist assigned to the KSP Financial Grants Management Branch
 - 1 Civilian criminal intelligence & data analyst assigned to the KSP Intelligence Branch
 - 1 Sworn supervisors assigned to the Critical Incident Response Branch as collision reconstructionists

- Non-MCSAP Staff (with minor, incidental, or overtime-only MCSAP roles): 57 total staff
 - 3 Sworn supervisors assigned to the KSP Driver Testing Branch
 - 4 Sworn officers assigned to the KSP Driver Testing Branch
 - 1 Sworn officer assigned to the KSP Vehicle Investigations Branch
 - 1 Sworn officers assigned to the KSP East or West Drug Enforcement and Special Investigations Branch
 - 1 Sworn officer assigned to the KSP Academy Branch
 - 1 Sworn officer assigned to the KSP Public Affairs Branch
 - 46 Sworn officers or sergeants assigned to various KSP posts and branches certified primarily for MCSAP overtime purposes to augment CVE patrol efforts
- Grand total of all MCSAP-related staff: 155
 - Note: These figures will vary slightly from the staffing figures in Part 4 of this CVSP because Part 4 includes planned staff changes and new hires.

Note: Sworn law enforcement staff may consist of officers or troopers, a distinction in job title and fringe benefit costs, but not in assigned duties. Both are generally referred to as 'officers' except in Part 4, Sections 2 & 3 of this CVSP where the fringe rate distinction is important. For all other purposes, officers and troopers are interchangeable sworn law enforcement staff for the purposes of this CVSP.

Non-CVE MCSAP functions:

Outside of the CVE Division, the MCSAP Commander coordinates with other KSP Commanders to provide additional support functions valuable to the CVE mission. This includes:

- **Critical Incident Response Branch:** This branch is responsible for most CMV Collision Reconstructions (where appropriate) and possesses staff with advanced collision investigation training and tools. CVE currently has two full time dedicated Sergeants assigned to this branch who spend the overwhelming majority of their time working on MCSAP-eligible CMV-involved collision investigations and reconstructions. KSP is in the process of certifying additional staff within this branch to expand their ability to support the CVE Division. For several years, CVE has provided funding for personnel, equipment, and supplies within this branch where it supports the goals of the MCSAP program.
- **Public Affairs Branch:** This branch is responsible for agency public outreach efforts and has staff dedicated to spreading information in the media and social media realms. This branch has been supporting CVE, both with state and HP funds, in spreading messages concerning CMV public education, CMV safety, and human trafficking reduction. This year represents the first time in many years that CVE will be providing MCSAP funds to the Public Affairs Branch to support the goals of the MCSAP program.

Subawardees:

KSP utilizes four subawardees to assist in attaining its MCSAP goals:

- **Kentucky Transportation Cabinet (KYTC):** Though funded as a contractor and not strictly a subawardee, KYTC receives significant funding to support several MCSAP priorities that they are uniquely situated to accomplish. Those priorities include: the ITD and PRISM programs, maintenance of the CVIEW database and RIMS inspection software, IRP and IFTA membership dues, and other functions within their purview. KYTC also contracts with the Kentucky Transportation Center (KTC) at the University of Kentucky. KTC provides support services to KSP and KYTC including: research, data and regulatory analysis, and technology maintenance and repair.

- **Lexington Police Department (LPD):** LPD is an enforcement subawardee who currently has 19 sworn NAS certified inspectors. This subawardee provides enforcement support, primarily within Fayette County, in an effort to combat the elevated number of CMV crashes in and around the heavily urbanized Lexington-Fayette County area.
- **Boone County Sheriff's Office (BCSO):** BCSO is an enforcement subawardee who currently has 14 sworn NAS certified inspectors. This subawardee provides enforcement support, primarily within Boone and Kenton Counties, in an effort to combat the elevated number of CMV crashes in and around the heavily urbanized northern Kentucky-Cincinnati area.
- **Louisville Metro Police Department (LMPD):** LMPD is an enforcement subawardee who currently has 11 sworn NAS certified inspectors. This subawardee provides enforcement support, primarily within Jefferson County, in an effort to combat the elevated number of CMV crashes in and around the heavily urbanized Louisville-Jefferson County area.

CVSP Initiatives based on the FFY2024 MCSAP Basic Notice of Funding Opportunity (NOFO):

- **National Roadway Safety Strategy (NRSS):** KSP utilized the NRSS, primarily as interpreted through the Notice of Funding Opportunity (NOFO), to develop this CVSP. The data and information contained in the NRSS was given considerable weight during the planning process and each priority listed in the NOFO is addressed in this CVSP. [NOFO Page 6]
- **Reduce Fatal Crashes:**
 - **Driver and Vehicle Inspections and Safety Impact (primarily inspections):**
 - **Work Zone Safety:** See Part 2, Sections 2, 5, and 7 of this CVSP for additional details. KSP is placing an additional emphasis on CMV inspections in around work zones for this FFY in an effort to reach the 15% increase goal set in the NOFO. [NOFO Pages 7 & 11]
 - **Human and Drug Trafficking:** See Part 2, Sections 5 & 7 of this CVSP for additional details. KSP is continuing to prioritize efforts to combat human and drug trafficking. While staffing shortfalls do not currently allow for the establishment of standing teams or strikeforces dedicated to these activities, KSP is planning on improving training and participation in details focusing on these areas. Additionally, KSP is seeking media funds to support these efforts and to expand outreach. KSP's goal is to screen each CMV inspected for indicators of human and drug trafficking. [NOFO Pages 8 & 11]
 - **Enforcement of Out-of-Service Orders:** KSP plans to continue existing efforts in this area, having experienced success in recent years that exceeds the goal of an 85% catch rate. The RIMS third-party inspection software includes automatic checks designed to evaluate a carrier's FOOS status in real-time. KSP plans to continue improving training in this area, particularly among subawardees and KSP employees who complete NAS inspections as a secondary duty, to improve the overall catch rate. [NOFO Pages 8 & 11]
 - **Passenger Carrier Safety:** See Part 2, Section 2 of this CVSP for additional details. Kentucky continues to have a relatively low number of Motorcoach and Passenger Carrier fatalities. KSP plans to continue existing efforts in this area and to monitor these types of crashes on a quarterly basis. As necessary, KSP will allocate additional resources in any problem areas discovered in an effort to improve Passenger Carrier Safety. [NOFO page 9]
 - **Migrant Worker Transportation in Rural Areas:** KSP will continue monitoring this area and will allocate additional resources if significant problems are discovered in the future. While Kentucky has a significant agricultural industry which often uses Migrant Farm Workers, the overall number of Passenger Carrier fatalities remain relatively low. [NOFO Page 10]
 - **Electronic Logging Devices (ELD):** KSP trains each inspector to examine ELD and non-ELD RODS during each inspection. Each inspector has access to FMCSA's eRODS software and KSP

previously equipped each inspector with secure USB drives in the event a local transfer of ELD data is required. KSP plans to provide ELD refresher training during this FFY in coordination with FMCSA or other ELD subject matter experts. [NOFO Page 10]

- **Crash Causal Factors Program (CCFP):** See Part 2, Section 2 of this CVSP for additional details on KSP's crash reduction and investigation program. KSP has been an active participant in FMCSA's CCFP. KSP conducts a detailed analysis of collision causal factors and uses this information to inform CMV-related enforcement and outreach efforts, particularly during each CVSP drafting period. CVE has been increasing its efforts related to crash investigation, in part, through a growing partnership with the KSP CIRT branch. Additionally, CVE utilizes an analyst to provide monthly collision-related information to Regional Commanders to help guide their resource allocation decisions. Efforts to improve data utilization, and data use by enforcement staff, are ongoing. [NOFO Pages 11 & 12]
- **Traffic Enforcement:** See Part 2, Section 5 of this CVSP for additional details. KSP is planning an increased emphasis on high visibility roadside traffic enforcement inspections, especially those in and around work zones. Due to staffing shortfalls, KSP has been unable to achieve the average activity levels realized in FFY2014 and FFY 2015. As a result, no MCSAP funding is utilized to support non-CMV traffic enforcement efforts. Currently, KSP requires an inspection on each CMV traffic enforcement contact in order for that associated time to be charged to MCSAP funds. KSP does not currently allow MCSAP funds to be used for CMV traffic enforcement contacts that do not result in an inspection, but KSP does plan to begin reporting these statistics. According to FMCSA's A&I data, KSP exceeded its CVSP traffic enforcement goal in the previous FFY by a notable margin. With chronic staffing shortfalls continuing, it will be difficult for KSP to further increase this number by the additional 10% listed in the NOFO. However, KSP is making changes to the way roadside enforcement staff are utilized in an effort to increase traffic enforcement activity. [NOFO Pages 12 & 16]
 - **Work Zone Safety:** See Part 2, Sections 2 & 5 of this CVSP for additional details. KSP is placing an additional emphasis on CMV inspections in around work zones and expects a significant number of these inspections to result in traffic enforcement activity. [NOFO Page 14]
 - **Vulnerable Road Users (VRU):** A review of the available data in this area indicates a significantly elevated potential for VRU fatalities in urban areas. Accordingly, KSP plans to address this area primarily through its three enforcement subawardees, each of which are based in heavily urbanized areas. KSP believes that utilizing its enforcement partners in these urban areas, and their specialized knowledge of their own local areas, is the most effective strategy for reducing collisions most likely to include VRUs. [NOFO Page 15]
 - **Prohibited Operation:** See Part 2, Section 5 of this CVSP for additional details.
 - **FOOS Orders:** Kentucky automatically screens for FOOS orders with each inspection via an automated process within the RIMS inspection software. The RIMS software is utilized by all KSP inspectors and subawardees. Additionally, each weigh station and virtual weigh station is capable of alerting inspection staff if a vehicle potentially under a FOOS order is detected in real-time. As a result, Kentucky exceeds the national average catch rate for FOOS orders according to data available in A&I.
 - **Drug and Alcohol Clearinghouse (DACH):** Kentucky's prohibited driver detection rate is good and continuing to improve based upon the last available report on DACH catch rates provided by the KY Division Office. Each CMV driver is required to be checked during each inspection to determine if they are listed as prohibited. Additionally, safety audit and compliance investigation staff screen each carrier for prohibited drivers in accordance with eFOTM guidance. Auditors and investigators have received advanced DACH training and have DACH access to determine if a driver is prohibited, or if they were used while prohibited in the past, even if they are currently non-prohibited.
- **New Entrant Safety Audits (NESA):** See Part 2, Section 9 of this CVSP for additional details. KSP has one of the best performing NESA programs in the nation, particularly among similarly sized states. Due to the recent economic downturn, Kentucky is seeing far fewer New Entrant Motor Carriers than in the immediate post-COVID era. As a result, KSP's NESA program is expected to have more than adequate resources during the next FFY to meet anticipated program needs. Increasing the number of audits by

15%, as stated as a goal in the NOFO, may not be possible since Kentucky is experiencing a decline in New Entrant Motor Carriers. In fact, as of this writing, KSP is assigning audits at approximately 6 months from their due date because the decline is so great (up from about 3 months in the past two years). Kentucky's overdue audit rate has been zero or nearly zero for an extended period. The occasional overdue audit typically results from a carrier abusing the NESA process and intentionally dragging out the timeline. Since more time is available per audit in the upcoming FFY than in years past, KSP, in coordination with FMCSA, has already begun completing more audits as onsite than in years past. KSP has found that onsite audits are both better for a carrier from an educational standpoint and better for the auditor from an audit accuracy standpoint. KSP is hopeful that providing a carrier with high quality face-to-face interaction with an experienced auditor will improve both post-audit safety performance and compliance rates. Provided the number of audits remain stable over time and that resources allow, KSP is planning to compare the results of this mostly onsite-based approach with the mostly offsite-based model of prior years and measuring the impact in terms of both BASIC scores and actual crash rates over time. [NOFO Pages 16 & 17]

- **Motor Carrier Investigations (CI):** See Part 2, Section 4 of this CVSP for additional details. KSP's compliance investigation program currently consists of two seasoned investigators and one supervisor overseeing the program, down from a high of five compliance investigators and one supervisor in years past. KSP investigators work closely with FMCSA and investigate both interstate and intrastate carriers. Additionally, KSP investigators complete enforcement cases where appropriate, and coordinate those efforts through FMCSA. The CI program follows all FMCSA policy guidance and uses the eFOTM as the foundational set of guidelines for how each investigation is managed. Unfortunately, attempts to add staff have been unsuccessful with the most recent investigator being added to the program in FFY2018. Because of staffing shortfalls, KSP will be unable to increase the number of interstate carriers investigated by 20% as outlined in the NOFO. CI program staff will continue to seek ways to increase both staffing levels and investigations, but approval for increased staff must come from the KSP command level. [NOFO Pages 17 & 18]
- **Hazardous Materials Safety:** See Part 2, Section 2 of this CVSP for additional details. Kentucky continues to have a relatively low number of fatal collisions involving hazardous materials transportation. KSP plans to continue existing efforts in this area and to monitor these types of crashes on a quarterly basis. As necessary, KSP will allocate additional resources in any problem areas discovered in an effort to improve hazardous materials safety. [NOFO page 19]
 - **Hazmat Inspections:** KSP has a long-running practice of requiring a minimum of 10% of each certified inspectors' total annual inspections include vehicles transporting hazardous materials. In accordance with the goal established in the NOFO, KSP will prioritize hazardous materials inspections in areas of high hazardous material transportation. Locations where an increased rate of hazardous materials crashes occur will also be prioritized, along with carriers with a 10% or greater hazardous materials out of service rate. [NOFO Pages 19 & 21]
 - **Traffic Enforcement:** In accordance with NOFO goals, KSP plans to increase traffic enforcement activities with a focus on vehicles transporting placardable amounts of hazardous materials. Due to the unique dangers of transporting hazardous materials, KSP will place increased emphasis upon the issuance of citations to hazardous material drivers as opposed to warnings. [NOFO Pages 19 & 21]
 - **Compliance Review/Investigations & Cargo Tank Facility Reviews (CTFR):** The KSP Compliance Investigation program has experienced significant attrition in staffing over prior FFYs. The program is currently without a skilled hazardous material investigator, nor has there been frequent cause to investigate hazardous materials carriers within Kentucky. KSP has never had a CTFR certified compliance investigator. FMCSA hazardous materials specialists have traditionally handled reviews of this type, and investigations on HMSP motor carriers. Due to staffing shortages, KSP does not anticipate being able to complete increased hazardous material investigations or CTFRs during the upcoming FFY. However, should staffing improve, KSP is willing to take on this role in the future. [NOFO Pages 19-21]
 - **Hazardous Materials Safety Permits (HMSP):** In accordance with the goals established in the NOFO, KSP will emphasize inspections and enforcement upon carriers with a HMSP. As stated above, the KSP Compliance Investigation program does not typically handle compliance investigations of this type, but if a HMSP carrier warrants investigation, KSP will coordinate this investigation with FMCSA as appropriate. [NOFO Page 20]

- **Undeclared Hazardous Materials (UDHM):** As a standard practice during all inspections, KSP certified investigators are trained to examine a CMV's cargo, within prescribed legal limitations, for evidence of UDHM in addition to other forms of contraband. In accordance with the goal established in the NOFO, KSP will place an increased emphasis on evaluating each CMV inspected for the presence of UDHM, particularly for inspectors who are not hazardous materials inspection certified. When potential UDHM is detected by an inspector who is not hazardous material inspection certified, they will be encouraged to contact a hazardous material inspection certified inspector to assist in the investigation and documentation of potential violations. [NOFO Pages 20 & 21]
- **Working with the States to Improve HM Safety:** KSP is willing and able to work with FMCSA's Hazardous Materials Technical Expertise and Advisory Members (HM TEAM) as needed or on an ongoing basis to improve highway safety and regulatory compliance. [NOFO Page 21]
- **CMV Safety Programs Focusing on International Commerce in Border States:** Kentucky is not a border state and this section of the NOFO does not apply. [NOFO Pages 21 & 22]
- **Performance and Registration Information Systems Management (PRISM) and "Level-Up" Initiative, & Innovative Technology Deployment (ITD):** Kentucky is an 'enhanced' participation PRISM state. Due to significant costs and legislative barriers unlikely to be overcome in the next FFY, KSP does not anticipate Kentucky meeting the goal of leveling up to the 'Expanded' participation level. However, Kentucky intends to continue utilizing MCSAP funding to support PRISM and ITD functions as outlined in Part 2 of this CVSP. Furthermore, KSP continues to place an increased emphasis on detecting reincarnated carriers and taking appropriate action when they are discovered, including (in coordination with FMCSA): voluntary consent orders (VCO), record consolidation orders (RCO), enforcement cases, or referrals for other forms of regulatory or enforcement actions by outside agencies such as the Kentucky Transportation Cabinet. [NOFO Pages 22 & 23]
- **Data Collection and Quality:** KSP places a special emphasis upon data quality and has been a long-time participant in FMCSA's DataQs program. Additionally, Kentucky has remained in the 'green' performance category for each of FMCSA's Data Quality metrics for many, many years. KSP has several staff positions dedicated to data quality and providing for timely updates when problems are detected. Additionally, KSP works closely with our FMCSA Division Office (proactively and upon request) providing additional data and resources on high profile crashes or other items of interest. KSP is in the process of expanding its data quality and analytics program. Currently, KSP employs a full-time criminal analyst dedicated to supporting both program and field enforcement needs, with a growing emphasis on using data to support the MCSAP program. KSP is also partnering with the Kentucky Transportation Center at the University of Kentucky to enhance and inform our crash reduction strategy as outlined in Part 2, Section 2 of this CVSP. With the upcoming transition to SafeSpect, KSP plans to utilize the newly available data to further enhance the effectiveness of its MCSAP program. [NOFO Page 24]
- **Public Education and Awareness:** See Part 2, Section 7 of this CVSP for additional information. KSP conducts routine public outreach activities, primarily through the use of two Public Affairs Officers (PAOs), but has been increasing its outreach efforts on social media through the KSP Public Affairs Branch. In the past, KSP has utilized High Priority (HP) grant funds to conduct targeted media outreach. For the first time in many years, KSP will be including media outreach funds in its CVSP. KSP plans to expand, primarily on social media and web-based platforms, its ability to reach the public with messages about CMV safety, including human trafficking awareness, as prioritized in the NOFO. [NOFO Pages 24 & 25]
- **Additional Federal Initiatives to Highlight in Your CVSP as Applicable:**
 - **Equitable Enforcement Practices:** KSP fully complies with all federal and state guidelines related to fairness and bias-free policing. KSP has fully adopted FMCSA's Title VI Program requirements and reports annually as required by the FMCSA Office of Civil Rights. Additionally, KSP has two enforcement subawardees, each one located in heavily urbanized areas with increased CMV crash risk. This approach ensures these communities have additional resources to address highways safety concerns at the local level, using local enforcement officers able to respond to locally identified priorities within each community.
 - **Climate and Sustainability:** KSP has not identified any significant nexus between its CVSP-governed operations and climate change and sustainability goals outlined in Executive Order 14008. However, as suggested in the NOFO, KSP does encourage the completion of timely inspections that minimize waiting and idle times, thus decreasing exhaust emissions and fuel consumption.

Additionally, KSP's crash reduction focus results in a reduction of potentially toxic substances being introduced into the environment from damaged, leaking, or burning CMVs or other property.

- **Rural Transportation Networks:** See Part 2, Section 2 of this CVSP for additional details. Kentucky is an overwhelmingly rural state with significant traffic occurring on rural transportation networks. KSP has identified high crash areas within this rural transportation network and resources are assigned to reduce these crashes. Additionally, outside of the high crash areas identified in this CVSP, each regional commander has authority to assign resources to address locally identified problem areas. These problem areas are typically rural and locations where citizens do not have access to any other CMV safety focused enforcement personnel.
- **Truck Parking:** The role of KSP in addressing the truck parking shortage is very limited as this is primarily the responsibility of the Kentucky Transportation Cabinet (KYTC). However, KSP does provide law enforcement support and advice to KYTC in support of their truck parking mission, including the identification of trouble areas. No MCSAP funding is used to build, create, or reserve space for truck parking, and so KSP is limited in its ability to support this priority. Using state funds, KSP does participate in meetings and planning sessions with KYTC and the Federal Highway Administration (FHWA) to address truck parking issues. Progress is being made in certain trouble areas, particularly with planned truck parking expansions in northern Kentucky.
- **State Training Plans:** KSP will continue to work directly with the FMCSA National Training Center (NTC) to coordinate training needs and anticipates having a training plan prepared and presented to the FMCSA NTC by the deadline stated in the NOFO. [NOFO Page 26]
- **Title VI Assessments:** KSP has fully adopted FMCSA's Title VI Program requirements. KSP also coordinates the annual submission and review of all program documentation with the FMCSA Office of Civil Rights (OCR). Additionally, each subawardee is required to maintain their own Title VI programs which are also reviewed annually by both KSP and the FMCSA OCR. In addition to the annual review by FMCSA's OCR, complete Title VI documentation is submitted annually with each complete CVSP, and with each grant application in Grants.gov.

Updated: 08/30/2024

Part 1 Section 4 - MCSAP Structure

Instructions:

Complete the following tables for the MCSAP lead agency, each subrecipient and non-funded agency conducting eligible CMV safety activities.

The tables below show the total number of personnel participating in MCSAP activities, including full time and part time personnel. This is the total number of non-duplicated individuals involved in all MCSAP activities within the CVSP. (The agency and subrecipient names entered in these tables will be used in the National Program Elements—Roadside Inspections area.)

The national program elements sub-categories represent the number of personnel involved in that specific activity area.

- **Driver and Vehicle Inspections** includes the number of personnel conducting inspection activities.
- **Traffic enforcement activities** includes the number personnel conducting CMV and Non-CMV traffic enforcement activities.
- **Investigations** includes the number of personnel conducting Investigations, Compliance Reviews, and New Entrant Safety Audits.
- **Public Education and Awareness** includes the number of personnel conducting public education and awareness on CMV topics.
- **Data Collection and Reporting** includes the number of personnel responsible for collecting, processing, analyzing and reporting State data including inspections and crashes, uploading data via SafetyNet and SAFER, and monitoring the quality of data timeliness, accuracy, and completeness.

FMCSA recognizes that some staff may be involved in more than one area of activity.

Lead Agency Information	
Agency Name:	KENTUCKY STATE POLICE
Enter total number of personnel participating in MCSAP activities	155
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	146
Traffic Enforcement Activities	114
Investigations*	13
Public Education and Awareness	155
Data Collection and Reporting	155
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Subrecipient Information	
Agency Name:	LEXINGTON POLICE DEPARTMENT
Enter total number of personnel participating in MCSAP activities	23
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	23
Traffic Enforcement Activities	23
Investigations*	0
Public Education and Awareness	23
Data Collection and Reporting	23
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Subrecipient Information	
Agency Name:	LOUISVILLE METRO POLICE DEPARTMENT
Enter total number of personnel participating in MCSAP activities	11
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	11
Traffic Enforcement Activities	11
Investigations*	0
Public Education and Awareness	11
Data Collection and Reporting	11
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Subrecipient Information	
Agency Name:	BOONE COUNTY SHERIFF'S OFFICE
Enter total number of personnel participating in MCSAP activities	11
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	11
Traffic Enforcement Activities	11
Investigations*	0
Public Education and Awareness	11
Data Collection and Reporting	11
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Subrecipient Information	
Agency Name:	KENTUCKY TRANSPORTATION CABINET
Enter total number of personnel participating in MCSAP activities	20
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	0
Traffic Enforcement Activities	0
Investigations*	0
Public Education and Awareness	0
Data Collection and Reporting	0
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Non-funded Agency Information	
Total number of agencies:	0
Total # of MCSAP Participating Personnel:	0

Part 2 - Crash Reduction and National Program Elements

Part 2 Section 1 - Overview

Part 2 allows the State to provide past performance trend analysis and specific goals for FY 2025 - 2027 in the areas of crash reduction, roadside inspections, traffic enforcement, audits and investigations, safety technology and data quality, and public education and outreach.

*For CVSP planning purposes, the State can access detailed counts of its core MCSAP performance measures from the **Analysis & Information Online** (A&I Online) website, <https://ai.fmcsa.dot.gov/Grants>. Portal credentials are required to access this website.*

- **MCSAP Performance Dashboard** – *States can use this information to inform CVSPs and other activities with the goal of reducing crashes, injuries, and fatalities involving CMVs.*

It provides a snapshot of MCSAP performance in four areas: Crash Overview, National Program Element goals, Enforcement Measures, and Funding Utilization.

- **Activity Dashboard** – *This dashboard assists States in monitoring MCSAP activities identified in CVSPs and in preparing MCSAP quarterly reports. The reports are viewable by fiscal year and quarter. The most recent five fiscal years are available.*

Reports are available in three areas: Crash Reduction, Out-of-Service (OOS) report, and National Program Elements (which includes reports on Roadside Inspections, Investigations, State Safety DQ, Safety Audits, Border Enforcement, and Traffic Enforcement).

- *States can utilize other data reports available on A&I Online located in the Crash Statistics, Enforcement Programs, and Data Quality modules.*
- *States can also use internal State data sources.*

It is important to always reference data source information used in developing problem statements, baseline information, objectives, and performance goals within the CVSP.

Part 2 Section 2 - CMV Crash Reduction

FMCSA's primary mission is to reduce crashes, injuries and fatalities involving large trucks and buses. MCSAP partners also share the goal of reducing CMV-related crashes.

Performance data plays an important role in ensuring MCSAP-funded work across the country is actively and effectively promoting positive CMV safety outcomes. States can use the MCSAP Performance Dashboard to develop CVSPs, and to inform and inspire strategic conversations with FMCSA in the pursuit of our shared safety mission. Crash metrics are included in the Crash Overview section and represent the performance measures most commonly identified by the States.

States can use this data to identify State trends in key crash measures, and compare your State with nationwide and regional data.

Trend Analysis for 2019 - 2023

Instructions for all tables in this section:

Complete the tables below to document the State's past performance trend analysis over the past five measurement periods. All columns in the table must be completed.

- Insert the beginning and ending dates of the five most recent State measurement periods used in the **Measurement Period column**. The measurement period can be calendar year, Federal fiscal year, State fiscal year, or any consistent 12-month period for available data.
- In the **Number of Fatalities column**, enter the total number of fatalities resulting from crashes involving CMVs in the State during each measurement period.
- The **Goal and Outcome columns** relate to each other and allow the State to show its CVSP goal and the actual outcome for each measurement period. The goal and outcome must be expressed in the same format and measurement type (e.g., number, percentage, etc.).
 - In the **eCVSP Goal column**, enter the goal from the corresponding CVSP for the measurement period.
 - In the **Actual Outcome column**, enter the actual outcome for the measurement period based upon the goal that was set.
- Include the data source and capture date in the narrative box provided below the tables.
- If challenges were experienced while working toward the goals, provide a brief narrative including details of how the State adjusted the program and if the modifications were successful.
- The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable in Years 2 and 3.

ALL CMV CRASHES

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g. large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, or other). Other can include injury only or property damage crashes.

Goal measurement as defined by your State: Large Truck Fatal Crashes per 100M VMT

If you select 'Other' as the goal measurement, explain the measurement used in the text box provided:

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2022	12/31/2022	82	0.12	0.1707
01/01/2021	12/31/2021	102	0.13	0.2120
01/01/2020	12/31/2020	100	0.14	0.2149
01/01/2019	12/31/2019	96	0.15	0.1943
01/01/2018	12/31/2018	86	0.16	0.1736

MOTORCOACH/PASSENGER CARRIER CRASHES

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g. large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, other, or N/A).

Goal measurement as defined by your State: N/A

If you select 'Other' or 'N/A' as the goal measurement, explain the measurement used in the text box provided:
KY has not identified any consistent significant issues.

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2022	12/31/2022	2		
01/01/2021	12/31/2021	5		
01/01/2020	12/31/2020	2		
01/01/2019	12/31/2019	7		
01/01/2018	12/31/2018	2		

Hazardous Materials (HM) CRASH INVOLVING HM RELEASE/SPILL

Hazardous material is anything that is listed in the hazardous materials table or that meets the definition of any of the hazard classes as specified by Federal law. The Secretary of Transportation has determined that hazardous materials are those materials capable of posing an unreasonable risk to health, safety, and property when transported in commerce. The term hazardous material includes hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials, and all other materials listed in the hazardous materials table.

For the purposes of the table below, HM crashes involve a release/spill of HM that is part of the manifested load. (This does not include fuel spilled from ruptured CMV fuel tanks as a result of the crash).

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g., large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, other, or N/A).

Goal measurement as defined by your State: N/A

If you select 'Other' or 'N/A' as the goal measurement, explain the measurement used in the text box provided:

KY has not identified any consistent significant issues.

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2022	12/31/2022	2		
01/01/2021	12/31/2021	2		
01/01/2020	12/31/2020	2		
01/01/2019	12/31/2019	2		
01/01/2018	12/31/2018	5		

Enter the data sources and capture dates of the data listed in each of the tables above.

Retrieved from: A&I on 08/21/2024 MCMIS Snapshot Date: 07/26/2024

Narrative: Describe any difficulties achieving the goal, problems encountered, obstacles overcome, lessons learned, etc.

Motorcoach Enforcement:

Kentucky has a limited number of end destination locations at which to complete motorcoach inspections. Motorcoach inspections are typically conducted at motorcoach terminals or during special details where a large number of motorcoaches are present. Collision statistics indicate that Kentucky has a relatively low number of motorcoach and passenger carrier-involved collisions.

Hazardous Materials:

Kentucky maintains a consistent hazardous materials (HM) inspection program with at least 10% of all inspections required to be HM inspections for each enforcement staff member assigned to CVE. All regional patrol and inspector staff are trained and certified to conduct HM, Cargo Tank, and Other Bulk Packaging HM inspections. Collision statistics indicate that Kentucky has a relatively low number of collisions involving hazardous materials transportation, and a very few which involve a HM spill.

Updated: 08/29/2024

Narrative Overview for FY 2025 - 2027

Instructions:

The State must include a reasonable crash reduction goal for their State that supports FMCSA's mission to reduce the national number of crashes, injuries and fatalities involving commercial motor vehicles. The State has flexibility in setting its goal and it can be based on raw numbers (e.g., total number of fatalities or CMV crashes), based on a rate (e.g., fatalities per 100 million VMT), etc.

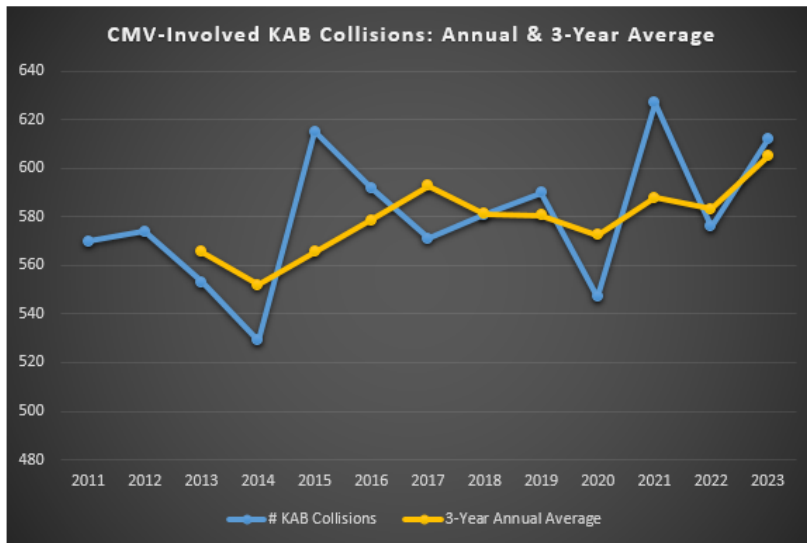
Problem Statement Narrative: Describe the identified problem, include baseline data and identify the measurement method.

Problem Statement

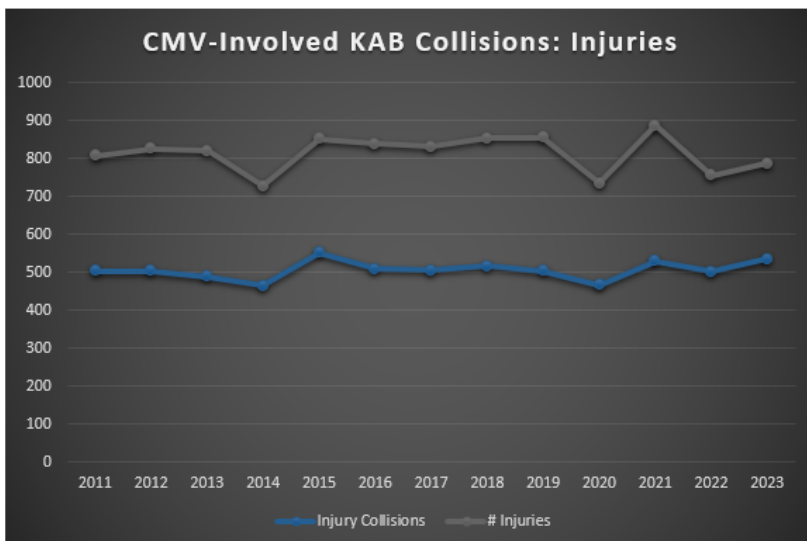
CMV-Involved KAB Collisions in Kentucky (by FFY)

Item	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
# KAB Collisions	570	574	553	529	615	592	571	581	590	547	627	576	612
Annual Change		4	-21	-24	86	-23	-21	10	9	-43	80	-51	36
% Change (Annual)		0.7%	-3.7%	-4.3%	16.3%	-3.7%	-3.5%	1.8%	1.5%	-7.3%	14.6%	-8.1%	6.3%
3-Year Annual Average			565.7	552.0	565.7	578.7	592.7	581.3	580.7	572.7	588.0	583.3	605.0
Change (3-Year Avg)				-13.7	13.7	13.0	14.0	-11.3	-0.7	-8.0	15.3	-4.7	21.7
% Change (3-Year Avg)				-2.4%	2.5%	2.3%	2.4%	-1.9%	-0.1%	-1.4%	2.7%	-0.8%	3.7%
Injury Collisions	504	503	488	464	551	509	505	517	504	467	529	501	535
Fatal Collisions	66	71	65	65	64	83	66	64	86	80	98	75	77
# Injuries	808	825	820	728	852	838	832	853	856	734	887	755	786
# Fatalities	70	78	73	69	74	90	79	71	97	92	115	83	83

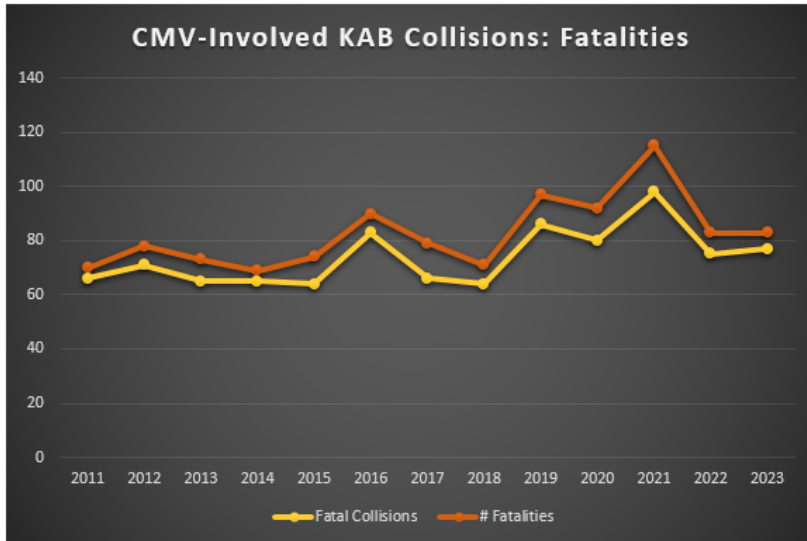
A review of data from KYOPS, Kentucky's crash data repository, indicates that the number of KAB collisions involving CMVs is trending upwards in Kentucky. KAB collisions are collisions with fatalities (K), incapacitating injuries (A), and Non-incapacitating injuries (B).



As demonstrated on the chart above, both the total number and 3-year average number of KAB collisions is increasing in Kentucky.



Though KAB collisions are increasing, the number of those collisions which involve injuries, but no fatalities, remains relatively stable over time.



This chart illustrates a troubling trend. Though the number of injury collisions remains relatively stable, much of the increase in KAB collisions is driven by an increasing number of fatal collisions.

Goal: KSP aims to reduce the KAB collision total in Kentucky by at least 1% each FFY (for a total of 3% from FFY2025-FFY2027). This reduction will be measured against a baseline of the average annual number of CMV-involved KAB collisions occurring from FFY2021-FFY2023. According to data retrieved from KYOPS, the annual average number of KAB collisions from FFY2021-FFY2023 was 605.

Crash Intervention Plan Goals FFY2025-FFY2027		
Baseline:	605	KAB Collisions
Final Goal:	3%	Reduction vs Baseline
Final Target:	587	KAB Collisions

Year	KAB Target	Annual Reduction Goal
FFY2025	599	1% vs baseline
FFY2026	593	1% vs baseline
FFY2027	587	1% vs baseline

Updated: 08/29/2024

Enter the data source and capture date:

Retrieved from: A&I on 08/21/2024, MCMIS Snapshot Date: 07/26/2024 KAB crash data obtained from KYOPS, retrieved 08/29/2024.

Projected Goal for FY 2025 - 2027:

In the table below, state the crash reduction goal for each of the three fiscal years. The method of measurement should be consistent from year to year. For example, if the overall crash reduction goal for the three year period is 12 percent, then each annual goal would be shown as 4 percent. If the crash reduction goal is 15 crashes per year, then each annual goal would be shown as 15.

Fiscal Year	Annual Crash Reduction Goals
2025	1
2026	1
2027	1

Goal: KSP aims to reduce the KAB collision total in Kentucky by at least 1% each FFY (for a total of 3% from FFY2025-FFY2027) by focusing the majority of its efforts on work zones and routes expected to see an increased number of KAB collisions in the coming FFY. This reduction will be measured against a baseline of the average annual number of CMV-involved KAB collisions occurring from FFY2021-FFY2023. According to data retrieved from KYOPS, the annual average number of KAB collisions from FFY2021-FFY2023 was 605. See the Problem Statement section above for additional details and a chart of annual goals. Updated: 08/29/2024 Updated: 08/29/2024

Program Activities for FY 2025 - 2027: States must indicate the activities, and the amount of effort (staff hours, inspections, traffic enforcement stops, etc.) that will be resourced directly for the program activities purpose.

Crash Intervention Plan

Revision #1 Note: Revisions to this section are highlighted in cyan based upon comments received from FMCSA during Revision #1. Additionally, a summary of the revisions, along with any additionally relevant information, can be found at the end of this section.

Background and Methodology

See Part 2, Section 5 of this CVSP for additional information on KSP's crash reduction strategy.

Beginning FFY2025, KSP is significantly changing its crash reduction strategy and reporting from prior FFYs. KSP is leveraging our partnership with the University of Kentucky, Kentucky Transportation Center (KTC) to enhance and modernize our approach to crash reduction.

This new data-driven crash reduction strategy relies upon an algorithm developed by KTC, originally used to prioritize the locations of cable barrier installations, which analyzes historic collision data and effectively predicts the location and severity of future collisions. This methodology, accepted by FHWA, and incorporating network-screening techniques from the Highway Safety Manual (HSM), has been adapted to CMV crash reduction. This type of analysis uses a Safety Performance Function (SPF) to predict future crash locations based upon past crash data.

In short, this algorithm breaks all KY highways down into segments of various sizes, averaging approximately .11 of a mile. Roadways are also subdivided into different categories based upon size and location. What follows is an excerpt from a KTC report which helps to explain how the algorithm calculates crash estimates:

The logic used in the final algorithm resulted in 1,114 crashes returned. 200 report narratives were sampled and it was determined that 166 (83%) were accurately identified, an increase of 31% over the traditional method of median crossover crash identification.

Once an accurate representation of crash history was determined for each analysis segment, it was possible to create Safety Performance Functions for network screening. For each of the seven highway types listed in the segmentation section, a model was developed using the Highway Safety Manual process (AASHTO, 2010). In general, an SPF was developed for each site using the historical data from the crash analysis process above.

The general form of the SPF equation is:

$$y = L \times e^a \times ADT^b$$

Where,

y = predicted number of crashes

L = section length

ADT = traffic volume (AADT)

a and b are coefficients that describe the behavior between length, AADT and the estimated number of crashes and were obtained using the statistical program R

The crash history was then adjusted using the Empirical Bayes (EB) approach to improve the accuracy of estimates and address regression to the mean. The difference between the number of crashes predicted by the SPF and the number of crashes estimated using the EB process was used to assess the potential for crash reduction (PCR) at each specific site. Figure 2 illustrates this concept. PCR values were then used to rank-order sites and determine the potential crash reductions.

The equation for the Empirical Bayes estimate is:

$$EB[N] = w E[N] + (1 - w) N$$

where:

$EB[N]$ = EB estimate

$E[N]$ = predicted number of crashes

N = number of observed crashes

w = weight where $w = 1 / [1 + (E[N]/\theta)]$

θ = over-dispersion parameter

This method of crash prediction proved to be 31% more effective than prior methods when predicting future crash locations than other methods used for the original cable barrier project.

Table 2 shows the comparison of crash data results between the three methods used in the analysis.

Table 2 - Accuracy of Crash Query Results

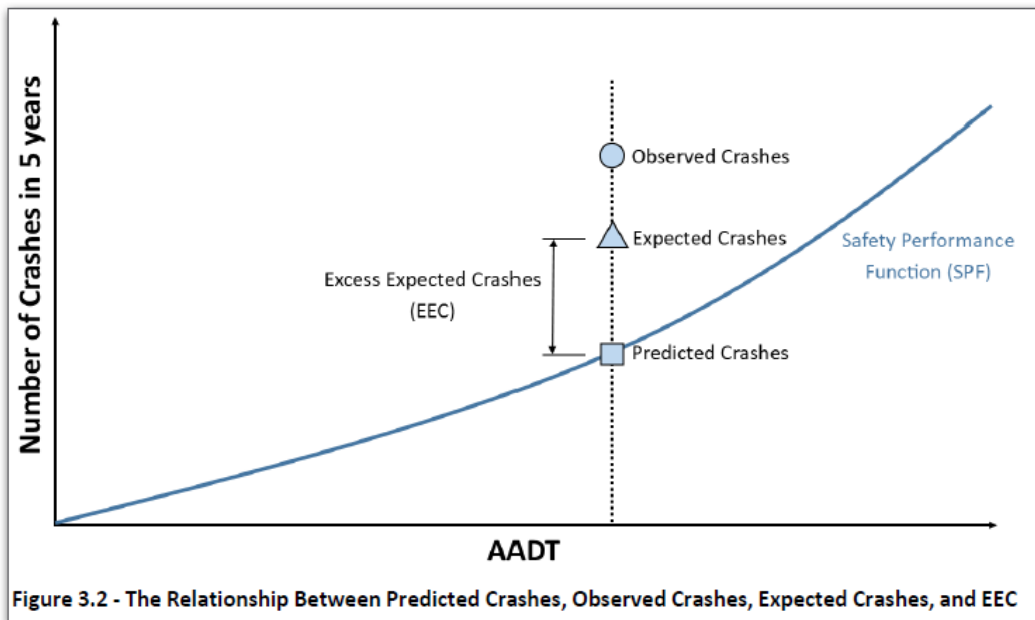
	Traditional Method	Intermediate Algorithm	Final Algorithm
Total Returned	1,076	1,950	1,114
Sampled	100	300	200
Correctly Identified	52	182	166
Incorrectly Identified	48	118	22
Percent Accurate	52%	61%	83%

Given this success in accurately predicting future crash locations, at KSP's request, KTC adapted its algorithm to include only CMV-involved collisions, excluding those which occur on private property and in parking lots. KTC provided both a data table and created an interactive map to help analyze the data.

KSP is basing its Crash Intervention Plan (CIP) for FFY2025-FFY2027 upon the data provided by KTC, matching it with the realities of KSP's current staffing levels and the distribution of staff throughout the state. KTC's data model is based upon five years of KYOPS (Kentucky's collision data repository) collision data from CY2018-CY2022.

As an overall goal, KSP aims to reduce the number of collisions with fatal (K), incapacitating injuries (A), and Non-incapacitating injuries (B). Hereafter, these collisions will be referred to as KAB collisions. Collisions with possible injuries (C) or no injuries (O) are not included in this focused crash reduction strategy, though KSP may also use this data to inform other crash reduction decisions where appropriate.

KSP's primary strategy is to focus its limited CVE resources on routes or route segments where the algorithm predicts an excess number of collisions will occur. The algorithm calculates the Excess Expected Crashes (EEC) number for each route segment throughout the state. The higher the EEC on a particular route segment, the greater the amount of crashes (versus baseline) which are expected to occur on that particular route segment. Using EEC to predict crashes on each route segment has proven to be more accurate than using only past observed crash data as a basis for a route segment's future crash performance.



KTC has included the 'KAB EEC' for all route segments statewide in the data provided to KSP. KAB EEC focuses upon the EEC for KAB type collisions instead of the EEC for all types of collisions. KSP believes that focusing on routes with a high EEC KAB will be a more effective use of its limited CVE resources than past enforcement models which took a broader and largely self-guided approach.

High Crash Corridor Selection

The routes selected for focused enforcement are hereafter referred to as Kentucky's High Crash Corridors (HCC). CVE does not have the resources necessary to work every route or route segment throughout the state with a high incidence of crashes. In order to determine what routes can be effectively worked, data was compiled on the starting dispatch location of each sworn patrol staff member. After determining where patrol staff would be dispatched from, typically their home, routes were selected within a reasonable driving distance from these locations. Please see the 'Determining the reasonableness of drive time' section below for the rationale behind the determination of what is, and what is not, considered a reasonable driving distance for sustained enforcement efforts. While other locations will still be patrolled during maintenance efforts as described later in this section, the main focus of CVE's crash reduction efforts will be those HCC route segments where patrol staff can spend 5 or more hours (of an 8 hour shift) on location and engaged in high visibility traffic enforcement and CMV inspection activities.

Determining the reasonableness of drive time: The reasonableness of drive time was determined by analyzing the amount of time a staff member would spend traveling versus the time they would be able to spend on-station, engaged in enforcement efforts. A maximum routine limit of 1.5 hours of one-way travel time was selected because KSP determined that this figure best balanced travel and enforcement time. However, Regional Commanders have the liberty to deviate from this standard based upon local needs.

Following discussions with the KY Division Office, the maximum amount of one-way drive time allowed to be claimed as MCSAP time is 1 hour. In circumstances where the one-way drive time to a MCSAP eligible activity (such as dedicated HCC enforcement) exceeds 1 hour, the remainder of the time will be claimed as state time unless an extenuating circumstance, with accompanying explanation, justifies the additional drive time.

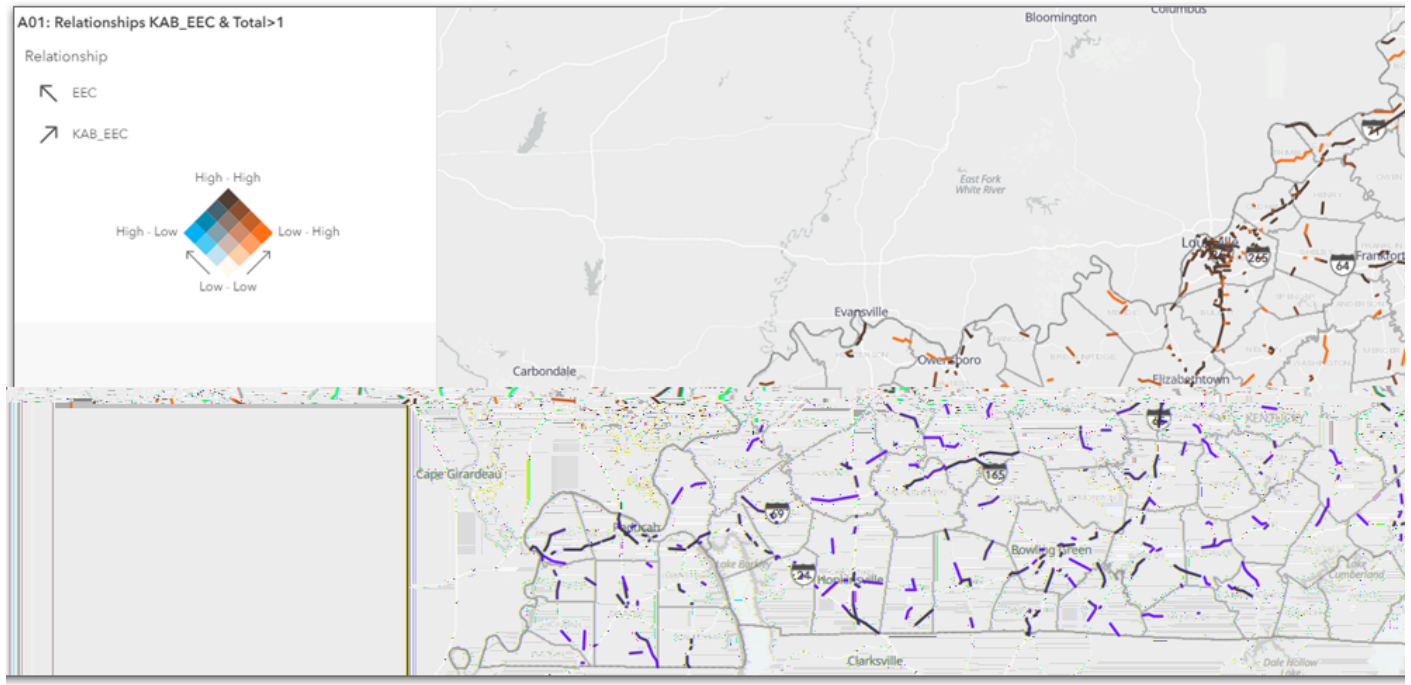
In making this analysis, consider a staff member who spends 4 hours of their 8-hour shift traveling. If a staff member travels 2 hours round trip (4 hours total) to their patrol area for the day, half of their shift would be lost to commuting drive time, effectively halving their available enforcement hours. Given the CVE Division's already low staffing numbers, it would be a highly inefficient use of remaining resources to half the effectiveness of remaining staff members by requiring excessive drive times. KSP believes this time would be better spent engaging in enforcement activities such as CMV inspections and traffic enforcement. Additional inefficiencies are introduced by long-distance travel such as: increased exposure to calls for service (off-station), increased exposure to observed infractions requiring enforcement intervention while in-route (off-station), and the need for fuel stops, lunch time, and other tasks which would further limit the effective time on-station.

Other factors involved in HCC route selection were:

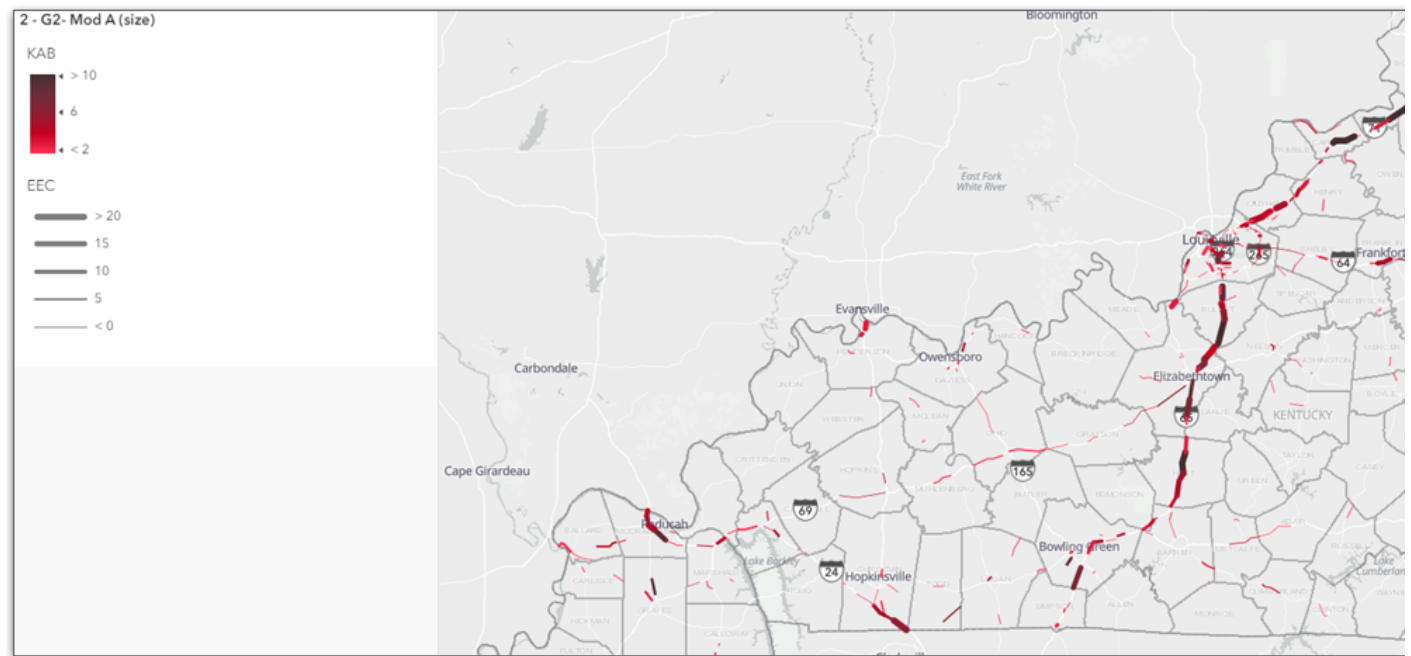
- **Segment length:** Priority was given to routes with several high KAB EEC route segments along the route or in the same general area. Isolated short segments were deprioritized, in favor of longer collections of segments to improve resource efficiency.
- **Traffic volume:** Priority was given to routes with a higher traffic volume as calculated by that route's Annual Average Daily Traffic (AADT) count. Routes with low traffic volumes will be more efficiently served by maintenance patrol as opposed for focused patrol efforts.
- **Roadway type:** Priority was given to interstates and parkways, along with other routes where there tends to be a high number of CMVs interacting with non-CMV on the route. Weight was also given to locations where CMV inspections can be more safely completed given the unique challenges of making longer-duration traffic stops on large CMVs.
- **Total collisions:** Priority was given to routes with a high KAB EEC and a greater total number of collisions in prior years.
- **Routes vs Segments:** Entire routes may be selected if that route has multiple segments with a high KAB EEC throughout its length.

Below are some sample maps showing the route data in visual form:

KAB EEC for Routes with Greater than 1 Total Collision

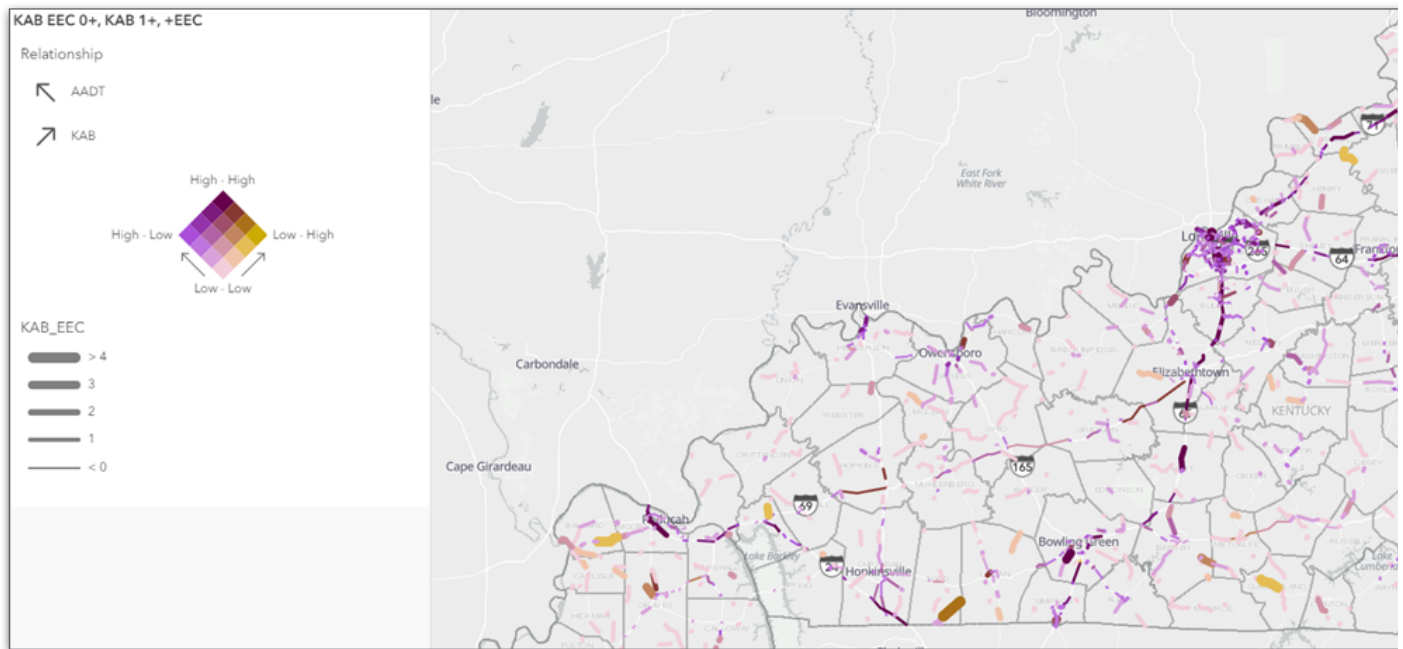


Greater than 2 KAB Collisions and AADT at Least 0 with EEC

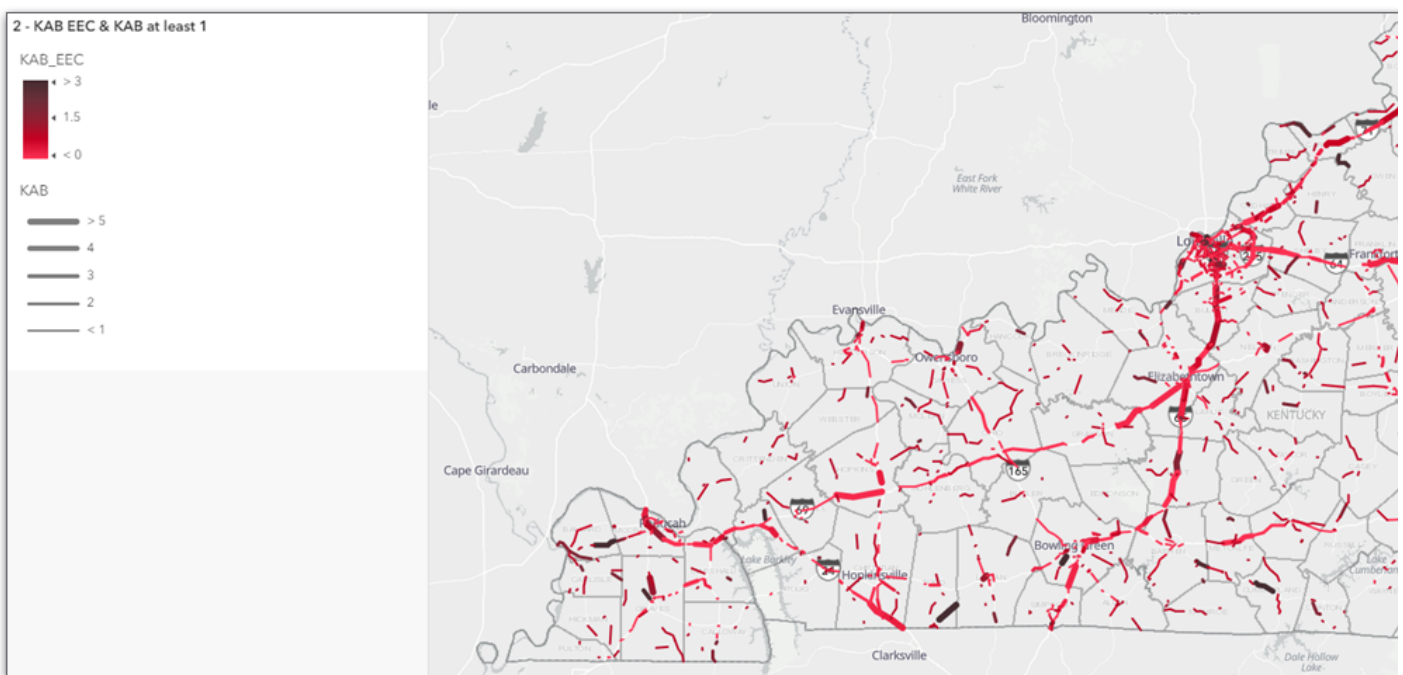


EEC Vs KAB EEC





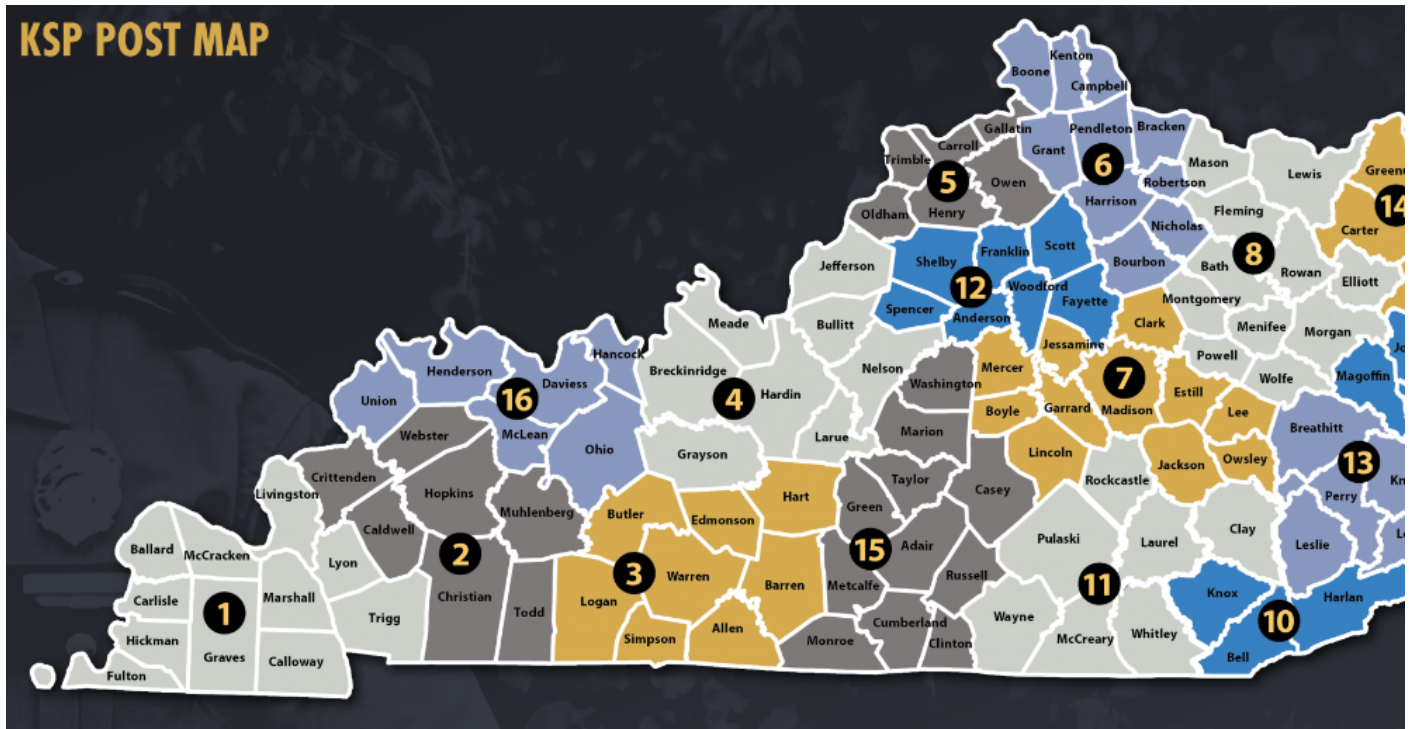
KAB EEC with 1 or Greater KAB Collision



KSP currently divides Kentucky into 16 post areas. CVE's coverage area is currently divided into 3 regions, each consisting of a number of KSP Post Areas as listed below:

- CVE West Region: Posts 1, 2, 3, 4, 15, 16
- CVE Central Region: Posts 5, 6, 7, 10, 11, 12

- CVE East Region: Posts 8, 9, 13, 14



Each CVE Region has its own commanders and staff independent from KSP Posts. CVE regional commanders coordinate some efforts with KSP Posts, but both function largely independently in pursuit of their own unique functions. CVE staff assigned to a region general work in their home post area, but regional commanders have the discretion to assign their staff to any area within their region.

The HCCs identified for FFY2025 are listed below. Please note, the mile points provided are in relation to road segments which are identified as having an elevated KAB EEC and it may not represent the entire area to be worked as a HCC. In these situations, a note is included which provides more information about the area to be worked as a HCC (i.e. entire route).

FFY2025 CVE High Crash Corridors

Route	StartMP	MP County Start	EndMP	MP County End	Region	Note
HR-9006	44.315	-	59.086	-	East	KY-118 interchange to KY-15 interchange
I-0024	0	-	48.971	-	West	All of McCracken, Marshall, Livingston Counties, part of Lyon County
I-0024	69.84	-	93.373	-	West	All of Christian County
I-0064	0	-	89.48	-	West + Central	All of Jefferson, Shelby, Franklin, Woodford, Scott, Fayette Counties
I-0065	0	53.956	137.318	-	West	All of Jefferson, Bullitt, Hardin, and Hart Counties

I-0069	68.297	-	113.604	-	West	Part of Caldwell and Hopkins Counties
I-0071	0	-	76.396	-	West + Central	All of Jefferson, Oldham, Henry, Carrol, Gallatin, Boone, and Kenton Counties
I-0075	8.548	-	50.759	-	Central	All of Laurel County, part of Whitley County
I-0075	75.468	-	132.116	-	Central	All of Fayette County, part of Scott and Madison Counties
I-0075	154.17	-	191.777	-	Central	All of Kenton and Boone Counties, part of Grant County
KY-0015	3.598	Powell	14.514	Perry	East	From Mt Parkway interchange at Slade to southern KY-80 interchange near hazard
KY-0080	8.505	Perry	14.612	Perry	East	HR Parkway interchange to Knott County line
KY-0080	12.117	Knott	20.093	Knott	East	KY-1087 intersection to Floyd County line
LN-9008	25.4	-	62.454	-	West	All of Adair County, part of Metcalfe and Russell Counties
US-0023	17.489	Floyd	9.065	Pike	East	Johnson County line to KY-1469 intersection near Penny
US-0460	14.612	Magoffin	20.406	Magoffin	East	Magoffin County from KY-114 to Johnson County line
WK-9001	43.424	-	95.198	-	West	All of Muglenberg and Ohio Counties, part of Grayson County
WK-9001	111.875	-	136.793	-	West	Part of Grayson and Hardin Counties

These routes represent some of the highest volume CMV travel routes within Kentucky, including most of the interstate highway system. Regional commanders will be provided with maps and other data to help inform where enforcement staff can be assigned for maximum effect along each HCC. Given the general lack of large, high CMV volume routes in the CVE East Region, the lower number of work zones, and the significantly lower incidence of KAB collisions, the CVE East Region may engage in a higher proportion of maintenance enforcement to compensate where HCC and work zone activity is limited.

HCC Performance Monitoring: KSP plans to monitor these routes throughout the FFY and to provide quarterly updates on the number of KAB collisions on these routes. KSP plans to update and adjust the routes being worked each FFY in an effort to reduce Kentucky's overall number of KAB collisions. In cases where an emerging need arises, KSP may update or alter the routes being worked during a FFY. Should this happen, KSP will provide notice of this change during its quarterly reporting cycle. KSP plans to allocate 50% of its CVE patrol staff's time to high visibility traffic enforcement and CMV inspection activities on the identified HCCs. Since this enforcement approach is being new implemented during FFY2025, KSP plans to study its effectiveness and to adjust its strategy in future CVSP re-write years as more data becomes available.

In order to improve monitoring accuracy, inspections conducted by KSP enforcement staff will use data collected from the inspection location listed on each CMV inspection. Under circumstances where an inspector causes the inspection location to be moved from a HCC for inspection safety purposes, the inspector will record the location where the CMV was first observed as the inspection location. If there is a change in the inspection location or if there is a safety-based delay in stopping the CMV for inspection, the inspector will record the updated inspection location in the inspection notes and the

location the CMV was first observed as the inspection location. This approach will significantly improve data accuracy because KSP currently has no alternative means of accurately tracking the number of inspections completed on HCCs other than by using the location indicated on the inspection report. In past years, KSP data indicated an artificially lower number of inspections on HCCs because the inspection location had changed or because of delays in safely stopping the CMV for inspection.

Other aspects of KSP's crash reduction strategy:

- **Work Zones:** Due to the high number of CMV collisions occurring in the vicinity of work zones, KSP plans to allocate 25% of its CVE patrol staff's time to work zone safety. CVE will utilize high visibility traffic enforcement and CMV inspection activities in the vicinity of work zones in an effort to reduce collisions. CVE will seek opportunities to use Koper Curve patrol strategies to increase enforcement presence in work zones where staffing allows. The Kentucky Transportation Cabinet (KYTC) publishes an online and interactive map of current and future work zones. Regional commanders will review this map quarterly and assign staff to work in the vicinity of these work zones as they deem appropriate and effective.
 - **Monitoring Plan:** CVE regional commanders will provide quarterly information to the CVE Commander on work zones safety efforts and the approximate amount of time spent engaged in work zone safety activities. Regional commanders will monitor the efforts of their staff and ensure CVSP goals are met.
- **Maintenance Enforcement:** With 75% of its CVE patrol staff's time being allocated to HCC and work zone safety efforts, KSP plans to allocate the remaining 25% of its CVE patrol staff's time to maintenance enforcement in problem areas as identified by regional commanders and supervisors. This will include time spent investigating CMV complaints received in the normal course of business which do not relate to HCCs and work zones.
- **Fixed Weigh Facilities:** KSP staffs and operates 14 fixed weigh facilities spread throughout the state on major CMV entry routes. These facilities are staffed by civilian inspectors who spend the majority of their time engaged in Level 1 and Level 2 inspections. Inspectors at weigh stations complete a substantial number of KSP's overall number of inspections. These inspections are critical to KSP's overall CMV crash reduction efforts by providing both an enforcement and deterrent mechanism against unsafe operating practices on some of Kentucky's highest volume routes.
 - **Monitoring Plan:** Inspector activity is monitored by supervisors on a daily basis. Regional commanders and supervisors are responsible for ensuring inspectors meet activity and quality standards within their regions.
- **Bypass Routes:** Fixed weigh facilities typically have at least one route which bypasses the weigh facility. CVE patrol staff are assigned to monitor these bypass routes and to search for CMVs attempting to avoid being screened or inspected at a weigh facility. Regional commanders and supervisors have discretion in assigning patrol staff to these bypass routes based upon local needs.
- **Rural Transportation Networks:** Kentucky is an overwhelmingly rural state with significant traffic occurring on rural transportation networks. Nearly all of the HCCs identified in this section are located in rural areas of the state. Additionally, outside of the HCCs identified in this CVSP, each regional commander has authority to assign patrol staff to address locally identified problem areas. These problem areas are typically in rural areas where citizens do not have access to any other CMV-safety-focused enforcement personnel.
- **Subawardees:** KSP subawards grant funds to three local enforcement agencies in high CMV crash areas of the state where KSP is understaffed. These areas are predominantly urban and the enforcement agencies selected as subawardees are urban-area police departments. These subawardees are the primary CMV enforcement agencies in their jurisdictions and they are given primary responsibility for addressing the reduction of CMV collisions in their areas. Each subawardee provides an enforcement plan to KSP for annual review and approval. KSP coordinates with subawardees on CMV safety efforts and cooperative CMV safety details when staffing allows, and KSP provides training to subawardee staff. KSP monitors the activities of each subawardee on a quarterly basis and each subawardee is responsible for meeting the goals set in their approved enforcement plans.
 - KSP's enforcement subawardees are:
 - Boone County Sheriff's Office
 - Lexington Police Department

- Louisville Metro Police Department

- **Challenges:**

- **Staffing:** KSP continues to experience staffing shortages in both its sworn and civilian ranks. Some weigh facilities are understaffed and some are only open during irregular hours. KSP does not currently have any CVE patrol staff living within the areas of KSP Posts 6, 8, and 14 in northern and northeastern Kentucky. Due to long travel times, these areas see significantly less enforcement presence than other areas of the state.
- For a comprehensive response to all staffing questions, see Part 2, Section 3 (Roadside Inspections) of this CVSP. The response is highlighted in cyan in the narrative under the 'Challenges' heading.

Revision #1: Summary of changes (w/notes) following comments from FMCSA:

- **Historically Identified High Crash Areas:** FMCSA requested that KSP place an additional emphasis on high crash areas located within the following counties: Jefferson, Boone, Kenton, Fayette, Warren, and Bullitt Counties. KSP plans to provide an increased emphasis in each of these counties in the following manner:
 - **Jefferson County:** Jefferson County is a highly urbanized county with significant levels of CMV traffic throughout the county, both on major entrance, egress, and bypass routes (such as I-0064, I-0065, I0071, I-0264, I-0265, & US31W, and on numerous smaller urban streets and local roads. KSP does not have sufficient staffing to regularly assign a significant number of personnel to Jefferson County. Due to the large population of Jefferson County and the high traffic volumes found there, KSP is focusing its efforts on reducing the number of KAB collisions in Jefferson County as opposed to the numerous incidences of relatively minor or non-reportable (by FMCSA's standards) CMV collisions.
 - **Action 1:** The Louisville Metro Police Department (LMPD) is a subawardee of KSP and they augment KSP's efforts in Jefferson County. LMPD's CMV enforcement program has shrunk in recent years, though they remain an important enforcement partner. KSP plans to assist LMPD in rebuilding its enforcement program as described in the Subawardee Expansion section listed below. KSP also plans to increase data sharing and coordination with LMPD to ensure enforcement staff are patrolling problem areas where they can make the greatest impact. KSP believes LMPD is best suited to patrolling the more urban areas of Jefferson County and will have them focus their efforts there as laid out in their enforcement plan.
 - **Action 2:** KSP plans to schedule regular SDULs (see below for more details) in Jefferson County. These SDULs will focus on major entrance, egress, and bypass routes such as I-0064, I-0065, I0071, I-0264, I-0265, & US31W. Regional Commanders will be provided with data and maps which highlight problem areas within Jefferson County, and enforcement efforts will be centered on these problem road segments.
 - **Boone County:** Boone County is an increasingly urbanized county with significant levels of CMV traffic, and with significant high crash areas mainly centered around the I-0071, I-0075, and I-275 corridors and nearby non-interstate routes. The eastern portion of Boone County shows significantly more crash activity than other parts of the county. KSP does not have sufficient staffing to regularly assign a significant number of personnel to Boone County. As with other locations, KSP is focusing its efforts in reducing the number of KAB collisions in high crash areas within Boone County.
 - **Action 1:** The Boone County Sheriff's Office (BCSO) is a subawardee of KSP and they augment KSP's efforts in Boone County. BCSO's CMV enforcement program has expanded in recent years, and KSP has provided increased funding for their program in this CVSP. KSP also plans to increase data sharing and coordination with BCSO to ensure enforcement staff are patrolling problem areas where they can make the greatest impact.
 - **Action 2:** KSP plans to schedule regular SDULs (see below for more details) in Boone County. These SDULs will focus on the I-0071, I-0075, and I-275 corridors and nearby non-interstate routes. Regional Commanders will be provided with data and maps which highlight problem areas within Boone County, and enforcement efforts will be centered on these problem road segments.
 - **Action 3:** KSP plans to explore, along with BCSO, the possibility of using BCSO enforcement personnel to assist in staffing weigh stations in Boone (I-0071) and Kenton (I-0075) counties.
 - **Action 4:** KSP plans to explore, along with BCSO, the possibility of using BCSO enforcement staff to patrol problem areas in Kenton County as described in the Kenton County Section below.

- **Kenton County:** Kenton County is an increasingly urbanized county with significant levels of CMV traffic, and with significant high crash areas mainly centered around the I-0071, I-0075, and I-275 corridors and nearby non-interstate routes. The northern portion of Kenton County shows significantly more crash activity than other parts of the county. KSP does not have sufficient staffing to regularly assign a significant number of personnel to Kenton County. As with other locations, KSP is focusing its efforts in reducing the number of KAB collisions in high crash areas within Kenton County.
 - **Action 1:** KSP plans to schedule regular SDULs (see below for more details) in Kenton County. These SDULs will focus on the I-0071, I-0075, and I-275 corridors and nearby non-interstate routes. Regional Commanders will be provided with data and maps which highlight problem areas within Kenton County, and enforcement efforts will be centered on these problem road segments.
 - **Action 2:** KSP plans to explore, along with BCSO, the possibility of using BCSO enforcement staff to patrol problem areas in Kenton County. BCSO has existing cooperative agreements with Kenton County which may allow for law enforcement agencies in Kenton County to supplement those of BCSO and vice versa. This would significantly expand the CMV enforcement efforts in the area if successful. Kenton County may also be a candidate for KSP's subawardee expansion plans detailed below.
- **Fayette County:** Fayette County is a highly urbanized county with significant levels of CMV traffic throughout the county, both on major entrance, egress, and bypass routes (such as I-0064, I-0075, US-421, US-25, KY922, KY-4, US-60, US-27 and on numerous smaller urban streets and local roads. KSP has sufficient staffing to regularly assign personnel to Fayette County, but not in significant numbers. Due to the large population of Fayette County and the high traffic volumes found there, KSP is focusing its efforts on reducing the number of KAB collisions in Fayette County as opposed to the numerous incidences of relatively minor or non-reportable (by FMCSA's standards) CMV collisions. Fayette County also has a significant long-term work zone located on the I-0064 & I-0075 corridor which has caused an increased number of collisions and made enforcement action in the area more problematic.
 - **Action 1:** The Lexington Police Department (LPD) is a subawardee of KSP and they augment KSP's efforts in Fayette County. KSP plans to increase data sharing and coordination with LPD to ensure enforcement staff are patrolling problem areas where they can make the greatest impact. KSP believes LPD is best suited to patrolling the more urban areas of Fayette County and will have them focus their efforts there as laid out in their enforcement plan.
 - **Action 2:** KSP plans to schedule more enforcement staff to patrol problem areas in Fayette County, focusing on problem areas identified on I-0064, I-0075, US-421, US-25, KY922, KY-4, US-60, and US-27. Regional Commanders will be provided with data and maps which highlight problem areas within Fayette County, and enforcement efforts will be centered on these problem road segments.
 - **Action 3:** KSP plans to schedule additional enforcement staff in and around the long-term work zone located on the I-0064 & I-0075 corridor in an effort to reduce CMV-involved collisions in the area.
- **Warren County:** Warren County is a mainly rural county with increasing urbanization around Bowling Green and increasing CMV traffic levels due to major economic projects in the region. Significant high crash areas are mainly centered around the I-0065, US-68, and US-31W corridors. The southern and eastern portions of Warren County shows significantly more crash activity than other parts of the county. KSP has sufficient staffing to regularly assign personnel to Warren County. As with other locations, KSP is focusing its efforts in reducing the number of KAB collisions in high crash areas within Warren County.
 - **Action 1:** KSP plans to schedule more enforcement staff to patrol problem areas in Warren County, focusing on problem areas identified on the I-0065, US68, and US-31W corridors. Regional Commanders will be provided with data and maps which highlight problem areas within Warren County, and enforcement efforts will be centered on these problem road segments.
 - **Action 2:** Warren County is being considered for KSP's Subawardee Expansion plan described below. Though not expected within FFY2025, should Warren County become an enforcement subawardee, this will significantly expand CMV enforcement efforts in the area.
- **Bullitt County:** Bullitt County is a mainly rural county with increasing urbanization around the northern portion of the county and increasing CMV traffic levels due to major economic projects in the region. Significant high crash areas are mainly centered around the I-0065, KY-44, and KY-1020 corridors. The I-0065 and western KY-44 corridors in Bullitt County show significantly more crash activity than other parts of the county. KSP has sufficient staffing to regularly assign personnel to Bullitt County. As with other locations, KSP is focusing its efforts in reducing the number of KAB collisions in high crash areas within Bullitt County.

- **Action 1:** KSP plans to schedule more enforcement staff to patrol problem areas in Bullitt County, focusing on problem areas identified on the I-0065, KY-44, and KY-1020 corridors. Regional Commanders will be provided with data and maps which highlight problem areas within Bullitt County, and enforcement efforts will be centered on these problem road segments.
- **Action 2:** Bullitt County may be considered for KSP's Subawardee Expansion plan described below. Though not expected within FFY2025, should Bullitt County become an enforcement subawardee, this will significantly expand CMV enforcement efforts in the area.
- **Special Details in Underserved Locations (SDULs):** These details, as mentioned above, are intended to allow for a periodic burst of enforcement in areas which are underserved because of KSP's current enforcement staffing shortage within the CVE Division. Since staffing shortages do not allow KSP to routinely patrol all areas within the state, KSP plans to send several enforcement staff members to work dedicated details in high crash underserved areas on a periodic basis. Additional specifics:
 - **Periodicity:** The affected Regional Patrol Commander, based upon local staffing realities and an analysis of crash data, will set the exact frequency of details. However, KSP plans to utilize these details at least monthly within each affected region. Commanders may choose to complete one monthly detail with significant staffing detailed, or they may choose multiple smaller details with lower staffing detailed as appropriate to their situation.
 - **Travel:** Since bring staff on-site for these details may require bringing enforcement staff from areas of the state beyond reasonable commute distances, KSP may utilize travel funds to put staff members in local hotels for the duration of details. Since the exact costs and plans are not yet established, and since the travel option may not be utilized, travel funds are not specifically included in this CVSP for these details. However, if these details routinely include travel expenses, the CVSP will be amended (as necessary and in consultation with FMCSA) to compensate. In the interim, KSP may elect to use MOE funds, in consultation and coordination with the KY Division Office, to cover detail travel costs.
 - **Overtime:** KSP may utilize overtime funds to increase staff participation in these details.
 - **Maintenance Enforcement:** The time spent engaging in these details will be mainly part of the 25% of enforcement efforts allocated for maintenance enforcement. However, where identified HCCs or work zones are involved, it may be part of the 50% of efforts allocated to HCC enforcement, or the 25% allocated to work zone enforcement.
- **Subawardee Expansion:** In order to address ongoing staffing shortages, KSP is exploring the expansion of its enforcement subawardee program. While not a significant component of the FFY2025 CVSP, the expansion of this program may impact future years in the CVSP cycle. KSP plans to select enforcement subawardees in high crash areas of the state where the CVE Division has insufficient staffing to address the local problem. In an effort to lower the burden of entry, especially for smaller police departments without professional grants staff, KSP is exploring ways to use its grants staff to assist these smaller departments with their MCSAP billing and the financial aspects of becoming a subawardee. KSP is also exploring assigning a staff member to coordinate enforcement subawardee efforts statewide in an effort to increase cooperation and the effectiveness of the subawardee MCSAP programs. KSP may also expand subawardee plans beyond the overtime-only model, and is considering funding both regular and overtime hours for subawardees if they establish dedicated CMV enforcement programs in their areas of responsibility.
- **HCC Routes:** FMCSA requested that KSP provide a more focused list of certain HCCs than previously presented. The table of routes was updated to be more specific where appropriate. KSP's plan is significantly more focused than in prior years, while still addressing the locations of most crashes on HCCs identified in FFY2024's CVSP. This allows KSP to focus on pre-existing high crash areas which remain a problem while including updates based upon the new data and analysis described elsewhere in this section of the CVSP.

Staffing: KSP acknowledges that the only long term solution to enhancing crash reduction efforts lies in increasing enforcement staffing within the CVE Division. For additional details about staffing challenges and proposed solutions, see the highlighted portions of Part 2, Section 3 (Roadside Inspections) of this CVSP.

Updated 11/13/2024

Performance Measurements and Monitoring: The State will monitor the effectiveness of its CMV Crash Reduction Goal quarterly and annually by evaluating the performance measures and reporting results in the required Standard Form - Performance Progress Reports (SF-PPRs).

Describe how the State will conduct ongoing monitoring of progress in addition to quarterly reporting.

Performance Monitoring: KSP plans to monitor each aspect of its Crash Intervention Plan on both a quarterly and ongoing basis. KSP will provide quarterly updates to the KY Division Office on the number of KAB collisions on the HCC routes, the number of KAB collisions statewide, KSP's ongoing activities to address KAB collisions, and related performance data. KSP plans to update and adjust the routes being worked each FFY in an effort to reduce Kentucky's overall number of KAB collisions. In cases where an emerging need arises, KSP may update or alter the routes being worked during a FFY. Should this happen, KSP will provide notice of this change during its quarterly reporting cycle. Progress towards performance is monitored by grants management staff in the CVE Program Support Branch, with regular progress updates provided to the CVE Commander.

See the Program Activities section above for detailed information on how monitoring and reporting will be handled for each aspect of KSP's Crash Intervention Plan.

Updated 08/29/2024

Part 2 Section 3 - Roadside Inspections

In this section, provide a trend analysis, an overview of the State's roadside inspection program, and projected goals for FY 2025 - 2027. The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable during Years 2 and 3.

Note: *In completing the Trend Analysis table, do NOT include border enforcement inspections. Border Enforcement activities will be captured in a separate section if applicable.*

Trend Analysis for 2019 - 2023

Inspection Types	2019	2020	2021	2022	2023
Level 1: Full	21190	33085	35193	26956	23063
Level 2: Walk-Around	24185	28719	26689	23053	19460
Level 3: Driver-Only	22875	20250	15772	12774	12778
Level 4: Special Inspections	3	0	0	1	0
Level 5: Vehicle-Only	403	232	196	196	170
Level 6: Radioactive Materials	3	3	1	1	3
Total	68659	82289	77851	62981	55474

Narrative Overview for FY 2025 - 2027

Overview:

Describe components of the State's general Roadside and Fixed-Facility Inspection Program. Include the day-to-day routine for inspections and explain resource allocation decisions (i.e., number of FTE, where inspectors are working and why).

Enter the roadside inspection application name(s) (e.g., SafeSpect) used by the State.

RIMS

Enter a narrative of the State's overall inspection program, including a description of how the State will monitor its program to ensure effectiveness and consistency.

For additional information on the role of CMV inspections in KSP's CMV crash reduction strategy, please see Part 2, Section 2 of this CVSP.

Commercial vehicle inspections are the foundation of the MCSAP, and not only help to ensure that unsafe vehicles and drivers are dealt with appropriately; these inspections also provide data which helps identify carriers that have unsafe operating practices for potential intervention via compliance investigation or other appropriate means.

The current staffing of the MCSAP program is summarized as follows:

- Regional Patrol and Weigh Stations: 75 total staff
 - 35 Sworn officers assigned to patrol and enforcement in a CVE Region
 - 14 Sworn supervisors assigned to supervise patrol and enforcement, or weigh stations, in a CVE Region
 - 23 Civilian inspectors assigned to a weigh station in a CVE Region

- 3 Civilian administrative support or maintenance staff
- Program Support and Administration: 20 total staff
 - 2 Sworn officers assigned as Compliance Investigators
 - 1 Sworn officer assigned as a DataQs Analyst
 - 3 Sworn supervisors assigned to oversee non-patrol CVE functions such as grants, Compliance Investigation, Safety Audits, and other functions.
 - 1 Sworn supervisor assigned to KSP Headquarters as CVE's MCSAP Commander
 - 9 Civilian inspectors assigned as Safety Auditors
 - 4 Civilian administrative support staff
- Non-CVE MCSAP-dedicated Support Staff: 3 total staff
 - 1 Civilian financial specialist assigned to the KSP Financial Grants Management Branch
 - 1 Civilian criminal intelligence & data analyst assigned to the KSP Intelligence Branch
 - 1 Sworn supervisors assigned to the Critical Incident Response Branch as collision reconstructionists
- Non-MCSAP Staff (with minor, incidental, or overtime-only MCSAP roles): 57 total staff
 - 3 Sworn supervisors assigned to the KSP Driver Testing Branch
 - 4 Sworn officers assigned to the KSP Driver Testing Branch
 - 1 Sworn officer assigned to the KSP Vehicle Investigations Branch
 - 1 Sworn officers assigned to the KSP East or West Drug Enforcement and Special Investigations Branch
 - 1 Sworn officer assigned to the KSP Academy Branch
 - 1 Sworn officer assigned to the KSP Public Affairs Branch
 - 46 Sworn officers or sergeants assigned to various KSP posts and branches certified primarily for MCSAP overtime purposes to augment CVE patrol efforts
- Grand total of all MCSAP-related staff: 155
 - Note: These figures will vary slightly from the staffing figures in Part 4 of this CVSP because Part 4 includes planned staff changes and new hires.

Most of the staff listed above is NAS certified to conduct inspections, though the bulk of inspections come from staff assigned to patrol or weigh stations. In an attempt to offset staffing shortfalls, KSP has certified a large number of people who are in non-MCSAP-dedicated positions. These staff members primarily complete inspections on MCSAP overtime with the additional inspections contributing to CVE's overall inspection goals. All staff only claim MCSAP time when engaged in a MCSAP-eligible function.

Additional details can be found in Part 4, Section 2 of this CVSP, but CVE sworn staff assigned to patrol typically spend 40% of their time engaged in MCSAP-eligible activities. These activities are primarily CMV inspections, but they may include collision investigation, public outreach, and travel time to and from MCSAP-eligible activities. Sworn staff have additional duties outside of their MCSAP-focused responsibilities including: provision of general police services, collision investigation, non-CMV traffic and criminal enforcement, special details, and related.

Civilian inspectors assigned to weigh stations spend approximately 75% of their time engaged in MCSAP-eligible activities. These activities are almost exclusively CMV inspections and time spent in related tasks. Civilian inspectors have a small number of non-MCSAP duties including: size and weight enforcement, facility maintenance, and credential enforcement.

The inspection activity levels set in this section are based upon the prorated amount of time both sworn staff assigned to patrol and civilian inspectors dedicate to MCSAP-eligible purposes. Additional inspections are included for other NAS certified staff and supervisors, though this contribution is expected to be less than 10% of all inspections. Adjustments are also made to account for leave use, training, and other days where staff will not be able to engage in MCSAP-eligible activities.

In prior years, an emphasis was placed on Level 1 inspections and the Level 1 inspection program has been and continues to be an effective tool in improving the maintenance level of vehicles. Recent data indicates the initial impact of Level 1-focused enforcement has leveled off and that unsafe driving behaviors are the primary driver of CMV collisions. Accordingly, KSP Plans to increase the ratio of Level 3 inspections completed as compared to inspection Levels 1 and 2. KSP believes that an increased number of Level 3 inspections will also help to meet priorities listed in the NOFO, including: Increased traffic enforcement, work zone safety, human trafficking, and drug interdiction.

FOOS Orders: KSP has placed an emphasis on enforcing Federal Out of Service (FOOS) orders which aligns with the goals of the NOFO. The RIMS inspection software used by all NAS certified inspectors in Kentucky automatically screens each carrier inspected for active FOOS orders. As of June of 2019, KSP is hitting the PRISM web services and has real-time FOOS data.

Bypass Routes: CVE fixed weigh facilities have natural bypass routes that can be utilized by drivers to avoid going through weigh facilities, reducing the likelihood of receiving an inspection. CVE monitors these bypass routes for CMV activity and prioritizes inspecting vehicles with known or suspected safety defects or those engaged in unsafe driving behaviors. Performance on bypass routes is monitored and reported in quarterly performance reports.

Enforcement Details: CVE participates in several enforcement campaigns throughout the year as listed below. For details which are not CMV focused, CVE staff participating in the detail focus their efforts on finding the prioritized activity in CMVs.

2024 Wave Dates

Wave #1: Feb 27 - 29

Wave #2: May 21 - 23

Wave #3: August 6 - 8

Wave #4: October 1 - 3

Wave #5: November 18-20

Drive Sober or Get Pulled Over

Dec 15, 2023 - Jan 1, 2024

Aug 16 - Sep 2

Dec 13 - Jan 1, 2025

Operation CARE

Dec 22, 2023 - Jan 2, 2024

Feb 11 (Super Bowl Sunday - DUI)

Mar 9 - 17 (St. Patrick's Day- DUI)

Apr 1 – 8 (Distracted Driving)

May 4 - 5 (DUI)

May 20 - 27 (Seatbelt)

Jul 3 - 7 (Independence Day - DUI)

Aug 30 – Sept 2 (Labor Day - DUI)

Nov 27 – Dec 1 (Thanksgiving - DUI)

Dec 20 - Jan 1, 2025 (DUI)

Operation Crash Reduction (NHTSA)

Oct 11 - 14 (Columbus Day - Seatbelt)

6 State Trooper Project

Feb 16 - 18 (I-75 Speed, Belts, DUI)

Mar 7 - 9 (Criminal Patrol/Drug Interdiction)

May 20 - 27 (Seatbelt)

Jul 21 - 27 (Move Over Enforcement)

Sep 12 - 15 (Marijuana Erad/Interdiction)

Move Over

TBA

CIOT

May 20 - Jun 2

NHTSA Speed Prevention

Jul 10 – July 31

Criminal Interdiction Devices: To increase enforcement during CMV inspections, the Kentucky State Police has purchased Heuresis HBI-120 devices that are currently being utilized by sworn officers and CVE inspectors at scale facilities. The HBI-120 is a rugged, ergonomic, handheld backscatter x-ray instrument that enables users to quickly and cost-effectively find concealed explosives, narcotics and other contraband with none of the limitations of portable transmission x-ray systems. This device can operate through a 12- gauge (over 2 mm thick) steel. Which is more than twice the thickness of typical motor-vehicle body panels.

Enhanced Screening: As an outgrowth of the ‘Enhanced Screening’ HP grants KSP received over two different FFYs, inspectors at weigh stations are able to screen carriers based upon a research-backed combination of BASIC scores which increases the likelihood of discovering safety violations. Inspectors are also able to customize the alert criteria if focusing on

a particular elevated BASIC score (i.e. Hours of Service). Data and methods developed while working the Enhanced Screening HP grant have been successfully integrated into the MCSAP Basic program and KSP plans to retain this functionality and to continue training staff in its use.

Hazardous Materials Inspections: KSP is continuing its longstanding practice of completing 10% of its inspections as hazardous materials inspections. *See Part 1, Section 3 of this CVSP for additional details about KSP's approach to Hazardous Materials Safety.*

Challenges:

Sworn Staff: KSP has made no significant progress in adding significant numbers of CVE sworn staff. The last group of CVE Officers was hired in 2015, and there is currently no plan to hire significant numbers of additional sworn staff. Sworn staff added since 2015 have been supplied by transferring troopers into the CVE Division or by hiring contract retired officers/troopers periodically. However, the additional sworn staff provided to the CVE Division since 2015 has been below replacement levels for departing CVE sworn staff. CVE anticipates the departure of many sworn staff in coming years since a significant number of staff are at or approaching retirement age. **Revision #1 Updates:** See below for updates following comments on staffing from FMCSA:

- o **Proposed Solutions:** In an effort to address the chronic shortage of CVE-dedicated sworn enforcement staff within the CVE Division, and to improve KSP's overall performance in reaching established CMV safety goals, KSP plans to take the following actions during FFY2025:
 1. **CVE-dedicated sworn staff:** KSP plans to continue gradually transferring non-CVE troopers into the CVE Division with an emphasis on underserved portions of the state.
 2. **Other non-dedicated sworn staff:** KSP plans to expand the number of NAS Part A and Part B certified enforcement staff outside of the CVE Division. Aspects of this plan include:
 - a. **New Troopers:** Certifying all recently graduated Trooper cadets in NAS Part A (and possibly Part B) approximately 6 months after they graduate from basic training at the KSP Academy. The ultimate goal is to have all new Troopers NAS Part A and B certified early in their career.
 - b. **Reconstructionists:** KSP plans to assign at least one dedicated collision reconstructionist to each of the 16 KSP Posts. This reconstructionist would be NAS Part A and Part B certified and tasked with also producing CMV activity for their assigned post.
 - c. **Scheduling:** Operational practices will be changed at each KSP Post to allow for NAS-certified Troopers to better maintain their inspection certifications and to more regularly engage in CMV traffic enforcement activities. The responsibility for this change will be delegated to each post commander.
 3. **Training:** KSP plans to explore the possibility of adding an in-house NAS Part A and Part B instructor to provide for greater training availability to the agency.
 4. **Details:** KSP plans to schedule CMV traffic enforcement details throughout the state which are staffed by both CVE-dedicated enforcement staff and staff not-dedicated to CVE. This should significantly increase CMV-related traffic enforcement activity and the number of enforcement staff observing for CMV traffic violations.

Inspectors: KSP continues attempting to recruit additional civilian inspectors, especially in locations where weigh facilities are unstaffed or understaffed. However, when job postings are made, very few candidates apply and those which do apply are often not qualified for the position. KSP is exploring ways to increase inspector pay to increase the appeal of the position. Currently, the entry-level pay rate for inspectors is well below the median household income for 119 of 120 Kentucky counties, and over 3 times lower in certain high priority recruiting areas. The average pay for current Inspectors is below the median household income for 101 of 120 Kentucky counties *[NIH Income (Median household income) for Kentucky by County, All Races, Both Sexes, All ages, 2018-2022]*. **Revision #1 Updates:** See below for updates following comments on staffing from FMCSA:

- **Proposed Solutions:** In an effort to address the chronic staffing shortage of civilian inspectors at weigh stations, KSP plans to take the following actions during FFY2025:
 1. **Salary Increase:** KSP will develop a plan, through both the CVE Division and the Strategic Planning Branch, to build a case for increasing Inspector salaries to be more competitive throughout the state, but especially in higher wage markets where recruiting has been difficult.
 2. **Incentives:** Explore the use of additional incentives or other means of increasing salary.
 3. **Recruitment:** Increase recruitment efforts by utilizing the CVE Officer currently assigned to the KSP Public Relations Branch. Recruitment efforts will be focused primarily in areas of greatest need such as Boone and Kenton Counties, but inclusive of other areas where additional staff are needed.

Revised 11/12/2024

Projected Goals for FY 2025 - 2027

Instructions for Projected Goals:

Complete the following tables in this section indicating the number of inspections that the State anticipates conducting during Fiscal Years 2025 - 2027. For FY 2025, there are separate tabs for the Lead Agency, Subrecipient Agencies, and Non-Funded Agencies—enter inspection goals by agency type. Enter the requested information on the first three tabs (as applicable). The Summary table totals are calculated by the eCVSP system.

To modify the names of the Lead or Subrecipient agencies, or the number of Subrecipient or Non-Funded Agencies, visit [Part 1, MCSAP Structure](#).

Note: Per the [MCSAP Comprehensive Policy](#), States are strongly encouraged to conduct at least 25 percent Level 1 inspections and 33 percent Level 3 inspections of the total inspections conducted. If the State opts to do less than these minimums, provide an explanation in space provided on the Summary tab.

MCSAP Lead Agency

Lead Agency is: KENTUCKY STATE POLICE

Enter the total number of certified personnel in the Lead agency: 155

Projected Goals for FY 2025 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	16629	3096	160	19885	31.78%
Level 2: Walk-Around	16974	3160	0	20134	32.18%
Level 3: Driver-Only	22356	0	0	22356	35.73%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	114	0	75	189	0.30%
Level 6: Radioactive Materials	0	0	0	0	0.00%
Sub-Total Lead Agency	56073	6256	235	62564	

MCSAP subrecipient agency

Complete the following information for each MCSAP subrecipient agency. A separate table must be created for each subrecipient.

LEXINGTON POLICE
Subrecipient is: DEPARTMENT

Enter the total number of certified personnel in this funded agency: 21

Projected Goals for FY 2025 - Subrecipients					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	1028	85	0	1113	73.27%
Level 2: Walk-Around	180	31	0	211	13.89%
Level 3: Driver-Only	130	0	0	130	8.56%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	0	0	65	65	4.28%
Level 6: Radioactive Materials	0	0	0	0	0.00%
Sub-Total Subrecipients	1338	116	65	1519	

LOUISVILLE METRO POLICE
Subrecipient is: DEPARTMENT

Enter the total number of certified personnel in this funded agency: 11

Projected Goals for FY 2025 - Subrecipients					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	437	33	20	490	61.87%
Level 2: Walk-Around	227	0	0	227	28.66%
Level 3: Driver-Only	75	0	0	75	9.47%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	0	0	0	0	0.00%
Level 6: Radioactive Materials	0	0	0	0	0.00%
Sub-Total Subrecipients	739	33	20	792	

BOONE COUNTY SHERIFF'S
Subrecipient is: OFFICE

Enter the total number of certified personnel in this funded agency: 11

Projected Goals for FY 2025 - Subrecipients					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	350	0	0	350	33.33%
Level 2: Walk-Around	350	0	0	350	33.33%
Level 3: Driver-Only	350	0	0	350	33.33%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	0	0	0	0	0.00%
Level 6: Radioactive Materials	0	0	0	0	0.00%
Sub-Total Subrecipients	1050	0	0	1050	

KENTUCKY TRANSPORTATION

Subrecipient is: CABINET**Enter the total number of certified personnel in this funded agency:** 0

Projected Goals for FY 2025 - Subrecipients					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full				0	%
Level 2: Walk-Around				0	%
Level 3: Driver-Only				0	%
Level 4: Special Inspections				0	%
Level 5: Vehicle-Only				0	%
Level 6: Radioactive Materials				0	%
Sub-Total Subrecipients	0	0	0	0	

Non-Funded Agencies

Total number of agencies:	0
Enter the total number of non-funded certified officers:	0
Enter the total number of inspections projected for FY 2025:	0

Summary

Projected Goals for FY 2025 - Roadside Inspections Summary

Projected Goals for FY 2025 Summary for All Agencies					
MCSAP Lead Agency: KENTUCKY STATE POLICE					
# certified personnel: 155					
Subrecipient Agencies: BOONE COUNTY SHERIFF'S OFFICE , KENTUCKY TRANSPORTATION CABINET, LEXINGTON POLICE DEPARTMENT, LOUISVILLE METRO POLICE DEPARTMENT					
# certified personnel: 43					
Number of Non-Funded Agencies: 0					
# certified personnel: 0					
# projected inspections: 0					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	18444	3214	180	21838	33.13%
Level 2: Walk-Around	17731	3191	0	20922	31.74%
Level 3: Driver-Only	22911	0	0	22911	34.75%
Level 4: Special Inspections	0	0	0	0	0.00%
Level 5: Vehicle-Only	114	0	140	254	0.39%
Level 6: Radioactive Materials	0	0	0	0	0.00%
Total MCSAP Lead Agency & Subrecipients	59200	6405	320	65925	

Note: If the minimum numbers for Level 1 and Level 3 inspections are less than described in the [MCSAP Comprehensive Policy](#), briefly explain why the minimum(s) will not be met.

N/A

Note: The table below is created in Year 1. It cannot be edited in Years 2 or 3 and should be used only as a reference when updating your plan in Years 2 and 3.

Projected Goals for FY 2026 Roadside Inspections	Lead Agency	Subrecipients	Non-Funded	Total
Enter total number of projected inspections	62564	3361	0	65925
Enter total number of certified personnel	155	43	0	198
Projected Goals for FY 2027 Roadside Inspections				
Enter total number of projected inspections	62564	3361	0	65925
Enter total number of certified personnel	155	43	0	198

Part 2 Section 4 - Investigations

Describe the State's implementation of FMCSA's interventions model for interstate carriers. Also describe any remaining or transitioning compliance review program activities for intrastate motor carriers. Include the number of personnel assigned to this effort. Data provided in this section should reflect interstate and intrastate investigation activities for each year. The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable during Years 2 and 3.

☐ The State does not conduct investigations. If this box is checked, the tables and narrative are not required to be completed and won't be displayed.

Trend Analysis for 2019 - 2023

Investigative Types - Interstate	2019	2020	2021	2022	2023
Compliance Investigations					
Cargo Tank Facility Reviews					
Non-Rated Reviews (Excludes CSA & SCR)					
CSA Off-Site	10	30	28	6	1
CSA On-Site Focused/Focused CR	15	11	13	22	18
CSA On-Site Comprehensive	13	5	4	3	9
Total Investigations	38	46	45	31	28
Total Security Contact Reviews	0	4	0	1	0
Total Terminal Investigations	0	0	0	0	0

Investigative Types - Intrastate	2019	2020	2021	2022	2023
Compliance Investigations					
Cargo Tank Facility Reviews					
Non-Rated Reviews (Excludes CSA & SCR)					
CSA Off-Site	1	1	2	2	4
CSA On-Site Focused/Focused CR	2	0	1	16	19
CSA On-Site Comprehensive	5	2	2	17	3
Total Investigations	8	3	5	35	26
Total Security Contact Reviews	0	0	0	1	0
Total Terminal Investigations	0	0	0	0	0

Narrative Overview for FY 2025 - 2027**Instructions:**

Describe the State's implementation of FMCSA's interventions model to the maximum extent possible for interstate carriers and any remaining or transitioning compliance review program activities for intrastate motor carriers. Include the number of personnel assigned to this effort.

Projected Goals for FY 2025 - 2027

Complete the table below indicating the number of investigations that the State anticipates conducting during FY 2025 - 2027.

Projected Goals for FY 2025 - 2027 - Investigations						
Investigation Type	FY 2025		FY 2026		FY 2027	
	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
Compliance Investigations	0	0	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	0	0	0	0	0
CSA Off-Site	5	3	5	3	5	3
CSA On-Site Focused/Focused CR	27	13	27	13	27	13
CSA On-Site Comprehensive	4	2	4	2	4	2
Total Investigations	36	18	36	18	36	18
Total Security Contact Reviews	0	0	0	0	0	0
Total Terminal Investigations	0	0	0	0	0	0

Add additional information as necessary to describe the carrier investigation estimates.

FFY 2025-2027 Methodology w/Assumptions General • 2 full time compliance investigators, • Estimated average production per investigator: • 2.25 investigations per month for 2 full-time investigators (27 per investigator per year) • Total: 54 investigations per year Comprehensive • 3 comprehensive investigations x 2 investigators per year (6 total per year) Focused Investigations • 54 total investigations per year - 6 comprehensive investigations = 48 total focused investigations per year • 48 total focused investigations per year, split between Onsite and Offsite • 40 Onsite focused • 8 Offsite focused Totals • 54 investigations per year • 33% of activity designated intrastate • 36 interstate investigations • 18 intrastate investigations Revised 08/26/2024

Program Activities: Describe components of the State's carrier investigation activities. Include the number of personnel participating in this activity.

KSP has two sworn officers assigned to the CVE Program Support Branch as full-time Compliance Investigators (CI). CIs work closely with the KY Division Office to investigate motor carriers with elevated BASICS or which otherwise meet the criteria for investigation. The KSP CI program has adopted the eFOTM to govern both interstate and intrastate investigations. Additionally, KSP follows all current guidance from FMCSA concerning the conduct of its investigations. All investigations involving interstate carriers, or those which otherwise fall into FMCSA's jurisdiction, are submitted to the KY Division Office for review and final approval. Intrastate investigations which are generally outside of FMCSA's jurisdiction are reviewed and approved by the CI Program Coordinator.

State law and regulations allow KSP to institute civil penalties or to initiate out of service orders for adverse findings during compliance investigations. However, the civil penalty program has been dormant for over ten years because applicable state regulations (Kentucky Administrative Regulations) are outdated. Until approval can be received from KSP's Command Staff to seek an update to these regulations, all enforcement cases initiated by CIs fall within the jurisdiction of FMCSA. When the KY Division Office indicates that enforcement is appropriate following an investigation, KSP completes a draft enforcement case and forwards all relevant materials the KY Division Office. The KY Division Office completes the enforcement case and processes it in accordance with its policies.

CIs are generally 100% dedicated to MCSAP-eligible purposes. However, any time spent engaged in non-MCSAP-eligible activities is not charged to the MCSAP grant.

KSP continues to experience significant staffing-related disruptions affecting its investigation program. From a high of 5 CIs in prior years, the staffing level of the CI program has declined over time with only 2 full-time certified compliance investigators remaining. The Compliance Investigation Program Coordinator continues to seek approval from the KSP Command Staff to receive additional CIs but all requests for additional Compliance Investigation staff have been denied since FFY2018.

Revised 08/26/2024

Performance Measurements and Monitoring: Describe all measures the State will use to monitor progress toward the annual goals. Further, describe how the State measures qualitative components of its carrier investigation program, as well as outputs.

Performance Measure:

A supervisor is assigned as CI Program Coordinator and they are responsible for ensuring all performance metrics are met. The Coordinator ensures each investigation is thoroughly reviewed and that eFOTM guidelines have been followed throughout the investigative process. The Coordinator also monitors activity levels using internal records and those available in A&I. KSP has adopted FMCSA's annual certification criteria for CIs and the Coordinator ensures all initial and maintenance of certification requirements have been met. Updates are provided to the KY Division Office quarterly as a part of the PPR reporting cycle. The Coordinator works closely with the KY Division Office to ensure that all investigations are complete, accurate, and meet program guidelines. Any shortfalls discovered are addressed quickly and corrective action is taken as directed by the KY Division Office.

Revised 08/26/2024

Part 2 Section 5 - Traffic Enforcement

Traffic enforcement means documented enforcement activities by State or local officials. This includes the stopping of vehicles operating on highways, streets, or roads for moving violations of State or local motor vehicle or traffic laws (e.g., speeding, following too closely, reckless driving, and improper lane changes). The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable during Years 2 and 3.

Trend Analysis for 2019 - 2023

Instructions:

Please refer to the [MCSAP Comprehensive Policy](#) for an explanation of FMCSA's traffic enforcement guidance. Complete the tables below to document the State's safety performance goals and outcomes over the past five measurement periods.

1. Insert the beginning and end dates of the measurement period being used, (e.g., calendar year, Federal fiscal year, State fiscal year or any consistent 12-month period for which data is available).
2. Insert the total number CMV traffic enforcement stops with an inspection, CMV traffic enforcement stops without an inspection, and non-CMV stops in the tables below.
3. Insert the total number of written warnings and citations issued during the measurement period. The number of warnings and citations are combined in the last column.

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented CMV Traffic Enforcement Stops with an Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
10/01/2022	09/30/2023	8363	11157
10/01/2021	09/30/2022	7754	10955
10/01/2020	09/30/2021	8298	10760
10/01/2019	09/30/2020	6689	9099
10/01/2018	09/30/2019	7051	11124

☒ **The State does not conduct CMV traffic enforcement stops without an inspection. If this box is checked, the "CMV Traffic Enforcement Stops without an Inspection" table is not required to be completed and won't be displayed.**

☒ **The State does not conduct documented non-CMV traffic enforcement stops and was not reimbursed by the MCSAP grant (or used for State Share or MOE). If this box is checked, the "Non-CMV Traffic Enforcement Stops" table is not required to be completed and won't be displayed.**

Enter the source and capture date of the data listed in the tables above.

A&I retrieved 08/27/2024, MCMIS snapshot date 7/26/2024. Data from 2019 was not available in A&I, so data from the prior year's CVSP was used.

Narrative Overview for FY 2025 - 2027

Instructions:

Describe the State's proposed level of effort (number of personnel) to implement a statewide CMV (in conjunction with and without an inspection) and/or non-CMV traffic enforcement program. If the State conducts CMV and/or non-CMV traffic

enforcement activities only in support of the overall crash reduction goal, describe how the State allocates traffic enforcement resources. Please include number of officers, times of day and days of the week, specific corridors or general activity zones, etc. Traffic enforcement activities should include officers who are not assigned to a dedicated commercial vehicle enforcement unit, but who conduct eligible commercial vehicle/driver enforcement activities. If the State conducts non-CMV traffic enforcement activities, the State must conduct these activities in accordance with the [MCSAP Comprehensive Policy](#).

See Part 1, Section 3 and Part 2, Section 2 of this CVSP for additional information about KSP's CMV traffic enforcement efforts.

Traffic Enforcement:

Traffic Enforcement: KSP is planning an increased emphasis on high visibility roadside traffic enforcement inspections, especially those in and around work zones. Due to staffing shortfalls, KSP has been unable to achieve the average activity levels realized in FFY2014 and FFY 2015. As a result, no MCSAP funding is utilized to support non-CMV traffic enforcement efforts. Currently, KSP requires an inspection on each CMV traffic enforcement contact in order for that associated time to be charged to MCSAP funds. KSP does not currently allow MCSAP funds to be used for CMV traffic enforcement contacts that do not result in an inspection, but KSP does plan to begin reporting these statistics. According to FMCSA's A&I data, KSP exceeded its CVSP traffic enforcement goal in the previous FFY (FFY2023) by a notable margin (119%). With chronic staffing shortfalls continuing, it will be difficult for KSP to further increase this number by the additional 10% listed in the NOFO. KSP is currently 4% below its traffic enforcement goal for FFY2024 and expects to see a decrease in sworn officers during FFY2025. However, KSP is making changes to the way roadside enforcement staff are utilized in an effort to increase traffic enforcement activity. Accordingly, KSP has chosen to retain FFY2024's traffic enforcement activity goals until additional sworn staff can be added to the CVE Division.

Specific Aspects of CVE's CMV Traffic Enforcement Plan:

- **Work Zone Safety:** See Part 2, Sections 2 & 5 of this CVSP for additional details. CVE is placing an additional emphasis on CMV inspections in around work zones and expects a significant number of these inspections to result in traffic enforcement activity. By reconfiguring activity expectations for sworn officers (i.e. increasing emphasis on Level 3 inspections, focusing 25% of all patrol time on work zones), CVE expects to be able to better address collisions occurring in the vicinity of work zones.
 - **Locations:** Active and planned workzones are readily identifiable via a map maintained by the Kentucky Transportation Cabinet available at <https://maps.kytc.ky.gov/activehighwayplan/>.
- **Vulnerable Road Users (VRU):** A review of the available data in this area indicates a significantly elevated potential for VRU fatalities in urban areas. Accordingly, CVE plans to address this area primarily through its enforcement subawardees, each of which are based in heavily urbanized areas. KSP believes that utilizing its enforcement partners in these urban areas, and their specialized knowledge of their own local areas, is the most effective strategy for reducing collisions most likely to include VRUs.
- **High Visibility Enforcement:** Most of CVE's traffic enforcement efforts involve the use of uniformed sworn officers in marked patrol vehicles. High visibility enforcement is a proven tool in crash reduction efforts.
- **Koper Curve:** KSP utilized several HP grants in prior FFYs which utilized the Koper Curve Philosophy of increasing enforcement presence. The studies accompanying these HP grants indicated that this is an effective enforcement strategy and the lessons learned have been integrated into basic patrol practices where appropriate. KSP expects this strategy to be particularly effective in work zone safety efforts where increased enforcement presence, or the perception of such, has been shown to reduce crashes.
- **Driver Focus:** Emerging research, including the older Large Truck Causation Study, suggests that most CMV-involved collisions are the result of unsafe driving behaviors by both non-CMV and CMV drivers. Since KSP does not currently meet the criteria for using MCSAP funds on non-CMV traffic enforcement, CVE's focus is on CMV traffic enforcement. Unlike in years past, sworn officer activity will be focused on completing a high volume of Level 3 inspections, with a focus on preventing unsafe driving behaviors. While sworn officers may elevate an inspection to

Levels 1 or 2 if an obvious violation is discovered, efforts will be focused on higher numbers of Level 3 inspections which should increase traffic enforcement contacts.

- While assigned to a HCC or work zone, an officer's activity goals are prioritized as follows:
 1. Level 3 inspections on CMVs with traffic enforcement violations
 2. Level 3 inspections on CMVs without traffic enforcement, but focusing on driver fatigue, driver qualification, and related violations
 3. Traffic enforcement on non-CMV's focused on traffic violations with a high crash correlation (MCSAP funds are not utilized for non-CMV traffic enforcement)
 4. Level 1 and Level 2 inspections only when OOS or other serious safety violations are suspected
- While assigned to non-HCC enforcement, officers are free to address other problems in their regions as directed by their commanders, but Level 3 inspections on CMVs with traffic enforcement will remain prioritized.
- **MCSAP Overtime:** CVE plans to utilize MCSAP overtime to boost the number of Level 3 inspections completed with a special emphasis placed upon CMV traffic enforcement activity. Most of the non-CVE assigned staff who are NAS certified within KSP complete inspections on overtime. This significantly increases the number of sworn staff capable of performing CMV traffic enforcement activities.
- **Details:** CVE schedules or participates in traffic enforcement details at least quarterly, often on a monthly basis. CVE plans to create or participate in details on and leading up to major holidays and other times of peak traffic activity. Activity reports will be created for these details and used to monitor activity. During these details, the emphasis will be Level 3 inspections with traffic enforcement activities. CVE plans to work these details primarily on high crash corridors and in proximity to work zones. Regional commanders have the flexibility to create additional details within their regions to address local events or problem areas.
- **Impaired driving:** All sworn staff are trained to detect impaired drivers and are equipped with portable breath testers to aid in evaluating potentially impaired drivers. Additionally, some officers have received advanced training on detecting impaired drivers and in advanced drug impairment recognition techniques. Each driver stopped is screened for impairment by trained observation and, when necessary, by standardized field sobriety tests.
- **Distracted driving:** CVE recognizes that distracted driving has many of the same indicators as impaired driving and it presents many of the same risks. Officers are equipped with binoculars to aid in detecting distracted driving in both CMVs and non-CMV's.
- **Occupant/driver restraint:** As with distracted driving, officers are equipped with binoculars to aid in the detection of occupant/driver restraint violations. Additionally, driver-focused camera systems installed at weigh stations have proven to be a highly effective tool in spotting violations. In these scenarios, drivers are photographed in high resolution as they pass through a fixed weigh facility. These photographs are able to help determine whether or not a driver or other occupants were using restraint devices as required by law.
- **Driver fatigue:** Driver fatigue shares many of the same indicators and risks as impaired driving and distracted driving. Officers are trained to distinguish between these and to deal with them accordingly. Additionally, officers review records of duty status for each driver inspected to determine if the regulatorily required rest breaks are being taken. If a driver is determined to meet the out-of-service conditions for exceeding hours of service limitations, illness, or fatigue, that driver is placed out-of-service until they are requalified to drive.
- **Prohibited operation:** DACH & FOOS Violations: Kentucky has dramatically improved its detection of DACH prohibited drivers and FOOS violations and exceeds national averages in these areas.
 - **FOOS Orders:** As mentioned elsewhere in this CVSP, a check is performed automatically, by Kentucky's RIMS inspection software, for each motor carrier inspected to determine if they are under a FOOS order. Additionally, the KATS system installed at weigh stations and other locations throughout Kentucky automatically screens USDOT numbers to determine if a motor carrier is under a FOOS order. If a carrier is suspected to be under a FOOS order, an alarm sounds, notifying inspection staff to stop the vehicle. This approach has been highly successful.
 - **Drug and Alcohol Clearinghouse (DACH):** Kentucky's prohibited driver detection rate is good and continuing to improve based upon the last available report on DACH catch rates provided by the KY Division Office. Each CMV driver is required to be checked during each inspection to determine if they are listed as prohibited. If a driver is determined to have a prohibited status, the inspecting officer then determines if they are in violation of

their prohibited status. Many drivers detected as prohibited are determined to be legally operating, but those in violation are placed OOS until their prohibited status has been rectified.

- **Human and Drug Trafficking:** See Part 1, Section 3 of this CVSP for additional details. KSP is continuing to prioritize efforts to combat human and drug trafficking. While staffing shortfalls do not currently allow for the establishment of standing teams or strikeforces dedicated to these activities, KSP is planning on improving training and participation in details focusing on these areas. Sworn staff are trained to observe for indicators of trafficking during each traffic stop and inspection. If potential trafficking activities are suspected, sworn staff are trained to conduct interviews and investigations and to take action as appropriate under state law. KSP plans to provide improved training to its non-sworn inspection staff to enhance trafficking awareness.

Monitoring Plan and Activity Measures: CVE regional commanders and supervisors monitor the activity of their enforcement staff on an ongoing basis. Each quarter, the entire MCSAP program's performance is reviewed by program support staff and traffic enforcement activity figures are examined against planned production goals. CVE expects to see approximately 25% of its CVSP traffic enforcement goals attained each quarter. Any shortfalls are reported to the MCSAP commander for appropriate adjustments and follow-up actions. This data and progress on performance objectives are also reported to the KY Division Office quarterly and upon request. CVE utilizes both internal databases (i.e. KYOPS and RIMS) and A&I to monitor progress towards CVSP goals.

Challenges: Some enforcement staff are hesitant to issue state citations for CMV traffic violations because of the high dismissal rates for those citations in local courts. Since this typically results in a DataQ challenge to the inspection violation (which requires removal of the violation upon court dismissal), some staff prefer to cite a violation on the inspection but not to issue a state citation. CVE has made efforts to improve citation rates in recent years and staff are more frequently issuing state citations as a result. This has been reflected in the increased traffic enforcement numbers reported by KSP over time. However, the dismissal of state citations by local courts remains an ongoing problem. CVE plans to attempt additional outreach efforts with the judicial system but past efforts have met with little success. CVE recognizes that FMCSA's efforts, along with those of the Kentucky Transportation Cabinet (KYTC) have made progress in this area, particularly relating to the masking of traffic violations. This may represent an opportunity of future coordination and cooperation for all three agencies involved.

Revised 08/28/2024

Projected Goals for FY 2025 - 2027

Using the radio buttons in the table below, indicate the traffic enforcement activities the State intends to conduct in FY 2025 - 2027. The projected goals are based on the number of traffic stops, not tickets or warnings issued. These goals are NOT intended to set a quota.

Note: If you answer "No" to "Non-CMV" traffic enforcement activities, the State does not need to meet the average number of 2014/2015 safety activities because no reimbursement will be requested. If you answer "No" and then click the SAVE button, the Planned Safety Activities table will no longer be displayed.

			Performance Goals		
Yes	No	Traffic Enforcement Activities	FY 2025	FY 2026	FY 2027
☒	☐	CMV with Inspection	7757	7757	7757
☐	☒	CMV Non-Inspection			
☐	☒	Non-CMV			
☒	☐	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	36	36	36

Describe how the State will report on, measure and monitor its traffic enforcement efforts to ensure effectiveness, consistency, and correlation to FMCSA's national traffic enforcement priority.

The KSP includes traffic enforcement and inspection activities in its quarterly reporting and commanders are encouraged to monitor, evaluate and correct deficiencies in enforcement and activity. The KSP does not utilize MCSAP funding for non-CMV activities or for CMV stops without an inspection.

Revised 8/28/2024

Part 2 Section 6 - Safety Technology

This section covers two of FMCSA's safety technology programs:

- Innovative Technology Deployment (ITD)
- Performance and Registration Information Systems Management (PRISM)

Please complete the information below to indicate your State's participation level in each program, along with specific information about how MCSAP Operations and Maintenance (O&M) funding is used to support each of these safety technology programs. **All O&M expenses for both ITD and PRISM must be included and described both in this section and in the appropriate section of Part 4, Financial Information.**

Innovative Technology Deployment (ITD)

The ITD program is a key component of the FMCSA's drive to improve commercial motor vehicle safety. The ITD program empowers States to apply cutting-edge technology to share data more effectively and improve roadway safety.

With the enhanced funding provided to each State as part of the Infrastructure Investment and Jobs Act (IIJA), certain technologies may be funded by MCSAP if certain criteria outlined below are met.

The technology:

- Is widely available not requiring any product development
- Can be fully deployed and operational within the period of performance
- Has a direct impact on CMV safety based on verified performance data
- Is outlined in a State's approved ITD Program Plan/Top Level Design (PP/TLD) if required

If there is a need for any technology development as part of a MCSAP project, and if the time to fully implement the technology exceeds the MCSAP period of performance, then the HP-ITD grant would be the appropriate source for federal funding. All ITD technology projects proposed will be reviewed by the ITD Program Office for eligibility determination.

ITD O&M is defined as costs associated with deployment projects that maintain and repair real property, or a system, based on its current status and abilities. O&M costs may also include memberships, fees, dues, program travel, and other related program costs that maintain or support deployment activities, as defined previously in the MCSAP Comprehensive Policy (MCP) section 5.2.

Performance and Registration Information Systems Management (PRISM)

FMCSA's PRISM program is a partnership with State CMV registration offices and law enforcement that improves highway safety by identifying and immobilizing commercial motor carriers that are prohibited from operating due to a Federal Out-of-Service (OOS) order. PRISM is a key component to FMCSA's mission to reduce the number of CMV crashes, injuries and fatalities in a rapidly expanding interstate motor carrier population. PRISM provides States a safety mechanism to identify and immobilize motor carriers with serious safety deficiencies and hold them accountable through registration and law enforcement sanctions. States may fund new PRISM system development, deployment, as well as Operations and Maintenance. Further information regarding full participation in PRISM can be found in the MCP Section 4.3.1.

PRISM O&M are costs associated with projects that improve CMV safety, maintain and/or advance PRISM levels. O&M costs may also include memberships, fees, dues, program travel, and other related program costs that maintain or support PRISM deployment activities. All PRISM technology projects proposed will be reviewed by the PRISM Program Manager for eligibility determination.

Safety Technology Compliance Status

Please verify the current level of compliance for your State in the table below using the drop-down menu. If the State plans to include O&M costs in this year's CVSP, please indicate that in the table below. Additionally, specific details must be included both in this section and in your Part 4 Spending Plan.

Technology Program	Current Compliance Level	Include O & M Costs?
ITD	Core ITD Compliant	Yes
PRISM	Enhanced Participation	Yes

Available data sources:

- The [Innovative Technology Deployment \(ITD\) website](#) is a centralized repository for information that States should utilize to plan and implement effective ITD programs. ITD users can log in to query information from SAFER and other FMCSA systems, as well as access resources including recordings of previous webinars, conference materials, and web infrastructure technical specifications.
- The [PRISM Data and Safety Hub \(DASH\)](#) is an online workspace where State partners can log in to access reports, submit data, get materials to help implement PRISM and obtain information on the Level Up initiative.

Enter the agency name responsible for ITD in the State: Kentucky Transportation Cabinet

Enter the agency name responsible for PRISM in the State: Kentucky Transportation Cabinet

Narrative Overview for FY 2025 - 2027

Problem Statement Narrative and Projected Goal: Describe any challenges encountered in implementing, maintaining, or improving your ITD and PRISM program compliance level (i.e., problems encountered, obstacles overcome, lessons learned, etc.).

The PRISM program is managed and operated through the Kentucky Transportation Cabinet (KYTC). KYTC provides all necessary reports to FMCSA. Kentucky exceeds complete participation in PRISM.

Revised 08/28/2024

Program Activities for FY 2025 - 2027: Describe any activities that will be taken to implement, maintain or improve your ITD and PRISM programs. Include a description of O&M costs for ITD and PRISM.

The Kentucky Transportation Cabinet (KYTC) maintains PRISM and ITD components and develops grants to assist with those programs. KSP provides maintenance funds through MCSAP.

Please refer to Part 4, Section 7 of this CVSP (Contractual and Subaward) for a detailed listing of O&M components and associated costs.

Revised 11/07/2024

Performance Measurements and Monitoring: Describe all performance measures that will be used and include how the State will conduct ongoing monitoring of ITD and PRISM progress (e.g., including quarterly SF-PPR reporting).

The Kentucky Transportation Cabinet (KYTC) maintains control over PRISM and ITD Components and completes the quarterly reports provided to FMCSA regarding the performances measures that they develop.

Revision #1 Note: For additional details about staffing challenges and proposed solutions, including efforts to increase weigh station staffing and up-time, see the highlighted portions of Part 2, Section 3 (Roadside Inspections) of this CVSP.

Revised 11/12/2024

Part 2 Section 7 - Public Education and Outreach

A public education and outreach program is designed to provide information on a variety of traffic safety issues related to CMVs and non-CMV's that operate around large trucks and buses. The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable during Years 2 and 3.

Trend Analysis for 2019 - 2023

In the table below, provide the number of public education and outreach activities conducted in the past 5 years.

Public Education and Outreach Activities	2019	2020	2021	2022	2023
Carrier Safety Talks	78	32	47	42	16
CMV Safety Belt Education and Outreach	11	15	10	9	7
State Trucking Association Meetings	3	5	3	6	4
State-Sponsored Outreach Events	23	2	2	13	2
Local Educational Safety Events	37	6	20	41	28
Teen Safety Events	11	2	2	1	3

Narrative Overview for FY 2025 - 2027

Performance Objective: Increase the safety awareness of the motoring public, motor carriers and drivers through public education and outreach activities such as safety talks, safety demonstrations, etc.

Describe the activities the State plans to conduct, including but not limited to passenger transportation, work zone safety, hazardous materials transportation, human trafficking/smuggling, and share the road safety initiatives. Include the number of personnel that will be participating in these efforts and any Public Education and Outreach activities that are not specifically listed in the Projected Goals table.

Public Education and Outreach:

KSP conducts routine public outreach activities, primarily through the use of two Public Affairs Officers (PAOs), but has been increasing its outreach efforts on social media through the KSP Public Affairs Branch. In the past, KSP has utilized High Priority (HP) grant funds to conduct targeted media outreach. For the first time in many years, KSP will be including media outreach funds in its CVSP. KSP plans to expand, primarily on social media and web-based platforms, its ability to reach the public with messages about CMV safety, including human trafficking awareness.

Since many CMV-involved collisions are caused by the unsafe actions of non-CMV's operating in proximity to CMV's, public education and awareness activities are essential in promoting CMV safety. These activities raise public awareness about the dangers and unique challenges of operating safely in proximity to CMV's.

In addition to the daily interactions of KSP staff with members of the public, KSP engages in CMV safety outreach activities at a number of high-profile public events, such as:

- Farm Machinery Show in Louisville
- Mid America Truck Show in Louisville
- Kentucky State Fair in Louisville
- Various county fairs throughout the state
- Recruiting seminars and job fairs

- Kentucky Truck Rodeo

Additional information about specific and targeted outreach efforts is listed below:

- **TREDS:** In 2021, CVE started training its Public Information Officers, and enforcement subawardee staff, in the University of California San Diego's Training, Research and Education for Driving Safety (TREDS) program entitled *Just Drive: Deliver Distraction-Free Train-the-Trainer*. The goal of this train the trainer program will be to have those instructors present the educational course to motor carriers throughout the state. KSP currently has 2 TREDS instructors and its subgrantees have a total of 3 (Boone County SO: 1, Lexington PD: 2). TREDS-related material has been presented by KSP and Lexington as a part of its outreach efforts, though no formal TREDS presentations have been made since the COVID-19 pandemic. KSP plans to redouble its efforts to complete outreach using the TREDS program and re-familiarize its instructors on the material. KSP intends to begin using the TREDS program during at least one large event per quarter to gauge industry and public interest in the material. Additionally, KSP will collaborate with our public affairs department to utilize additional resources provided by TREDS, including print materials, social media posts, and videos to increase awareness. KSP will also encourage our sub-grantees to begin presenting the TREDS program in their coverage areas.
- **Educational Citation Jacket:** KSP has created an educational citation jacket that is being utilized in conjunction with CMV inspections. These educational citation jackets provide information on highway safety, distracted driving, and human trafficking awareness to each CMV driver inspected. The information included comes from both TREDS and Truckers against Trafficking (TAT). Once an inspection is completed, all inspection-related paperwork is inserted into the pockets of this educational citation jacket. KSP continues to print and distribute additional citation jackets as existing supplies are exhausted.
- **CVSA Human Trafficking Awareness Initiative (HTAI):** KSP will be participating in this initiative through the Human Trafficking Prevention Program, having first participated during FFY2024.
- **Social Media:** KSP will conduct social media outreach in an effort to emphasize work zone safety and with specific messaging targeting certain work zones. Additionally, social media will be used to provide the general public with information on human trafficking and how to report suspected incidents. KSP plans to utilize social media in lieu of traditional radio and television media because emerging research suggests social media reaches more people at a fraction of the cost of more traditional media approaches. Additionally, social media outreach provides the public with an opportunity to interact with KSP while traditional media does not.

Updated: 08/28/2024

Projected Goals for FY 2025 - 2027

In the table below, indicate if the State intends to conduct the listed program activities, and the estimated number, based on the descriptions in the narrative above.

			Performance Goals		
Yes	No	Activity Type	FY 2025	FY 2026	FY 2027
☒	☐	Carrier Safety Talks	15	15	15
☒	☐	CMV Safety Belt Education and Outreach	10	10	10
☒	☐	State Trucking Association Meetings	5	5	5
☒	☐	State-Sponsored Outreach Events	5	5	5
☒	☐	Local Educational Safety Events	30	30	30
☒	☐	Teen Safety Events	3	3	3

Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct monitoring of progress. States must report the quantity, duration and number of attendees in their quarterly SF-PPR reports.

Program Activity Plan & Monitoring: CVE plans to use its Public Information Officers, along with the KSP Public Affairs Branch, to promote its CMV safety message throughout the commonwealth. Activity is measured and reported to the KY Division Office on a quarterly basis. KSP expects to complete approximately one quarter of its total CVSP goal each quarter, though the specific category of outreach activity may vary. Additionally, more outreach activity tends to happen in the Spring, Summer, and Fall seasons due to the increase in public events during those times of year. The KSP Public Affairs Branch maintains detailed social media outreach records which can be used to inform quarterly activity reports for monitoring and planning purposes.

Updated: 08/28/2024

Part 2 Section 8 - State Safety Data Quality (SSDQ)

MCSAP lead agencies are allowed to use MCSAP funds for Operations and Maintenance (O&M) costs associated with State Safety Data Quality (SSDQ) requirements to ensure the State meets accuracy, completeness and timeliness measures regarding motor carrier safety data and participates in the national data correction system (DataQs). All O&M expenses for SSDQ must be included and described both in this section and in the appropriate section of the Financial Information in Part 4.

SSDQ Compliance Status

Please verify the current level of compliance for your State in the table below using the drop-down menu. If the State plans to include O&M costs in this year's CVSP, select Yes. These expenses must be included in the Spending Plan section per the method these costs are handled in the State's accounting system (e.g., contractual costs, other costs, etc.).

Data Quality Program	Current Compliance Level	Include O & M Costs?
SSDQ Performance	Good	No

Available data sources:

- [FMCSA SSDQ website](#)
- [FMCSA DataQs website](#)

Enter the agency name responsible for Data Quality: Kentucky State Police

Enter the agency or agencies name responsible for DataQs: Kentucky State Police

Enter the agency name responsible for the Crash Data Repository: Kentucky State Police

In the table below, use the drop-down menus to indicate the State's current rating within each of the State Safety Data Quality categories, and the State's goal for FY 2025 - 2027.

SSDQ Measure	Current SSDQ Rating	Goal for FY 2025	Goal for FY 2026	Goal for FY 2027
Crash Record Completeness	Good	Good	Good	Good
Crash VIN Accuracy	Good	Good	Good	Good
Fatal Crash Completeness	Good	Good	Good	Good
Crash Timeliness	Good	Good	Good	Good
Crash Accuracy	Good	Good	Good	Good
Crash Consistency	No Flag	No Flag	No Flag	No Flag
Inspection Record Completeness	Good	Good	Good	Good
Inspection VIN Accuracy	Good	Good	Good	Good
Inspection Timeliness	Good	Good	Good	Good
Inspection Accuracy	Good	Good	Good	Good

Enter the date of the A & I Online data snapshot used for the "Current SSDQ Rating" column.

Data current as of July 26, 2024. Retrieved August 28, 2024. Updated: 08/28/2024

Narrative Overview for FY 2025 - 2027

Problem Statement Narrative: Describe any issues encountered for all SSDQ measures not rated as "Good/Green" in the Current SSDQ Rating category column above (i.e., problems encountered, obstacles overcome, lessons learned, etc.).

N/A

Updated: 08/28/2024

Program Activities FY 2025 - 2027: Describe activities that will be taken to achieve or maintain a "Good" (Green) rating in all measures including the overall SSDQ rating. Include a description of all O&M costs for SSDQ.

KSP has a dedicated data quality staff within its CVE Program Support Branch. This team is normally staffed with three dedicated employees that run data quality checks on crash and inspection activity. Both inspection and crash records are checked for completeness and any discrepancies are rectified as appropriate. This includes the review of statewide CMV crash data and manually resolving any issues discovered on each collision report.

Revised 08/28/2024

Program Activities FY 2025 - 2027: Describe how your State provides resources to conduct DataQs operations within your State, and how elevated/appeals requests are handled.

KSP utilizes one highly experienced sworn staff member as a DataQs Analyst. This Analyst administers the DataQs process in Kentucky to ensure all inspection data challenges are handled in a timely and comprehensive manner. When additional assistance is needed, supervisors within the CVE Program Support Branch are trained and able to assist with handling requests for data review (RDR).

Elevated RDRs: When a RDR is elevated to the supervisory level for routine reasons, the Analyst contacts supervision within the Program Support Branch to initiate a supervisory review process. During the supervisory review process, a supervisor reviews the entire recorded history of the RDR, any attachments, and discusses the RDR with the Analyst. Where appropriate, the supervisor provides guidance on the proper handling of the RDR and any follow-up measures to be taken. In certain circumstances, the supervisor may take control of the RDR in place of the Analyst, particularly if misconduct is alleged or if the subject matter is unusually sensitive or complex.

Appeals Process: If an appeal of an RDR is requested, there are two levels of appeal available.

Supervisory Review: When an appeal is requested, the RDR is elevated to the supervisory level where a supervisor within the CVE Program Support Branch assumes control over the RDR. The supervisor reviews the entire recorded history of the RDR, any attachments, and discusses the RDR with the Analyst. The supervisor may solicit additional information and conduct additional investigation as necessary to resolve the RDR. At the conclusion of this process, the supervisor issues a formal answer in DataQs which explains the outcome of the RDR appeal and which explains the rationale behind the decision. Nearly all RDR appeals are resolved at this level.

Formal Hearing: Kentucky law, under KRS Chapter 13B, provides for a formal appeals process for many state government functions and decisions, including the RDR process. Should someone with standing petition for a formal Chapter 13B hearing, they may appeal the decision made on an RDR. To initiate this type of appeal, a formal request must be received by the KSP Commissioner. The KSP Commissioner is responsible for coordinating the Chapter 13B hearing process and is ultimately responsible for rendering a final order. This order is the final binding judgement at the state level, though it can be appealed, as to form and manner, to the Franklin County Circuit Court in a judicial review.

Revised 08/28/2024

Performance Measurements and Monitoring: Describe all performance measures that will be used to monitor data quality and DataQs performance and include how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

KSP monitors data quality performance measures on a quarterly basis and reports performance information to the KY Division Office as a part of the quarterly reporting cycle. Statistics are monitored proactively and intervention is made as early as possible to prevent data quality measures from declining to unacceptable levels. DataQs RDRs are monitored for timeliness and quality control by supervision through periodic RDR reviews and data analysis.

Revised 08/28/2024

Part 2 Section 9 - New Entrant Safety Audits

States must conduct interstate New Entrant safety audits in order to participate in the MCSAP ([49 CFR 350.207](#).) A State may conduct intrastate New Entrant safety audits at the State's discretion if the intrastate safety audits do not negatively impact their interstate new entrant program. The Trend Analysis area is only open for editing during Year 1 of a 3-year plan. This data is not editable during Years 2 and 3.

For the purpose of this section:

- **Onsite safety audits** are conducted at the carrier's principal place of business.
- **Offsite safety audit** is a desktop review of a single New Entrant motor carrier's basic safety management controls and can be conducted from any location other than a motor carrier's place of business. Offsite audits are conducted by States that have completed the FMCSA New Entrant training for offsite audits.
- **Group audits** are neither an onsite nor offsite audit. Group audits are conducted on multiple carriers at an alternative location (i.e., hotel, border inspection station, State office, etc.).

Note: A State or a third party may conduct New Entrant safety audits. If a State authorizes a third party to conduct safety audits on its behalf, the State must verify the quality of the work conducted and remains solely responsible for the management and oversight of the New Entrant activities.

Yes	No	Question
☒	☐	Does your State conduct Offsite safety audits in the New Entrant Web System (NEWS)? NEWS is the online system that carriers selected for an Offsite Safety Audit use to submit requested documents to FMCSA. Safety Auditors use this same system to review documents and communicate with the carrier about the Offsite Safety Audit.
☐	☒	Does your State conduct Group safety audits at non principal place of business locations?
☐	☒	Does your State intend to conduct intrastate safety audits and claim the expenses for reimbursement, state match, and/or Maintenance of Effort on the MCSAP Grant?

Trend Analysis for 2019 - 2023

In the table below, provide the number of New Entrant safety audits conducted in the past 5 years.

New Entrant Safety Audits	2019	2020	2021	2022	2023
Interstate	535	504	528	745	735
Intrastate	0	0	0	0	0
Total Audits	535	504	528	745	735

Note: Intrastate safety audits will not be reflected in any FMCSA data systems—totals must be derived from State data sources.

Narrative Overview for FY 2025 - 2027

Enter the agency name conducting New Entrant activities, if other than the Lead MCSAP Agency: Kentucky State Police

Please complete the information below by entering data from the NEWS Dashboard regarding Safety Audits in your State. Data Source: New Entrant website (NEWS)	
Date information retrieved from NEWS Dashboard to complete eCVSP	08/28/2024
Total Number of New Entrant Carriers in NEWS (Unassigned and Assigned)	613
Current Number of Past Dues	0

Program Goal: Reduce the number and severity of crashes, injuries, and fatalities involving commercial motor vehicles by reviewing interstate new entrant carriers. At the State's discretion, intrastate motor carriers are reviewed to ensure they

have effective safety management programs.

Program Objective: Meet the statutory time limit for processing and completing interstate safety audits of 120 days for Motor Carriers of Passengers and 12 months for all other Motor Carriers.

Projected Goals for FY 2025 - 2027

Summarize projected New Entrant safety audit activities in the table below.

Projected Goals for FY 2025 - 2027 - New Entrant Safety Audits						
	FY 2025		FY 2026		FY 2027	
Number of Safety Audits/Non-Audit Resolutions	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
# of Safety Audits (Onsite)	140	0	140	0	140	0
# of Safety Audits (Offsite)	560	0	560	0	560	0
# Group Audits	0	0	0	0	0	0
TOTAL Safety Audits	700	0	700	0	700	0
# of Non-Audit Resolutions	700	0	700	0	700	0

Strategies: Describe the strategies that will be utilized to meet the program objective above. Describe how the State will reduce past due Safety Audits. Provide any challenges or impediments foreseen that may prevent successful completion of the objective.

Note: KSP currently has zero overdue carriers. Some of the reports in A&I and NEWS show a small number of overdue carriers, but these are known issues to the Southern Service Center (SSC) and removed from our inventory each month during the monthly assessment by the SSC New Entrant Coordinator.

Program Summary

KSP has one of the best performing New Entrant Safety Audit (NESA) programs in the nation, particularly among similarly sized states. Due to the recent economic downturn, Kentucky is seeing far fewer New Entrant Motor Carriers than in the immediate post-COVID era, though that number has increased somewhat in recent months. As a result, KSP's NESA program is expected to have more than adequate resources during the next FFY to meet anticipated program needs. Increasing the number of audits by 15%, as stated as a goal in the NOFO, may not be possible since Kentucky is experiencing a decline in New Entrant Motor Carriers. In fact, as of this writing, KSP is assigning audits at approximately 6 months from their due date because the decline is so great (up from about 3 months in the past two years).

Structure: KSP's NESA program currently consists of nine certified safety auditors (Civilian Inspectors) and one program coordinator. The NE Program Coordinator monitors and directs the daily operations of KSP's NESA program and acts as liaison to both the SSC's New Entrant Program Coordinator as well as the KY Division Office. Auditors work at remote offices spread throughout the state so they can more effectively travel to audits in diverse locations. Each auditor is provided with a vehicle to facilitate onsite safety audits. Each audit is reviewed and quality controlled by the program coordinator prior to being transmitted to the KY Division Office for review and approval.

Overdue audits: Kentucky's overdue audit rate has been zero or nearly zero for an extended period. The occasional overdue audit typically results from a carrier abusing the NESA process and intentionally dragging out the timeline.

Onsite audits: Since more time is available per audit in the upcoming FFY than in years past, KSP, in coordination with FMCSA, has already begun completing more audits as onsite than in years past. KSP has found that onsite audits are both better for a carrier from an educational standpoint and better for the auditor from an audit accuracy standpoint. These audits are also much less likely to become overdue than offsite audits.

KSP is hopeful that providing a carrier with high quality face-to-face interaction with an experienced auditor will improve both post-audit safety performance and compliance rates. Provided the number of audits remain stable over time and that resources allow, KSP is planning to compare the results of this mostly onsite-based approach with the mostly offsite-based model of prior years and measuring the impact in terms of both BASIC scores and actual crash rates over time.

Policies and Operating Procedures: KSP has adopted the eFOTM and supplemental guidance from FMCSA to govern the operation of its NESA program. All auditors are trained and certified in accordance with FMCSA and CVSA program requirements and certifications are monitored by program supervision. Auditors work closely with the KY Division Office to ensure each audit follows established guidelines for both quality and consistency of outcome.

Intrastate Safety Audits: KSP does not plan to conduct intrastate NE safety audits during the upcoming FFYs. By statute and regulation, KSP does have authority to conduct intrastate audits. However, the regulations governing this process are outdated and in need of updating. Additionally, since Kentucky has never had an intrastate safety audit program, there are considerable legal and procedural barriers in implementing such a program.

New Projects: As time and staffing levels permit, KSP plans to test a new outreach project geared towards assisting New Entrant Motor Carriers with safety and compliance. This project will invite NE carriers to a voluntary safety seminar around six to nine months prior to their due date. At this seminar, experienced auditors will provide standardized presentations designed to educate carriers on CMV safety and compliance topics, especially those compliance items which commonly result in failed audits. Following this presentation, carriers will be invited to ask questions and to interact with the auditors. Carriers will also be able to undergo a voluntary 'mock audit' at the seminar where auditors will evaluate the carrier's operating practices, review a limited number of documents, and provide informal advice on any compliance issues discovered. The goal of this project is to improve compliance rates and highway safety by providing a voluntary intervention option prior to a safety audit. If trial runs of this project are successful, KSP may expand it statewide. KSP also believes this project, if conducted long-term, may provide useful data when comparing carriers with this extra assistance to those who only receive a safety audit. Recent data provided by FMCSA indicates that NE carriers are not performing at the enhanced safety level desired. This project is KSP's attempt to improve performance of Kentucky-based motor carriers.

Revised 08/28/2024

Activity Plan for FY 2025 - 2027: Include a description of the activities proposed to help achieve the objectives. If group audits are planned, include an estimate of the number of group audits.

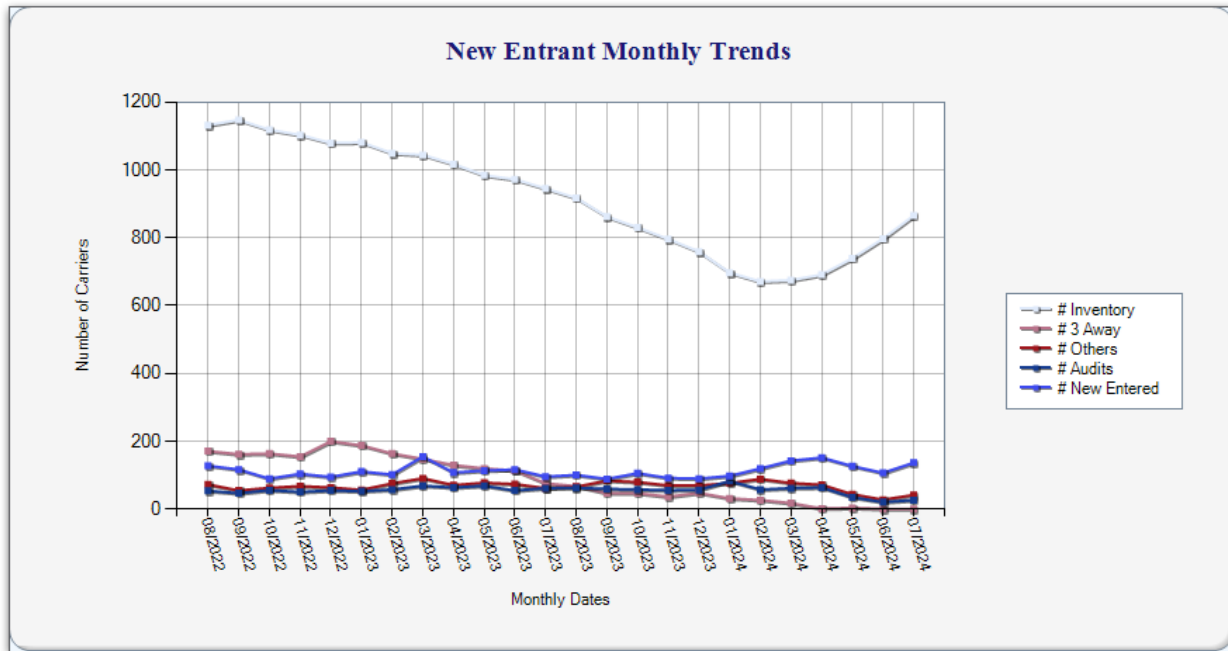
Program Activity Plan

See the Strategy section above for details about the Activity Plan.

The in spite of a national explosion of overdue safety audits during and following the COVID-19 pandemic, KSP has managed to keep its number of overdue safety audits significantly below the national average and among the lowest in the nation. Kentucky hired and trained additional safety auditors to handle the increased number of safety audits in its New Entrant Inventory in advance of the glut of NE carriers experienced post-pandemic. Each of those auditors remains on staff and this is a primary reason KSP's overdue audit numbers have plummeted and remain very low. KSP also changed the way it handles carriers to increase program efficiencies and to reduce the likelihood of carriers becoming overdue.

According to current data available in NEWS, Kentucky currently has zero overdue safety audits. According to current data available in GOTHAM, Kentucky's number of overdue safety audits has been trending downward and remaining at very levels relative to its New Entrant inventory. For any audits which do become overdue, each auditor has standing instructions

to communicate the status of the audit with the NE Program Coordinator well in advance of the audit's deadline. The Program Coordinator provides information and an explanation concerning each overdue carrier to the KY Division Office and the SSC New Entrant Program Coordinator each month and upon request. The majority of overdue safety audits are caused by a carrier's inaction, failure to provide documentation within a timely manner, or abuse of the NE Program's deadline and contact policies. With the recent changes in how Kentucky handles NE carriers, Kentucky estimates that fewer than 25% of all overdue audits are preventable by the assigned safety auditor.



Unassigned Carriers	
Audit Type	
Onsite	26
Expedited Action	0
High Risk	0
Past Due	0
Past Due within 30 days	0
Offsite	427
Interstate	427
Intrastate Hazmat	0
Intrastate Non-Hazmat	0
High Risk	0
Past Due	0
Past Due within 30 days	0

Assigned Audits		
Audit Type	Total	Has Docs
Onsite In-Process	129	5
Expedited Action	8	0
High Risk	0	0
From Converted Offsite	0	0
Past Due	0	0
Past Due within 30 days	0	0
Pending Follow-Up	0	0
Action Required	0	0
Onsite Closed	1401	199
Closed Completed	697	100
Closed Not Completed	586	34
Closed Converted to Offsite	118	65
Action Required	21	2
Offsite In-Process	31	9
Expedited Action	0	0
High Risk	0	0
No Longer Offsite Eligible	1	0
Custom Doc Request Ltr Not Sent	30	9
Past Due	0	0
Past Due within 30 days	0	0
Pending Follow-Up	0	0
Action Required	0	0
Offsite Closed	7958	4225
Closed Completed	3776	3459
Closed Not Completed	3916	636
Closed Converted to Onsite	266	130
Action Required	40	20

Analysis & Information

Federal Motor Carrier Safety Administration

New Entrant Monthly Trends for Kentucky Division

GOTHAM report updated 08/23/2024. SMS data in the report as of the last SMS snapshot (07/26/2024)

Year Month	NE Inventory	NE Inventory Change	Carriers Overdue	< 3 Months Away	3-6 Months Away	6-9 Months Away	9-12 Months Away	Audits	Failed Audits	NE Entered	Other Exits	CFV SA Exempt	OIC State	Service Center
2024-07	865	68	11	1	160	338	355	27	2	137	42	4	KY	SH
2024-06	797	58	13	1	118	307	358	21	5	107	28	2	KY	SH
2024-05	739	48	13	4	63	265	394	35	5	127	44	1	KY	SH
2024-04	691	16	14	2	56	226	393	64	4	152	72	9	KY	SH
2024-03	675	4	16	18	74	226	341	62	8	143	77	9	KY	SH
2024-02	671	-27	16	27	102	231	295	58	6	120	89	5	KY	SH
2024-01	697	-62	18	32	150	234	263	83	3	98	77	9	KY	SH
2023-12	759	-37	18	48	207	222	264	57	1	90	70	3	KY	SH
2023-11	796	-34	18	37	204	270	267	56	3	92	70	1	KY	SH
2023-10	830	-32	18	47	226	279	260	58	5	106	80	6	KY	SH
2023-09	862	-55	19	47	231	302	263	60	4	89	84	8	KY	SH
2023-08	917	-28	19	68	221	318	291	63	5	101	66	11	KY	SH
2023-07	945	-28	20	76	234	310	305	62	5	96	62	2	KY	SH
2023-06	972	-12	19	114	214	296	329	55	5	117	74	7	KY	SH
2023-05	984	-33	20	120	239	259	346	69	7	114	78	6	KY	SH
2023-04	1017	-27	19	130	261	264	343	64	2	108	71	3	KY	SH
2023-03	1044	-5	21	148	282	255	338	69	5	155	91	4	KY	SH
2023-02	1049	-32	24	164	282	276	302	58	3	102	76	1	KY	SH
2023-01	1081	1	30	188	283	288	292	53	8	111	57	1	KY	SH
2022-12	1079	-24	30	200	287	293	269	55	5	95	64	6	KY	SH
2022-11	1103	-15	31	155	324	297	296	51	4	104	68	4	KY	SH
2022-10	1118	-29	31	164	328	288	307	56	1	90	63	3	KY	SH
2022-09	1147	15	31	162	328	310	315	47	3	117	55	2	KY	SH
2022-08	1132	1	29	171	263	348	321	54	1	128	73	1	KY	SH

Revised 08/28/2024

Performance Measurement Plan: Describe how you will measure progress toward meeting the objective, such as quantifiable and measurable outputs (staffing, work hours, carrier contacts, inspections, etc.). The measure must include specific benchmarks to be reported on in the quarterly progress report, or as annual outputs.

Performance Measurement Plan:

KSP expects to achieve approximately 25% of its CVSP goal each quarter and reports audit performance figures monthly to the SSC New Entrant Coordinator, and quarterly to the KY Division Office. Any carriers which become overdue have the appropriate resolution coordinated with the SSC New Entrant Coordinator, though truly overdue carriers have become uncommon for KSP.

Kentucky, like other states, experienced an unprecedented increase in NE Carriers following the COVID-19 pandemic. However, a declining economy has caused the increase to reverse and result in a significant decline in new carriers entering the New Entrant Program. KSP has noted a recent increase in carriers entering the New Entrant Program and is monitoring this increase to ensure carriers do not become overdue.

KSP is seeing a significant decrease in carriers receiving an audit versus those which receive a non-audit resolution. This is also linked with declining economic indicators which are not currently showing signs of improvement. KSP maintains detailed statistics on the number of non-audit resolutions for Kentucky-based New Entrant Carriers. Though the number fluctuates, in recent years, approximately half of all New Entrant Carriers exit the New Entrant Program without having received an audit. This pattern informs KSP's decision to designate a number of non-audit resolutions equal to the number of audits expected. The proposed activity levels are based upon historical trends in data from both A&I and NEWS.

Although KSP expects its actual number of audits to be greater than those projected, KSP is leaving its FFY2025-27 projected audit goals largely unchanged due to uncertainty about long-term NE inventory trends given the volatile economy. Kentucky is currently seeing most carriers (approximately 56%) exit the NE program without an audit, but the trend tends to be close to 50/50, particularly when examining historical audit numbers which tend to even out over longer periods of time. KSP does not believe increasing the planned number of audits to be prudent at this time.

Revised 08/28/2024

Part 3 - National Emphasis Areas and State Specific Objectives**Part 3 Section 1 - Overview**

FMCSA establishes annual national priorities (emphasis areas) based on emerging or continuing issues and will evaluate CVSPs in consideration of these national priorities. Part 3 allows States to address national emphasis areas and priorities outlined in the MCSAP Planning Memorandum that do not fit well within any section in Part 2 – Crash Reduction.

States may include any State-specific objectives. For example, create an objective to provide refresher training to MCSAP funded personnel on detecting human trafficking and human smuggling in Section 5.

Specific goals and activities must be projected for the three fiscal year period (FYs 2025 - 2027).

Part 3 Section 2 - Enforcement of Federal OOS Orders during Roadside Activities

Instructions:

FMCSA has established an Out-of-Service (OOS) catch rate of at least 85 percent for carriers operating while under a Federal **Imminent Hazard (IH) and unsatisfactory/unfit (UNSAT/UNFIT) OOS** order. If your catch rate is below 85 percent, States must develop performance goals and activities to meet the FMCSA threshold of at least 85 percent.

The OOS Catch Rate report is located on the [A&I Online website](#) in the Grants module. Select the OOS report from the Activity Dashboard to view your catch rate. Portal credentials are required to access this website.

Your State's FY 2023 Federal IH and UNSAT/UNFIT OOS Catch Rate percentage: 50.00%

Data Source: Last completed fiscal year, FMCSA Motor Carrier Management Information System (MCMIS) and the Safety and Fitness Electronic Records (SAFER) as of 04/26/2024

Check this box if:

☐ As evidenced by the data provided by FMCSA, the State identifies at least 85 percent of carriers operating under a Federal IH or UNSAT/UNFIT OOS order during roadside enforcement activities and will not establish a specific reduction goal. However, the State will maintain effective enforcement of Federal OOS orders during roadside inspections and traffic enforcement activities.

Narrative Overview for FY 2025 - 2027

Project Goal: Increase the IM and UNSAT/UNFIT OOS catch rate percentage to meet the FMCSA threshold of at least 85 percent.

Projected Goals for FY 2025 - 2027: Enter a description of the State's performance goals.

Fiscal Year	Goal (%)
2025	85
2026	85
2027	85

Although Kentucky has a FY 2023 Federal IH and UNSAT/UNFIT OOS Catch Rate percentage of 50.00%, a closer examination reveals that, during FFY2023, Kentucky only missed 1 out of 57 carriers under a FOOS order, an overall catch rate of 98.25%. However, since the single missed carrier was one of only two Federal IH and UNSAT/UNFIT OOS carriers, this rate is shown as 50% for that subset of FOOS orders.

Kentucky plans to maintain its high FOOS order catch rate by continuing to provide training to all NAS certified inspection personnel, including subawardees, on how to detect and properly cite carriers operating under FOOS orders.

Please see the FOOS information from A&I (August 2024 update) for additional details on Kentucky's FOOS catch rate:

Kentucky: Summary of Out-of-Service (OOS) Catch Counts & Rates (August 2024 Result)			
Measures		FY 2022	FY 2023
Inspection Counts	Inspections On All OOS Carriers	60	57
	Inspections On All OOS Carriers Identified	59	56
OOS Carriers <u>not</u> Identified	Imminent Hazard Carriers <u>not</u> Identified	0	0
	Unsatisfactory/Unfit Carriers <u>not</u> Identified	0	1
	Other OOS Types <u>not</u> Identified	1	0
OOS Carriers Identified	Imminent Hazard Carriers Identified	0	0
	Unsatisfactory/Unfit Carriers Identified	12	1
	Other OOS Types Identified	47	55
% Identified (OOS Catch Rate)	% of All OOS Carriers Identified	98.33%	98.25%
	% of Imminent Hazard & Unsat/Unfit Carriers Identified	100.00%	50.00%

Revised 11/07/2024

Program Activities for FY 2025 - 2027: Describe policies, procedures, and/or technology that will be utilized to identify OOS carriers at roadside. Include how you will conduct quality assurance oversight to ensure that inspectors are effectively identifying OOS carriers and preventing them from operating.

The KSP's inspection software (RIMS) runs a test for Federal OOS orders with the initiation of each inspection. The FOOS order query hits real time data and automatically enters a FOOS violation information onto the inspection. Inspection staff then review this data, remove it if in error, or leave it on the inspection if confirmed. KSP will continue to emphasize the need to utilize proper violation codes for these OOS violations to enforcement staff and to subawardees, along with best practices for detecting and citing FOOS order violations.

A review of missed FOOS order violations from recent FFYs indicates that most of the misses occur among subawardees and non-CVE enforcement staff who typically complete a limited number of inspections annually. KSP plans to provide additional training and periodic updates to enhance its catch rate among all inspection staff throughout the state.

Revised 11/07/2024

Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

KSP monitors its FOOS catch rate during its quarterly performance review process, or additionally as needed throughout the year. Each CVE commander and supervisor has access to A&I data and is able to monitor the performance of their inspection staff. Problems noticed by program staff are reported to the CVE Division Commander for appropriate action.

Revised 11/07/2024

Part 3 Section 3 - Passenger Carrier Enforcement**Instructions:**

FMCSA requests that States conduct enhanced investigations for motor carriers of passengers and other high-risk carriers. States are asked to continue partnering with FMCSA in conducting enhanced investigations and inspections at carrier locations.

Check this box if:

☒ As evidenced by the trend analysis data, the State has not identified a significant passenger transportation safety problem. Therefore, the State will not establish a specific passenger transportation goal in the current fiscal year. However, the State will continue to enforce the Federal Motor Carrier Safety Regulations (FMCSRs) pertaining to passenger transportation by CMVs in a manner consistent with the [MCSAP Comprehensive Policy](#) as described either below or in the roadside inspection section.

Part 3 Section 4 - State Specific Objectives – Past**Instructions:**

Describe any State-specific CMV problems that were addressed with FY 2024 MCSAP funding. Some examples may include hazardous materials objectives, Electronic Logging Device (ELD) implementation, and crash reduction for a specific segment of industry, etc. Report below on year-to-date progress on each State-specific objective identified in the FY 2024 CVSP.

Progress Report on State Specific Objectives(s) from the FY 2024 CVSP

Please enter information to describe the year-to-date progress on any State-specific objective(s) identified in the State's FY 2024 CVSP. Click on "Add New Activity" to enter progress information on each State-specific objective.

Part 3 Section 5 - State Specific Objectives – Future**Instructions:**

The State may include additional objectives from the national priorities or emphasis areas identified in the NOFO as applicable. In addition, the State may include any State-specific CMV problems identified in the State that will be addressed with MCSAP funding. Some examples may include human trafficking/smuggling initiatives, work zone safety details, hazardous materials objectives, Electronic Logging Device (ELD) implementation, and crash reduction for a specific segment of industry, etc.

Describe any State-specific objective(s) identified for FY 2025 - 2027. Click on "Add New Activity" to enter information on each State-specific objective. This is an optional section and only required if a State has identified a specific State problem planned to be addressed with grant funding.

Part 4 - Financial Information

Part 4 Section 1 - Overview

The Spending Plan is an explanation of each budget component and should support the cost estimates for the proposed work. The Spending Plan should focus on how each item will achieve the proposed project goals and objectives and justify how costs are calculated. The Spending Plan must be clear, specific, detailed, and mathematically correct. Sources for assistance in developing the Spending Plan include [2 CFR part 200](#), [2 CFR part 1201](#), [49 CFR part 350](#) and the [MCSAP Comprehensive Policy](#).

Before any cost is billed to or recovered from a Federal award, it must be allowable ([2 CFR §200.403](#), [2 CFR §200 Subpart E – Cost Principles](#)), reasonable and necessary ([2 CFR §200.403](#) and [2 CFR §200.404](#)), and allocable ([2 CFR §200.405](#)).

- **Allowable** costs are permissible under the OMB Uniform Guidance, DOT and FMCSA regulations and directives, MCSAP policy, and all other relevant legal and regulatory authority.
- **Reasonable and Necessary** costs are those which a prudent person would deem to be judicious under the circumstances.
- **Allocable** costs are those that are charged to a funding source (e.g., a Federal award) based upon the benefit received by the funding source. Benefit received must be tangible and measurable.
 - For example, a Federal project that uses 5,000 square feet of a rented 20,000 square foot facility may charge 25 percent of the total rental cost.

Instructions

The Spending Plan should include costs for FY 2025 only. This applies to States completing a multi-year CVSP or an Annual Update to their multi-year CVSP.

The Spending Plan data tables are displayed by budget category (Personnel, Fringe Benefits, Travel, Equipment, Supplies, Contractual and Subaward, and Other Costs). You may add additional lines to each table, as necessary. Please include clear, concise explanations in the narrative boxes regarding the reason for each cost, how costs are calculated, why they are necessary, and specific information on how prorated costs were determined.

The following definitions describe Spending Plan terminology.

- **Federal Share** means the portion of the total project costs paid by Federal funds. The budget category tables use 95 percent in the federal share calculation.
- **State Share** means the portion of the total project costs paid by State funds. The budget category tables use 5 percent in the state share calculation. A State is only required to contribute 5 percent of the total project costs of all budget categories combined as State share. A State is NOT required to include a 5 percent State share for each line item in a budget category. The State has the flexibility to select the budget categories and line items where State match will be shown.
- **Total Project Costs** means total allowable costs incurred under a Federal award and all required cost sharing (sum of the Federal share plus State share), including third party contributions.
- **Maintenance of Effort (MOE)** means the level of effort Lead State Agencies are required to maintain each fiscal year in accordance with [49 CFR § 350.301](#). The State has the flexibility to select the budget categories and line items where MOE will be shown. Additional information regarding MOE can be found in the MCSAP Comprehensive Policy (MCP) in section 3.6.

On Screen Messages

The system performs a number of edit checks on Spending Plan data inputs to ensure calculations are correct, and values are as expected. When anomalies are detected, alerts will be displayed on screen.

- Calculation of Federal and State Shares

Total Project Costs are determined for each line based upon user-entered data and a specific budget category formula. Federal and State shares are then calculated by the system based upon the Total Project Costs and are added to each line item.

The system calculates a 95 percent Federal share and 5 percent State share automatically and populates these

values in each line. Federal share is the product of Total Project Costs x 95 percent. State share equals Total Project Costs minus Federal share. It is important to note, if Total Project Costs are updated based upon user edits to the input values, the share values will not be recalculated by the system and should be reviewed and updated by users as necessary.

States may edit the system-calculated Federal and State share values at any time to reflect actual allocation for any line item. For example, States may allocate a different percentage to Federal and State shares. States must ensure that the sum of the Federal and State shares equals the Total Project Costs for each line before proceeding to the next budget category.

An error is shown on line items where Total Project Costs does not equal the sum of the Federal and State shares. Errors must be resolved before the system will allow users to 'save' or 'add' new line items.

Territories must ensure that Total Project Costs equal Federal share for each line in order to proceed.

- **MOE Expenditures**

States may enter MOE on individual line items in the Spending Plan tables. The Personnel, Fringe Benefits, Equipment, Supplies, and Other Costs budget activity areas include edit checks on each line item preventing MOE costs from exceeding allowable amounts.

- If "Percentage of Time on MCSAP grant" equals 100%, then MOE must equal \$0.00.
- If "Percentage of Time on MCSAP grant" equals 0%, then MOE may equal up to Total Project Costs as expected at 100%.
- If "Percentage of Time on MCSAP grant" > 0% AND < 100%, then the MOE maximum value cannot exceed "100% Total Project Costs" minus "system-calculated Total Project Costs".

An error is shown on line items where MOE expenditures are too high. Errors must be resolved before the system will allow users to 'save' or 'add' new line items.

The Travel and Contractual budget activity areas do not include edit checks for MOE costs on each line item. States should review all entries to ensure costs reflect estimated expenditures.

- **Financial Summary**

The Financial Summary is a summary of all budget categories. The system provides warnings to the States on this page if the projected State Spending Plan totals are outside FMCSA's estimated funding amounts. States should review any warning messages that appear on this page and address them prior to submitting the eCVSP for FMCSA review.

The system will confirm that:

- Overtime value does not exceed 15% of the MCSAP Award Amount.
- Planned MOE Costs equal or exceed the MOE Baseline amount.
- A State's planned Federal and State share totals are each within \$5 of FMCSA's Federal and State share estimated amounts.
- A Territory's planned Total Project Costs are within \$5 of the Federal share.

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	95% Federal Share	5% State Share	Total Estimated Funding
Total	\$7,343,706.00	\$386,511.00	\$7,730,217.00

Summary of MCSAP Funding Limitations	
Allowable amount for Lead MCSAP Agency Overtime without prior approval (15% of MCSAP Award Amount):	\$1,159,533.00
MOE Baseline:	\$1,751,368.59

Part 4 Section 2 - Personnel

Personnel costs are salaries for employees working directly on a project. Only salaries for employees of the lead MCSAP agency should be applied to personnel costs. Salaries for employees of subrecipients should be placed in Contractual and Subaward.

Note: Do not include any personally identifiable information (PII) in the CVSP. The final CVSP approved by FMCSA is required to be posted to a public FMCSA website.

Salary and Overtime project costs must be separated when reporting to FMCSA, regardless of the Lead MCSAP Agency or Subrecipient pay structure.

List grant-funded staff who will complete the tasks discussed in the narrative descriptive sections of the CVSP. Positions may be listed by title or function. It is not necessary to list all individual personnel separately by line. The State may use average or actual salary and wages by personnel category (e.g., Trooper, Civilian Inspector, Admin Support, etc.). Additional lines may be added as necessary to capture all your personnel costs.

The percent of each person's time must be allocated to this project based on the amount of time/effort applied to the project. For budgeting purposes, historical data is an acceptable basis.

Note: Reimbursement requests must be based upon documented time and effort reports. Those same time and effort reports may be used to estimate salary expenses for a future period. For example, a MCSAP officer's time and effort reports for the previous year show that he/she spent 35 percent of his/her time on approved grant activities. Consequently, it is reasonable to budget 35 percent of the officer's salary to this project. For more information on this item see [2 CFR §200.430](#).

In the salary column, enter the salary for each position.

Total Project Costs equal the Number of Staff x Percentage of Time on MCSAP grant x Salary for both Personnel and Overtime (OT).

If OT will be charged to the grant, only OT amounts for the Lead MCSAP Agency should be included in the table below. If the OT amount requested is greater than the 15 percent limitation in the MCSAP Comprehensive Policy (MCP), then justification must be provided in the CVSP for review and approval by FMCSA headquarters.

Activities conducted on OT by subrecipients under subawards from the Lead MCSAP Agency must comply with the 15 percent limitation as provided in the MCP. Any deviation from the 15 percent limitation must be approved by the Lead MCSAP Agency for the subrecipients.

Summary of MCSAP Funding Limitations

Allowable amount for Lead MCSAP Agency Overtime without prior approval (15% of MCSAP Award Amount):	\$1,159,533.00
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Personnel: Salary and Overtime Project Costs							
Salary Project Costs							
Position(s)	# of Staff	% of Time on MCSAP Grant	Salary	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Compliance Investigator	3	100.0000	\$53,462.80	\$160,388.40	\$152,368.98	\$8,019.42	\$0.00
Criminal Intelligence Analyst	1	75.0000	\$32,139.27	\$24,104.45	\$22,899.23	\$1,205.22	\$0.00
CVE Captain	3	40.0000	\$90,014.96	\$108,017.95	\$102,617.05	\$5,400.90	\$0.00
CVE Captain - Programs	1	90.0000	\$82,677.10	\$74,409.39	\$70,688.92	\$3,720.47	\$0.00
CVE Lieutenant	4	40.0000	\$72,176.00	\$115,481.60	\$109,707.52	\$5,774.08	\$0.00
CVE Lieutenant - Programs	1	90.0000	\$66,017.45	\$59,415.70	\$56,444.91	\$2,970.79	\$0.00
CVE Major	1	80.0000	\$87,328.26	\$69,862.60	\$66,369.47	\$3,493.13	\$0.00
CVE Officer	18	40.0000	\$54,811.99	\$394,646.32	\$374,914.00	\$19,732.32	\$0.00
CVE Officer-R	8	40.0000	\$54,082.21	\$173,063.07	\$164,409.92	\$8,653.15	\$0.00
CVE Sergeant	8	40.0000	\$65,131.90	\$208,422.08	\$198,000.98	\$10,421.10	\$0.00
CVE Sergeant - Programs	1	100.0000	\$56,392.03	\$56,392.03	\$53,572.43	\$2,819.60	\$0.00
CVE Trooper	8	40.0000	\$52,027.11	\$166,486.75	\$158,162.41	\$8,324.34	\$0.00
CVE Trooper-R	2	40.0000	\$54,775.26	\$43,820.20	\$41,629.19	\$2,191.01	\$0.00
DataQs Analyst	1	100.0000	\$55,193.54	\$55,193.54	\$52,433.86	\$2,759.68	\$0.00
Inspector	33	75.0000	\$26,517.65	\$656,311.83	\$623,496.24	\$32,815.59	\$0.00
Inspector Specialist Pay	33	100.0000	\$4,001.25	\$132,041.25	\$125,439.19	\$6,602.06	\$0.00
Non-CVE Captain	1	3.0000	\$86,411.87	\$2,592.35	\$2,462.73	\$129.62	\$0.00
Non-CVE Officer	7	3.0000	\$60,409.75	\$12,686.04	\$12,051.74	\$634.30	\$0.00
Non-CVE Officer-R	1	3.0000	\$55,193.54	\$1,655.80	\$1,573.01	\$82.79	\$0.00
Non-CVE Sergeant	2	3.0000	\$97,328.55	\$5,839.71	\$5,547.72	\$291.99	\$0.00
Non-CVE Trooper	20	3.0000	\$50,637.39	\$30,382.43	\$28,863.31	\$1,519.12	\$0.00
Non-CVE Trooper - OT Only	17	0.0000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Non-CVE Trooper Sergeant	1	3.0000	\$57,602.44	\$1,728.07	\$1,641.67	\$86.40	\$0.00
Non-CVE Trooper Sergeant - OT Only	6	0.0000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Safety Auditor	9	100.0000	\$32,385.15	\$291,466.35	\$276,893.03	\$14,573.32	\$0.00
Support Staff - Financial	1	75.0000	\$38,727.72	\$29,045.79	\$27,593.50	\$1,452.29	\$0.00
Support Staff - Programs	6	100.0000	\$33,664.07	\$201,984.42	\$191,885.20	\$10,099.22	\$0.00
Support Staff - Regional	3	50.0000	\$25,090.96	\$37,636.44	\$35,754.62	\$1,881.82	\$0.00
MOE Cost of Regular Salary	1	0.0000	\$1,166,065.74	\$0.00	\$0.00	\$0.00	\$1,166,065.74
Subtotal: Salary				\$3,113,074.56	\$2,957,420.83	\$155,653.73	\$1,166,065.74
Overtime Project Costs							
Federal Overtime	1	100.0000	\$393,305.06	\$393,305.06	\$373,639.81	\$19,665.25	\$0.00
Subtotal: Overtime				\$393,305.06	\$373,639.81	\$19,665.25	\$0.00
TOTAL: Personnel				\$3,506,379.62	\$3,331,060.64	\$175,318.98	\$1,166,065.74
Accounting Method:	Accrual						

Enter a detailed explanation of how personnel costs, including all overtime costs, were derived and allocated to the MCSAP project.

Salary Calculation

To calculate the salary information in this section, KSP employees were broken down into position classifications by rank/position title, the estimated ratio of time they spend working the MCSAP grant, and their retirement fringe rate. Employees of KSP fall into one of three different retirement systems, resulting in three different fringe rates. While the fringe rate distinction is not important for the salary section, using the same breakdown for both the salary and fringe sections of this CVSP allows for greater consistency.

Employee salaries are based on the sum of the actual annual salaries in each category. Adjustments planned or known as of the writing of this CVSP are based upon the average employee salary in each category or the likely new employee pay rate where applicable. The sum of the anticipated actual costs for all employees in each position classification was added to any planned adjustment to determine the total budgeted cost for that position. After that, the MCSAP-eligible portion was determined, MOE funds were factored in, and the final CVSP salary cost was reported as indicated in the salary table. The total MOE salary costs are reported as a single line item due to limitations with the eCVSP tool. KSP uses MOE funds to pay for a portion of the MCSAP-eligible portion of each employee's salary. The amount of each employee's salary paid for by MOE is subtracted from their salary on the table above to ensure that it is NOT included in Total Project Costs.

For additional details on the proration of regional patrol officers and supervisors (40% MCSAP) and civilian inspectors (75% MCSAP), see Part 2, Section 3 (Roadside Inspections) of this CVSP. In general, for the purposes of calculating purchases to be assigned to regional patrol officers, dual or multipurpose items will be purchased at a 40% MCSAP proration to reflect the average minimum time regional patrol officers and supervisors will spend engaged in MCSAP-eligible activities. This is based upon the average daily number of inspections to be completed by each patrol officer, their MCSAP-eligible daily travel time to and from high crash corridors, and time spent engaged in other MCSAP-eligible activities (supervision, crash investigation, et al.). KSP anticipates that MCSAP-dedicated personnel will actually spend more than 40% of their time engaged in MCSAP-eligible activities, but only 40% of this time (on average) is planned to be charged to MCSAP funds.

Please note that the costs reported here are only the MCSAP-eligible portions, ineligible costs or those covered by KSP are not included in this CVSP.

A brief overview of each position classification is included below. For additional information about the structure of CVE and its functions, see Part 1 – Sections 3 & 4 of this CVSP.

- **CVE Major:** A KSP sworn supervisor with the rank of Major designated as MCSAP commander (with delegated signature authority) who oversees the entire MCSAP program, the entire CVE Division, and who is a member of the KSP Command Staff.
- **CVE Captain, CVE Lieutenant, CVE Sergeant:** KSP sworn supervisors with the rank of CVE Captain, CVE Lieutenant, or CVE Sergeant who are assigned to a CVE Region. These positions supervise CVE Regional functions and are responsible for its assigned employees and facilities (i.e. weigh stations).
- **CVE Officer, CVE Trooper, CVE Officer R, CVE Trooper R:** KSP sworn officers with the rank of CVE Officer, CVE Trooper, CVE Officer R, or CVE Trooper R assigned to patrol a CVE Region. These positions are functionally identical, providing general law enforcement services with an emphasis on MCSAP-related duties. These positions form the backbone of the roadside CMV inspection and enforcement efforts in Kentucky. Their primary duties include CMV inspections, collision investigations, complaint investigations, and public education/outreach. Sworn officers spend most of their time patrolling away from fixed facilities as described in Part 2 of this CVSP. Some employees in these positions may perform specialized duties at the same MCSAP rate (i.e. Public Affairs Officers).
- **CVE Captain – Programs, CVE Lieutenant – Programs, CVE Sergeant – Programs:** KSP sworn supervisors with the rank of CVE Captain, CVE Lieutenant, or CVE Sergeant who are assigned to the CVE Program Support Branch. These positions primarily complete administrative or support functions within the MCSAP program including: operating the Compliance Investigation, New Entrant Safety Audit, and DataQs programs; grants

management, reporting, and compliance; data quality and reconciliation; and other division or agency level administrative and support functions.

- **Compliance Investigator:** A KSP sworn officer assigned to the CVE Program Support Branch who primarily completes compliance investigations and related duties.
- **Criminal Intelligence Analyst:** Civilian member of the KSP Intelligence Branch who supports CVE by providing criminal intelligence information, data analytics, and similar support. This position works closely with the CVE Program Support Branch to provide administrative support to the MCSAP program.
- **DataQs Analyst:** A sworn officer assigned to perform the duties of a DataQs Analyst.
- **Inspector:** Civilian assigned to a CVE Region and typically to a particular weigh station within that region. This position has limited law enforcement powers and is primarily focused on CMV inspection/enforcement. The Inspector position forms the backbone of the fixed-facility CMV inspection and size and weight enforcement efforts in Kentucky. Other than MCSAP-ineligible size and weight activities, the overwhelming majority of an Inspector's day is spent completing CMV inspections, assisting with inspections or screening activities, or engaging in other MCSAP-related functions.
 - **Inspector Specialist Pay:** KSP provides specialist pay as an additional incentive to its NAS certified civilian Inspectors. Currently, only Inspectors receive this specialist pay. The incentive pay is entered into the salary and fringe tables as a separate line item.
- **Non-CVE Captain, Non-CVE Sergeant, Non-CVE Trooper Sergeant, Non-CVE Officer, Non-CVE Officer-R, Non-CVE Trooper, Non-CVE Trooper-R:** A KSP sworn supervisor or officer, typically assigned outside of CVE, with the rank indicated who may occasionally perform a MCSAP-related function, but who only does so as an auxiliary or overtime duty. Many of these positions may only claim regular-duty MCSAP time when maintaining their NAS inspection certification or when participating in a collision investigation.
- **Non-CVE Sergeant - OT Only, Non-CVE Trooper Sergeant - OT Only, Non-CVE Trooper - OT Only:** A KSP sworn supervisor or officer, typically assigned outside of CVE, with the rank indicated who may occasionally perform a MCSAP-related function, but who only does so as an overtime duty.
- **Safety Auditor:** Civilian inspectors assigned to the CVE Program Support Branch who primarily complete new entrant safety audits and related duties.
- **Support Staff – Financial:** A civilian financial specialist assigned to the KSP Financial and Grants Management branch who provides financial support to CVE. This position oversees CVE-related purchases, accounting, and prepares quarterly financial reports in coordination with the CVE Program Support Branch.
- **Support Staff – Programs:** A collection of civilian positions assigned to the CVE Program Support branch who provide various forms of administrative support including: Coordination of the New Entrant Safety Audit Program, data quality and reconciliation, inspection verification, timekeeping, and assistance with grants management.
- **Support Staff – Regional:** A collection of civilian positions assigned to the CVE Regions who provide administrative or maintenance support to the CVE Regions and their facilities.

General Operating Principles – Salary and Fringe

- **Proration:** KSP only charges personnel costs when employees are completing MCSAP-eligible activities.
 - **Formula:** The estimated time spent completing MCSAP-eligible activities was determined by analyzing actual real-world time claims, sourced from employee timesheets, during the previous FFY. This ratio was combined with changes planned during the upcoming FFY to establish a final ratio for this CVSP.
 - **Travel Time:** This may include time spent traveling to and from MCSAP-eligible activities, provided that the primary character of the time spent on-site was MCSAP-eligible activity. If a significant amount of non-

MCSAP-eligible activities were performed on-site, the travel time will be prorated or not charged to the MCSAP grant at all.

- **Overtime** is provided to a variety of CVE and non-CVE assigned sworn officers and civilian Inspectors within KSP. The provision of overtime is an effort to expand the number of inspections completed beyond those possible by CVE on regular-duty time, particularly with ongoing staffing shortages. Overtime allocations and requirements change periodically, but overtime is only claimed when employees are completing MCSAP-eligible activities. Overtime is occasionally provided for non-inspection purposes such as collision investigation or participation in MCSAP-eligible details. All overtime claims are supported by documentation describing the activities completed while the employee was working overtime.
 - **Overtime rate calculation:** The overtime compensation rate for employees is 1.5x their regular rate for all employees except those at the rank of Lieutenant and above. Employees at the rank of Lieutenant and above are paid at 1.0x for overtime. Fringe is also charged at the multiplier listed above, except that there is no health insurance cost.
- **MOE:** MOE funds are spent and tracked identically to MCSAP Basic funds, ensuring that only MCSAP eligible activities are funded by MOE funds. KSP spends the overwhelming majority of its MOE funds on salary and fringe since personnel costs are the greatest single cost in its MCSAP program.

For an explanation of how the salary and fringe amounts were calculated, see uploaded document: Salary and Fringe Tables (Simplified).pdf

The overtime salary and fringe values were revised upwards after the actual award was released. No other changes were made to this CVSP.

Revised: 08/22/2025

Part 4 Section 3 - Fringe Benefits

*Fringe costs are benefits paid to employees, including the cost of employer's share of FICA, health insurance, worker's compensation, and paid leave. Only non-Federal grantees that use the **accrual basis** of accounting may have a separate line item for leave, and is entered as the projected leave expected to be accrued by the personnel listed within Part 4.2 – Personnel. Reference [2 CFR §200.431\(b\)](#).*

Show the fringe benefit costs associated with the staff listed in the Personnel section. Fringe costs may be estimates, or based on a fringe benefit rate. If using an approved rate by the applicant's Federal cognizant agency for indirect costs, a copy of the indirect cost rate agreement must be provided in the "My Documents" section in eCVSP and through grants.gov. For more information on this item see [2 CFR §200.431](#).

Show how the fringe benefit amount is calculated (i.e., actual fringe rate, rate approved by HHS Statewide Cost Allocation or cognizant agency, or an aggregated rate). Include a description of the specific benefits that are charged to a project and the benefit percentage or total benefit cost.

Actual Fringe Rate: a fringe rate approved by your cognizant agency or a fixed rate applied uniformly to each position.

Aggregated Rate: a fringe rate based on actual costs and not a fixed rate (e.g. fringe costs may vary by employee position/classification).

Depending on the State, there are fixed employer taxes that are paid as a percentage of the salary, such as Social Security, Medicare, State Unemployment Tax, etc. For more information on this item see the [Fringe Benefits Job Aid below](#).

Fringe costs method: Actual Fringe Rate

Total Project Costs equal the Fringe Benefit Rate x Percentage of Time on MCSAP grant x Base Amount divided by 100.

Fringe Benefit Rate: The rate that has been approved by the State's cognizant agency for indirect costs; or a rate that has been calculated based on the aggregate rates and/or costs of the individual items that your agency classifies as fringe benefits.

Base Amount: The salary/wage costs within the proposed budget to which the fringe benefit rate will be applied.

Fringe Benefits Project Costs							
Position(s)	Fringe Benefit Rate	% of Time on MCSAP Grant	Base Amount	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Compliance Investigator	100.0000	100.0000	\$76,737.94	\$76,737.94	\$72,901.04	\$3,836.90	\$0.00
Criminal Intelligence Analyst	100.0000	75.0000	\$10,866.71	\$8,150.03	\$7,742.53	\$407.50	\$0.00
CVE Captain	100.0000	40.0000	\$91,785.75	\$36,714.30	\$34,878.58	\$1,835.72	\$0.00
CVE Captain - Programs	100.0000	90.0000	\$47,096.59	\$42,386.93	\$40,267.58	\$2,119.35	\$0.00
CVE Lieutenant	100.0000	40.0000	\$151,067.63	\$60,427.05	\$57,405.70	\$3,021.35	\$0.00
CVE Lieutenant - Programs	100.0000	90.0000	\$40,716.41	\$36,644.76	\$34,812.52	\$1,832.24	\$0.00
CVE Major	100.0000	80.0000	\$50,031.32	\$40,025.05	\$38,023.80	\$2,001.25	\$0.00
CVE Officer	100.0000	40.0000	\$565,491.91	\$226,196.76	\$214,886.92	\$11,309.84	\$0.00
CVE Officer-R	100.0000	40.0000	\$248,107.14	\$99,242.85	\$94,280.71	\$4,962.14	\$0.00
CVE Sergeant	100.0000	40.0000	\$175,429.85	\$70,171.94	\$66,663.34	\$3,508.60	\$0.00
CVE Sergeant - Programs	100.0000	100.0000	\$20,663.90	\$20,663.90	\$19,630.71	\$1,033.19	\$0.00
CVE Trooper	100.0000	40.0000	\$199,456.03	\$79,782.41	\$75,793.29	\$3,989.12	\$0.00
CVE Trooper-R	100.0000	40.0000	\$82,984.52	\$33,193.80	\$31,534.11	\$1,659.69	\$0.00
DataQs Analyst	100.0000	100.0000	\$31,129.16	\$31,129.16	\$29,572.70	\$1,556.46	\$0.00
Inspector	100.0000	75.0000	\$389,018.11	\$291,763.58	\$277,175.40	\$14,588.18	\$0.00
Inspector Specialist Pay	100.0000	100.0000	\$74,471.27	\$74,471.27	\$70,747.71	\$3,723.56	\$0.00
Non-CVE Captain	100.0000	3.0000	\$66,945.28	\$2,008.35	\$1,907.93	\$100.42	\$0.00
Non-CVE Officer	100.0000	3.0000	\$310,347.08	\$9,310.41	\$8,844.89	\$465.52	\$0.00
Non-CVE Officer-R	100.0000	3.0000	\$31,129.16	\$933.87	\$887.18	\$46.69	\$0.00
Non-CVE Sergeant	100.0000	3.0000	\$96,821.66	\$2,904.64	\$2,759.41	\$145.23	\$0.00
Non-CVE Trooper	100.0000	3.0000	\$466,882.52	\$14,006.47	\$13,306.15	\$700.32	\$0.00
Non-CVE Trooper - OT Only	100.0000	0.0000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Non-CVE Trooper Sergeant	100.0000	3.0000	\$43,633.85	\$1,309.01	\$1,243.56	\$65.45	\$0.00
Non-CVE Trooper Sergeant - OT Only	100.0000	0.0000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Safety Auditor	100.0000	100.0000	\$175,963.01	\$175,963.01	\$167,164.86	\$8,798.15	\$0.00
Support Staff - Financial	100.0000	75.0000	\$12,934.83	\$9,701.12	\$9,216.06	\$485.06	\$0.00
Support Staff - Programs	100.0000	100.0000	\$60,246.08	\$60,246.08	\$57,233.78	\$3,012.30	\$0.00
Support Staff - Regional	100.0000	50.0000	\$43,382.54	\$21,691.27	\$20,606.71	\$1,084.56	\$0.00
MOE Cost of Regular Duty Fring	100.0000	0.0000	\$571,510.61	\$0.00	\$0.00	\$0.00	\$571,510.61
Overtime Fringe	100.0000	100.0000	\$198,225.75	\$198,225.75	\$188,314.46	\$9,911.29	\$0.00
TOTAL: Fringe Benefits				\$1,724,001.71	\$1,637,801.63	\$86,200.08	\$571,510.61

Enter a detailed explanation of how the fringe benefit costs were derived and allocated to the MCSAP project.

Fringe Rate Calculation

Note: Additional details and information, including a description of each position classification entered on the fringe table, can be found in Part 4 – Section 2 (Personnel) of this CVSP.

As with the salary table in Part 4 – Section 2 (Personnel) of this CVSP, the fringe table shows personnel broken down into position classifications by rank/position title, the estimated ratio of time they spend working the MCSAP grant, and their retirement fringe rate. Employees of KSP fall into one of three different retirement systems, resulting in three different fringe rates. Fringe rates may change over time, but as of the drafting of this CVSP, fringe consists of the following:

Retirement Rate (% of base pay):

1. Troopers: 68.1%
2. Officers: 23.74%
3. Civilians: 48.75%
4. Trooper-R & CVE-R: 0%

FICA for all employees (% of base pay): 7.65%

Health Insurance: Varies individually based upon health insurance plan selected. Health insurance costs are not included in overtime fringe rates.

Because of the complicated nature of the fringe calculation, all fringe benefit rates were set to 100% on the table to avoid affecting the calculation.

The fringe cost for each individual employee, and the estimated amount for new positions, was calculated and totaled as described in Part 4 – Section 2 (Personnel) of this CVSP. MOE is also calculated as described in Part 4 – Section 2 (Personnel).

Please note that the costs reported here are only the MCSAP-eligible portions, ineligible costs of those covered by KSP are not included in this CVSP.

Overtime Fringe Calculation

Calculating the exact fringe rate is challenging because employees of KSP fall into three different retirement systems, resulting in three different fringe rates. For the purposes of calculating overtime fringe rates, employees are grouped into three classifications based upon their retirement system: Troopers, Officers, and Civilians. There is also uncertainty about how many employees from each classification would choose to work overtime and how many hours they would choose to work. Lastly, the fringe overtime rate is different from base fringe rates because overtime fringe excludes health insurance costs. Additionally, employees below the rank of Lieutenant have a 1.5x overtime multiplier for their fringe costs while employees with the rank of Lieutenant and above retain a 1.0x multiplier.

To provide the most accurate fringe calculation possible, the overtime fringe rate was calculated using the following methodology:

1. Employees were separated into three classifications based upon their individual fringe rate.
2. Three years of overtime data was examined (FFY2021-FFY2023) to determine how many hours of overtime each classification worked (all figures rounded):
 - a. Troopers: 43.87%
 - b. Officers: 30.56%

- c. Civilians: 25.58%
3. Salary and fringe data was examined to determine the average hourly overtime rate of the ranks in each category most likely to work overtime. Additionally, the salary to fringe ratio for each classification was determined.
- a. Troopers: Includes Troopers and Trooper Sergeants
 - b. Officers: Includes Officers and CVE Sergeants
 - c. Civilians: Includes Inspectors only
4. A weighted average salary to fringe ratio was calculated based upon the factors above. For FFY2025, this ratio was determined to be 0.504. For each dollar spent in overtime salary, the fringe rate will be \$0.504. This figure was used to determine the appropriate fringe ratio for a given amount of overtime.

Note: Because the complexity of this calculation exceeds the limits of the e-CVSP tool, this data is entered into the fringe table above at 100%.

See Part 4 – Section 2 (Personnel) of this CVSP for additional details about how KSP calculates and manages Salary and fringe expenses.

For an explanation of how the salary and fringe amounts were calculated, see uploaded document: [Salary and Fringe Tables \(Simplified\).pdf](#)

The overtime salary and fringe values were revised upwards after the actual award was released. No other changes were made to this CVSP.

Revised: 08/22/2025

Part 4 Section 4 - Travel

Itemize the positions/functions of the people who will travel. Show the estimated cost of items including but not limited to, airfare, lodging, meals, transportation, etc. Explain in detail how the MCSAP program will directly benefit from the travel.

Travel costs are funds for field work or for travel to professional meetings.

List the purpose, number of persons traveling, number of days, percentage of time on MCSAP Grant, and total project costs for each trip. If details of each trip are not known at the time of application submission, provide the basis for estimating the amount requested. For more information on this item see [2 CFR §200.475](#).

Total Project Costs should be determined by State users, and manually input in the table below. There is no system calculation for this budget category.

Travel Project Costs							
Purpose	# of Staff	# of Days	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
FMCSA MCSAP Planning Meeting	3	5	100.0000	\$8,727.64	\$8,291.26	\$436.38	\$0.00
COHMED Conference	2	5	100.0000	\$5,701.76	\$5,416.67	\$285.09	\$0.00
CVSA Fall Conference	3	5	100.0000	\$8,727.64	\$8,291.26	\$436.38	\$0.00
CVSA Inspector Championship	1	6	100.0000	\$3,455.88	\$3,283.09	\$172.79	\$0.00
CVSA Spring Workshop	3	5	100.0000	\$8,727.64	\$8,291.26	\$436.38	\$0.00
Southern Grants Forum	2	5	35.0000	\$1,995.62	\$1,895.84	\$99.78	\$0.00
MCSAP Grants Training	3	5	100.0000	\$4,650.00	\$4,417.50	\$232.50	\$0.00
DIAP Conference	2	5	100.0000	\$5,701.76	\$5,416.67	\$285.09	\$0.00
South East CMV Safety Research Summit	1	4	100.0000	\$2,595.88	\$2,466.09	\$129.79	\$0.00
Travel TBD	10	5	100.0000	\$28,508.80	\$27,083.36	\$1,425.44	\$0.00
TOTAL: Travel				\$78,792.62	\$74,853.00	\$3,939.62	\$0.00

Enter a detailed explanation of how the travel costs were derived and allocated to the MCSAP project.

The KSP utilizes travel to maintain the certifications, knowledge, and the skills necessary to meet its commercial vehicle safety goals. All travel is MCSAP eligible with any ineligible portion pro-rated as indicated. Daily travel costs for employees, occurring within the normal scope of their duties, are not charged to MCSAP funds with the exception of vehicle fuel and maintenance costs. Those costs are captured under the other expense category and pro-rated as listed in Part 4 – Section 8 of this CVSP.

Notes on specific travel events:

- **FMCSA MCSAP Planning Meeting:** Necessary to remain current on FMCSA goals, priorities, and grant requirements.
- **COHMED Conference:** KSP currently has one employee certified to teach the NAS Hazardous Materials CMV Inspection course, but a second employee may be added. Attendance at the COHMED conference is necessary to remain current with hazardous materials regulations and trends.
- **CVSA Fall Conference:** Necessary to remain current on CVSA goals and priorities in addition to meeting state participation requirements.
- **CVSA Inspector Championship:** KSP anticipates sending one civilian inspector to the inspector championship. Participation in this event is optional, but provides training and outreach opportunities which are MCSAP eligible.

- **CVSA Spring Workshop:** Necessary to remain current on CVSA goals and priorities in addition to meeting state participation requirements.
- **Southern Grants Forum:** KSP sends several members of its financial and grants management staff to this conference annually. Two of the attendees are directly involved in the MCSAP grant's financial planning and reporting processes. While this conference is not exclusively related to the MCSAP grant, it does provide general updates and best practices which are valuable and relevant to the financial management of the MCSAP grant. Costs for this travel were discussed with the KY Division Office and a proration of 35% was deemed acceptable in prior years.
 - **Revision #1 Update:** For FFY2025, this forum is sponsored by the accounting firm of Carr, Riggs & Ingram, LLC, and by the grant-funded and tax-exempt organizations practice of Tipton KPCL. As stated above, the purpose of sending MCSAP grants personnel to this forum is to receive grant-related legal updates and training on best practices in grants management. Most of the presenters at this conference are experienced professionals and subject matter experts in the grants, legal, or accounting fields and this functions as a form of in-service training for KSP's grants staff. In addition to staff supporting KSP's MCSAP program, KSP sends several members of its non-MCSAP grants staff to this training annually to receive additional updates and training.
- **MCSAP Grants Management Training:** Necessary to keep grants management staff current on MCSAP grant requirements and to train new grants management staff. KSP plans to rotate up to three employees through this training annually. This training has been located in Forsyth, GA for the past two years and has not required air travel or additional ground travel expenses.
- **DIAP Conference:** KSP plans to send up to two staff members to the annual DIAP conference to support its ongoing CMV-focused drug and criminal interdiction efforts.
- **Southeast CMV Safety Research Summit:** KSP plans to send one staff member to this conference. This conference focuses on several FMCSA national priorities including human trafficking, rural roads, work zones, electric vehicles, and autonomous vehicles. This conference also has a heavy focus on government-university partnerships to advance CMV highway safety efforts.
- **Travel TBD:** This category includes travel for common and necessary purposes which are new or difficult to predict. As with all travel, any expenses incurred will be prorated in coordination with the KY Division Office and only the eligible portion will be charged to the MCSAP grant. Examples of the travel contemplated in this category include: new inspector training (NAS Part A & B, General Hazmat, Cargo Tank and OBP inspection); Investigative Safety Analysis training; New Entrant Safety Audit Training; unlisted FMCSA conferences and meetings; **the Southern Region MCSAP Commanders Annual Meeting**, unlisted CVSA conferences and meetings; travel in support of special details; travel in support of New Entrant Safety Audits of Compliance Investigations; travel for CMV-related training, conferences, meetings or in-services; and travel for instructors providing MCSAP-eligible training.

Costs were determined by the following means:

- **Airfare:** \$875.88 per round trip per person
 - Data derived from the Bureau of Transportation Statistics, Average Domestic Airline Itinerary Fares By Origin City for Q1 2024 Report. The national average one-way cost to fly was \$387.94. This figure was doubled to account for a return flight. This data does not include optional fees such as baggage fees, so a nominal \$100 was added to compensate.
- **Ground Travel:**
 - **Rental vehicle:** 1 rental vehicle per 2 employees (rounded up) @ \$70 per day.

- Rental car data derived from average daily rental car rates as published from several industry and media sources. A cross-comparison across multiple sources indicated a range of prices, and so a rounded average figure was used.
- Miscellaneous ground travel costs: \$50 per day per person
 - Miscellaneous ground travel costs are not included in the rental car figure, and so nominal a \$50 per day per person is included for parking (airport and rental), fuel, and related expenses. Employees traveling by air are expected to have vehicle parking costs for their vehicle at their home airport in addition to any rental vehicle parking fees while traveling.
- **Lodging**: \$250 per person per night
 - Given the volatility in current hotel pricing, and since most travel destinations are in major cities where costs are higher, a nominal \$250 per night cost is budgeted. An analysis of hotel costs in various destination cities indicated this to be consistent with current market rates.
- **Registration**: Registration fees are NOT included in the travel calculation. Instead, registration fees are included in the Other expense category found in Part 4 – Section 8 of this CVSP. The registration costs are listed here for informational purposes only.
- **Per-Diem**: This is a meal reimbursement rate for all state employees on travel status. The current daily maximum is \$60 per day per employee on travel status.

Please note: There may be a few cents in variance between the table below and the table in eCVSP due to differences in rounding.

Event	# Staff	Days	% MCSAP Eligible	Airfare	Lodging	Registration (Paid in Other)	Per-Diem	Rental Vehicles	Ground Travel
FMCSA MCSAP Planning Meeting	3	5	100%	\$2,627.64	\$3,750.00	N/A	\$900.00	2	\$1,450.00
COHMED Conference	2	5	100%	\$1,751.76	\$2,500.00	\$800.00	\$600.00	1	\$850.00
CVSA Fall Conference	3	5	100%	\$2,627.64	\$3,750.00	\$800.00	\$900.00	2	\$1,450.00
CVSA Inspector Championship	1	6	100%	\$875.88	\$1,500.00	N/A	\$360.00	1	\$720.00
CVSA Spring Workshop	3	5	100%	\$2,627.64	\$3,750.00	\$800.00	\$900.00	2	\$1,450.00
Southern Grants Forum	2	5	35%	\$1,751.76	\$2,500.00	\$700.00	\$600.00	1	\$850.00
MCSAP Grants Training	3	5	100%	\$0.00	\$3,750.00	N/A	\$900.00	0	\$0.00
DIAP Conference	2	5	100%	\$1,751.76	\$2,500.00	N/A	\$600.00	1	\$850.00
South East CMV Safety Research Summit	1	4	100%	\$875.88	\$1,000.00	N/A	\$240.00	1	\$480.00
Travel TBD	10	5	100%	\$8,758.80	\$12,500.00	N/A	\$3,000.00	5	\$4,250.00
TOTALS				\$23,648.76	\$37,500.00		\$9,000.00		\$12,350.00

Updated: 11/07/2024

Part 4 Section 5 - Equipment

Equipment is tangible or intangible personal property. It includes information technology systems having a useful life of more than one year, and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the non-Federal entity (i.e., the State) for financial statement purposes, or \$5,000.

- If your State's equipment capitalization threshold is below \$5,000, check the box below and provide the equipment threshold amount. To refer to Capital assets, Computing devices, General purpose equipment, Information technology systems, Special purpose equipment, and Supplies see [2 CFR § 200.1](#) Definitions.

Show the total cost of equipment and the percentage of time dedicated for MCSAP related activities that the equipment will be billed to MCSAP. For example, you intend to purchase a server for \$5,000 to be shared equally among five programs, including MCSAP. The MCSAP portion of the total cost is \$1,000. If the equipment you are purchasing will be capitalized (depreciated), you may only show the depreciable amount, and not the total cost ([2 CFR §200.436](#) and [2 CFR §200.439](#)). If vehicles or large IT purchases are listed here, the applicant must disclose their agency's capitalization policy.

Provide a description of the equipment requested. Include how many of each item, the full cost of each item, and the percentage of time this item will be dedicated to MCSAP activities.

Total Project Costs equal the Number of Items x Full Cost per Item x Percentage of Time on MCSAP grant.

Equipment Project Costs							
Item Name	# of Items	Full Cost per Item	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Patrol Vehicles	10	\$42,876.00	40	\$171,504.00	\$162,928.80	\$8,575.20	\$0.00
TOTAL: Equipment				\$171,504.00	\$162,928.80	\$8,575.20	\$0.00
Equipment threshold is greater than \$5,000.							

Enter a detailed explanation of how the equipment costs were derived and allocated to the MCSAP project.

Equipment:

Patrol Vehicles: KSP plans to purchase 10 new patrol vehicles for sworn staff in the CVE Division. These vehicles will replace vehicles rotated out of the fleet as they reach the end of their useful life. These patrol vehicles enable CVE staff to complete CMV inspections throughout Kentucky and away from fixed facilities. These vehicles are pro-rated according to the time they will spend being used for MCSAP purposes, matched to the proration used for sworn patrol staff.

The exact vehicle cost is set by state contract pricing. The pricing reported on the table above is for a law enforcement version of the Dodge Durango SUV as quoted at the writing of this CVSP. The cost of the vehicles may change by the time the actual purchase is made. This vehicle is well-suited for CVE operations since it allows extra room for the extra equipment commonly carried by CVE sworn staff.

Proration: Since all of the patrol vehicles listed above are currently intended for assignment to CVE Regional Patrol Officers or Supervisors, the 40% MCSAP proration reflects the estimated amount of time these staff members will spend engaged in MCSAP-eligible activities. For additional details about how this figure is calculated, see Part 4, Section 2 (Personnel) and Part 2, Section 3 (Roadside Inspections) of this CVSP.

Vehicle Obsolescence Policy: In response to the comments received in Revision #1 of this CVSP, KSP has adopted an informal vehicle obsolescence policy following guidance from the KY Division Office provided during FFY2024. For the purposes of vehicles purchased with any portion of MCSAP or MOE funds, a vehicle is considered to have reached the end of its useful life when it meets both of the following conditions:

1. **Age: 3 or more years old**
2. **Mileage: 80,000 or more miles**

This figure was adopted based upon considerations such as the operating efficiency of the fleet, normal operating costs per mile over time, and anticipated or necessary repairs as vehicle age and mileage increase.

When a vehicle has reached the end of its useful life, it will be considered for replacement or removal from the MCSAP/MOE funded fleet. When purchasing replacement vehicles, a list of existing vehicles to be replaced will be provided to the KY Division Office for their review. The KY Division Office may, at any time, request a report from KSP which shows the current status of all MCSAP/MOE funded vehicles.

Note: Supplies necessary to outfit these patrol vehicles for use are listed in Part 4, Section 6 of this CVSP.

Revised 11/07/2024

Part 4 Section 6 - Supplies

Supplies means all tangible property other than that described in Equipment in [2 CFR §200.1](#) Definitions. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-Federal entity for financial statement purposes or \$5,000, regardless of the length of its useful life.

Estimates for supply costs may be based on the same allocation as personnel. For example, if 35 percent of officers' salaries are allocated to this project, you may allocate 35 percent of your total supply costs to this project. A different allocation basis is acceptable, so long as it is reasonable, repeatable and logical, and a description is provided in the narrative.

Provide a description of each unit/item requested, including the quantity of each unit/item, the unit of measurement for the unit/item, the cost of each unit/item, and the percentage of time on MCSAP grant.

Total Project Costs equal the Number of Units x Cost per Unit x Percentage of Time on MCSAP grant.

Supplies Project Costs							
Item Name	# of Units/ Unit of Measurement	Cost per Unit	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Uniforms, Footwear, and Related Duty Supplies	1 N/A	\$56,831.46	100.0000	\$56,831.46	\$53,989.89	\$2,841.57	\$0.00
Office and General- Purpose Supplies	1 N/A	\$10,339.43	100.0000	\$10,339.43	\$9,822.46	\$516.97	\$0.00
MOE Costs of Supplemental Supplies	1 N/A	\$13,792.24	0.0000	\$0.00	\$0.00	\$0.00	\$13,792.24
Computers/Tablets/Laptops	33 Units	\$2,299.82	40.0000	\$30,357.62	\$28,839.74	\$1,517.88	\$0.00
FMCSR Regulation Books	150 Books	\$18.94	100.0000	\$2,841.00	\$2,698.95	\$142.05	\$0.00
Hazardous Materials Regulation Books	150 Books	\$42.94	100.0000	\$6,441.00	\$6,118.95	\$322.05	\$0.00
Out of Service Criteria Handbooks	75 Books	\$47.31	100.0000	\$3,548.25	\$3,370.84	\$177.41	\$0.00
Out of Service Criteria Print Copies	75 Books	\$9.40	100.0000	\$705.00	\$669.75	\$35.25	\$0.00
Patrol Vehicle Equipment	10 Per Vehicle	\$10,000.00	40.0000	\$40,000.00	\$38,000.00	\$2,000.00	\$0.00
TOTAL: Supplies				\$151,063.76	\$143,510.58	\$7,553.18	\$13,792.24

Enter a detailed explanation of how the supply costs were derived and allocated to the MCSAP project.

KSP utilizes supplies in its daily operations while engaged in its CMV safety mission. The supplies and supply categories listed on the table are all used in support of MCSAP eligible activities with any ineligible uses resulting in the appropriate proration. As a general principle, KSP purchases supplies which are fully dedicated to MCSAP-eligible activities with 100% grant or MOE funds. Items considered multiple use items are prorated based upon the amount of time that item is used for MCSAP-eligible purposes. Specific details about each item or category of items are provided below. Each actual expense is submitted to the KY Division Office for review as a part of KSP's quarterly financial reporting, providing the Division Office an opportunity to review and concur with any item purchased and any applicable proration.

- Uniforms, Footwear, and Related Duty Supplies**

- KSP purchases uniforms and related supplies for both new hires and to replace worn or damaged items. Uniforms and their related supplies are prorated based upon their intended use.

- Sworn officers use two different types of uniforms reflecting either the dress or utility uniform.
- Some personnel in non-uniform assignments may utilize other agency-issued uniforms and supplies and these are prorated as appropriate.
- Certain items issued to inspecting personnel, which have no non-MCSAP use, are charged to MCSAP funds at a 100% rate (i.e. knee pads, inspection overcoats).
- All general use duty items for sworn officers (those items that are utilized with both uniforms such as a baton or OC spray) are prorated as appropriate.
- Inspectors: Uniforms and related supplies issued to inspectors are prorated based upon the estimated amount of time an inspector will be engaged in MCSAP-eligible activities.
- Sworn officers:
 - Dress uniforms are prorated based upon the estimated amount of time an officer will be engaged in MCSAP-eligible activities since these uniforms are used for both MCSAP and non-MCSAP-eligible activities. This proration rate is 40%.
 - Utility uniforms are utilized when an officer is engaged in MCSAP-eligible activities, such as CMV inspections. Since the utility uniform is primarily used to facilitate completion of MCSAP-eligible activities (in place of the dress uniform which is less suitable for the rigors of this work), the utility uniform is charged to MCSAP funds at a 100% rate. Sworn officers not engaged in MCSAP-eligible duties are not typically allowed to utilize the utility uniform. Though some incidental non-MCSAP use of the utility uniform may occur, this uniform is worn when the primary character of the day's activities are MCSAP-eligible activities.
- Calculation: Uniform and related supply costs are difficult to determine with precision because needs change over time and purchasing is mainly done as needed to replace worn or damaged items. Accordingly, estimated costs were determined by examining the MCSAP-eligible purchases made in prior years, establishing an annual estimated purchase cost, and adjusting based upon anticipated changes. The cost reflected in the table is roughly equivalent to the prorated highest cost experienced in a single recent year. Since the calculations are more complex than can be easily shown in the table above, the amount entered is a calculated total amount, not the cost of any individual item.

• Office and General-Purpose Supplies & MOE Costs of Supplemental Supplies

- KSP purchases a variety of office supplies and general-purpose equipment to facilitate its CMV safety mission. Only those items which are MCSAP-eligible are purchased and all items are prorated when they are not 100% MCSAP dedicated. This category includes items such as office supplies, maintenance items, consumables, small tools, data and interface cables, creepers, air chamber measuring devices, and other items necessary to carrying out essential and MCSAP-eligible functions. A portion of this cost includes MOE funds, typically the remainder after salary and fringe costs are calculated. KSP spends MOE funds in the same manner as MCSAP funds and all items purchased with MOE funds are MCSAP-eligible or prorated appropriately.
- Calculation: Same methodology as Uniforms, Footwear, and Related Duty Supplies. See that section above for additional details on how this figure was calculated. The MOE portion of this cost is included as a separate line item due to limitations with the eCVSP tool.

• Computers/Tablets/Laptops

- KSP's existing laptop computers are aging and many are beginning to show signs of failure. KSP last purchased laptop computers for its enforcement staff between four and five years ago, with some users having older laptops. KSP plans to begin refreshing its enforcement user laptops on a rotating basis by purchasing new computers, tablets, or laptops as appropriate. This estimate is based upon the estimated cost of a rugged laptop suitable for field use by enforcement staff and compatible with existing systems and vehicle mounts. This cost is prorated based upon the amount of time a typical enforcement user spends engaged in MCSAP eligible activities.
- Note: This cost is separate from other computer maintenance fees included in this CVSP because laptops purchased for enforcement users are specialized items not subject to the purchasing requirements of the

Commonwealth Office of Technology which apply to fixed computers installed in offices and fixed facilities. Charges for those items are included in Part 4, Section 8 of this CVSP under the Computer and Software Maintenance Fees line item.

- **Revision #1 Update (Life cycle):** KSP does not have a specific written policy regarding the life cycle or replacement time of computers. The computing device replacement cycle is governed by considerations of standardization, changing agency needs, staffing changes, warranty periods, operating efficiency and costs, funding availability, and other relevant factors. Where possible, KSP prefers to replace computers after the end of their warranty period. Most current computers have a 4 year or 5 year warranty period, depending upon model and intended use.
- **Revision #1 Update (Proration):** The computers listed above are primarily intended to be assigned to CVE Regional Patrol Officers or Supervisors, the 40% MCSAP proration reflects the estimated amount of time these staff members will spend engaged in MCSAP-eligible activities. Some computers may be issued to employees who spend a greater amount of time engaged in MCSAP-eligible activities, but none will be issued to staff below the 40% threshold. For additional details about how this figure is calculated, see Part 4, Section 2 (Personnel) and Part 2, Section 3 (Roadside Inspections) of this CVSP.
- **Revision #1 Update (Cost Calculation):** The cost of the computers listed above is based upon a quote (#3000161696464.3) received on October 30, 2023 for Dell Latitude 5430 Rugged Laptop Computers @ \$2,299.82 each. The exact future cost of replacement computers is not known, but costs are anticipated to be in-line with this estimate.

• **FMCSR Regulation Books**

- KSP periodically purchases updated FMCSR Regulation Books for its staff, facilities, and when training new inspectors. These materials are for agency or subawardee enforcement use only and they are not provided to industry or the public in accordance with FMCSA guidelines. The estimated cost per book includes an additional amount to cover shipping costs.
- **Revision #1 Update:** KSP plans to purchase 150 books because this CVSP includes an estimated 156 NAS certified inspecting personnel. Not all personnel are expected to require books, but KSP may also provide books to subawardees or newly-certified staff members as needed.
- **Revision #1 Update (Cost Calculation):** The cost of these books is based upon the prior purchase cost of this book, plus shipping costs, during the most recent ordering cycle.

• **Hazardous Materials Regulation Books**

- KSP periodically purchases updated Hazardous Materials Regulation Books for its staff, facilities, and when training new inspectors. These materials are for agency or subawardee enforcement use only and they are not provided to industry or the public in accordance with FMCSA guidelines. The estimated cost per book includes an additional amount to cover shipping costs.
- **Revision #1 Update:** KSP plans to purchase 150 books because this CVSP includes an estimated 156 NAS certified inspecting personnel. Not all personnel are expected to require books, but KSP may also provide books to subawardees or newly-certified staff members as needed.
- **Revision #1 Update (Cost Calculation):** The cost of these books is based upon the prior purchase cost of this book, plus shipping costs, during the most recent ordering cycle.

• **Out of Service Criteria Handbooks & Print Copies**

- As a member of CVSA and by state law, KSP is required to utilize the CVSA Out of Service Criteria (OOSC) when completing CMV inspections. KSP purchases copies of the OOSC for its staff, facilities, and when training new inspectors. The OOSC changes annually and CVSA members are required to utilize the newest version each year. These materials are for agency or subawardee enforcement use only and they are not provided to industry or the public in accordance with FMCSA guidelines. The estimated cost per book includes an additional amount to cover shipping costs. Higher cost and quality books are distributed to staff whose primary responsibility involves the daily inspection of CMVs. Lower cost print materials are provided to other staff members who have a more limited inspection role. Only one copy is provided to each staff member.
- **Revision #1 Update:** KSP plans to purchase 150 print copies/books because this CVSP includes an estimated 156 NAS certified inspecting personnel. Not all personnel are expected to require print

copies/books, but KSP may also provide print copies/books to subawardees or newly-certified staff members as needed.

- **Revision #1 Update (Cost Calculation):** The cost of these books is based upon the prior purchase cost of this book, plus shipping costs, during the most recent ordering cycle. The cost of the print copies was estimated based upon a quote from the state print materials vendor @ \$9.40 each.
- **Patrol Vehicle Supplies:** Funds are included for the purchase of supplies to be installed in the patrol vehicles listed in Part 4, Section 5 of this CVSP. These supplies generally stay with the vehicle into which it has been installed unless removed for replacement or upgrade. Each item purchased costs less than \$5,000.
- **Revision #1 Update (Cost Calculation):** Since KSP is planning to utilize a different patrol vehicle than in years past, the exact cost of associated equipment is not known. However, actual costs from past years were used to develop the anticipated cost of approximately \$10,000 per vehicle in necessary supplies. All items installed into the patrol vehicles are the same as those installed in all agency patrol vehicles by policy.
 - Examples of the vehicle supplies contemplated under this category are: lights, sirens, consoles, docking stations, partitions, gunlocks, vehicle safes, radios, repeaters, wifi devices, GPS devices, communications accessories, cameras and recording systems, power supplies, power inverters, radars, and similar equipment or accessories.
 - Note: This list specifically excludes any item which exceeds \$5,000 in value, even if the type of item is otherwise listed above (i.e. radios are listed as an example, but a radio exceeding \$5,000 will not be purchased with Supply category funds).

Revised 11/07/2024

Part 4 Section 7 - Contractual and Subaward

This section includes contractual costs and subawards to subrecipients. Use the table below to capture the information needed for both contractual agreements and subawards. The definitions of these terms are provided so the instrument type can be entered into the table below.

Contractual – A contract is a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award ([2 CFR §200.1 Definitions](#)). All contracts issued under a Federal award must comply with the procurement standards described in [2 CFR §200.317](#), [2 CFR §200.318](#), and [Appendix II to Part 200](#).

Note: Contracts are separate and distinct from subawards; see [2 CFR §200.331](#) for details.

Subaward – A subaward is an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract ([2 CFR §200.1 Definitions](#) and [2 CFR §200.331](#)).

Subrecipient - Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program, but does not include an individual who is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency ([2 CFR §200.1 Definitions](#)).

Enter the legal name of the vendor or subrecipient if known. If unknown at this time, please indicate 'unknown' in the legal name field. Include a description of services for each contract or subaward listed in the table. Entering a statement such as "contractual services" with no description will not be considered meeting the requirement for completing this section.

The Unique Entity Identifier (UEI) is the non-proprietary identifier that replaced the DUNS number. All contractors and subrecipients must be registered in the System for Award Management (SAM.gov). The UEI will be requested in and assigned by SAM.gov. Enter the UEI number of each entity in the space provided in the table.

Select the Instrument Type by choosing either Contract or Subaward for each entity.

Total Project Costs should be determined by State users and input in the table below. The tool does not automatically calculate the total project costs for this budget category.

Operations and Maintenance-If the State plans to include O&M costs that meet the definition of a contractual or subaward cost, details must be provided in the table and narrative below.

Please describe the activities these costs will be using to support (i.e., ITD, PRISM, SSDQ or other services.)

Contractual and Subaward Project Costs							
Legal Name	UEI Number	Instrument Type	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Xerox Copy Machines	N/A	Contract	100.0000	\$9,000.00	\$8,550.00	\$450.00	\$0.00
Description of Services: Copier Services							
Boone County Sheriffs Office	UG54H8CLSMU7	Subrecipient	100.0000	\$63,000.00	\$59,850.00	\$3,150.00	\$0.00
Description of Services: MCSAP Related Activities							
KY Transportation Cabinet	MFCBQTH5FFK3	Subrecipient	100.0000	\$1,555,270.00	\$1,477,503.25	\$77,766.75	\$0.00
Description of Services: MCSAP Related Activities							
Lexington Police Department	VM1GLHWZXA96	Subrecipient	100.0000	\$68,278.00	\$64,864.10	\$3,413.90	\$0.00
Description of Services: MCSAP Related Activities							
Louisville Metro Police Department	XTABXRBBUAUB1	Subrecipient	100.0000	\$70,722.24	\$67,186.13	\$3,536.11	\$0.00
Description of Services: MCSAP Related Activities							
TOTAL: Contractual and Subaward				\$1,766,270.24	\$1,677,953.48	\$88,316.76	\$0.00

Enter a detailed explanation of how the contractual and subaward costs were derived and allocated to the MCSAP project.

Contractual and Subaward:

Xerox Copy Machines: KSP provides multifunction copy machines and printers, through state contractor Xerox, at each CVE weigh facility and at the office of the CVE Program Support Branch. These machines are used for MCSAP eligible purposes such as printing inspections, scanning & copying evidence, and MCSAP administrative use. These copy machines are used for only for MCSAP eligible activities with any non-MCSAP use prorated during the reimbursement process. Cost indicated on the table above is based upon costs realized in previous years.

Enforcement Subawardees: KSP utilizes three enforcement subawardees as described in several other sections of this CVSP. Each subawardee submits a project plan to KSP and an estimated budget necessary to execute the plan. Each subawardee is located in a high CMV crash area where KSP staffing is low. Enforcement subawardees allow KSP to address CMV safety using local enforcement agencies familiar with the local area, and help to offset KSP's chronic lack of staffing in these areas. Each subawardee is monitored by KSP and subject to the same performance and quality control standards as KSP's own staff.

Other Subawardees: KSP utilizes a longstanding partnership with the Kentucky Transportation Cabinet (KYTC) in support of several MCSAP goals for which KYTC is uniquely suited. What follows is a detailed project plan provided by KYTC and describing the support provided:

The KYTC is applying for MCSAP FY25 funds as a sub-grantee under the Kentucky State Police for ITD/PRISM Maintenance and Operations activities. The program will run October 1, 2024 through September 30, 2027. Each project listed includes activities and a budget for an annual period. In coordination with FMCSA, timelines are subject to change and projects are subject to extension within the 3-year grant period.

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1. Maintenance for Kentucky's CVIEW and inSPECTION software

1.1 Introduction

The purpose of this project is to provide maintenance and support for Kentucky's CVIEW and inspection software. The Kentucky CVIEW serves as the repository and exchange mechanism for moving and storing commercial vehicle data between SAFER and Kentucky's legacy systems. The Kentucky CVIEW is customized to work with the Motor Carrier Portal and roadside systems to provide timely data for screening purposes for the KYTC, DMC, and KSP-CVE. The inspection software allows KSP-CVE to record and transmit commercial vehicle inspections. It is customized to work with the Kentucky Observation system and CVIEW and allows officers to make timely, informed decisions about vehicles for inspection. Kentucky's CVIEW and inspection software support both ITD and PRISM programs (50/50).

1.2 Problem Statement

The Kentucky CVIEW is central to Kentucky's ITD architecture and has interfaces with SAFER, Kentucky's Motor Carrier Portal, Kentucky's Observation System, the Kentucky Automated Truck Screening (KATS) System, the inspection software, and various roadside screening systems. Kentucky's CVIEW is essential to assist the DMC in making informed decisions on issuing credentials and to assist KSP-CVE in choosing good carriers for inspection. It also plays a vital role in the national ITD program as data within Kentucky's CVIEW is shared with all states through SAFER. On a regular basis, problems arise with the data and troubleshooting is needed. It is essential that this data be kept fresh and be available for Kentucky and other states to use for screening purposes. The inspection software is also essential because it is the mechanism for recording and transmitting commercial vehicle inspections to FMCSA.

1.3 Performance Objectives

The objective of this project is to provide accurate and timely data to FMCSA, Kentucky, and other states through maintenance, hosting, and support for Kentucky's CVIEW and inspection software.

1.4 Program Activity Plan

The following activities will occur during this project:

The Kentucky Transportation Cabinet will contract for maintenance and support of Kentucky's CVIEW and inspection software.

The Kentucky Transportation Cabinet will also monitor the functionality of CVIEW and communicate with the contractor as needed.

The Kentucky State Police will monitor the functionality of inspection software and communicate with the Kentucky Transportation Cabinet and the contractor as needed.

The Kentucky Transportation Cabinet and Kentucky State Police will communicate with Kentucky's ITD team and FMCSA to identify updates or corrections needed to the CVIEW and the inspection software.

The Kentucky Transportation Cabinet and Kentucky State Police will communicate with the contractor on the updates/corrections needed to the CVIEW and the inspection software.

1.5 Performance Measurement Plan

The Kentucky Transportation Cabinet and the Kentucky State Police will be utilizing the CVIEW on a daily basis. Agency's designated point-of-contacts will communicate regularly with the contractor when problems are identified or when updates are needed.

The Kentucky State Police will be utilizing the inspection software on a daily basis. KSP's primary ITD point-of-contact will communicate regularly with the contractor when problems are identified and when enhancements are needed.

The Kentucky Transportation Cabinet and Kentucky State Police will track the problems identified in Kentucky CVIEW and the inspection software to ensure problems are addressed by the contractors.

1.6 Schedule and Milestones

Milestone	Expected Completion Date

Project Start		October 1, 2025
1	Setup maintenance contract	
2	One year contract for maintenance, hosting, updates	
Project End		September 30, 2026

1.7 Budget Narrative

Description of Services	Total Cost
Hosting and Maintenance for Kentucky's CVIEW, inspection software, and related interfaces	\$235,555
<i>Maintenance and support under this contract to include:</i> • <i>Software updates pushed out as needed</i> • <i>Management of the CVIEW/SAFER submission process</i> • <i>Management of the user interface</i> • <i>Minor bug fixes</i> • <i>Minor software changes to comply with federal changes</i> • <i>Management of federal connections and data feeds</i> • <i>Management and maintenance of KY specific changes</i>	

- *Support resources to troubleshoot data related problems/issues*
- *Management of FTP process for relaying data to PrePass, KATS, Observation, and Inspection applications*
- *Temp and OS/OW Permit interface*
- *Processing IFTA Cleansed File*
- *Ignore/Grace Table Maintenance*
- *Processing SAFER standard transaction sets (upload and download)*
- *Custom pass/fail test maintenance*
- *Inspection application maintenance*
- *Management of the inspection/FMCSA submission process*

Total Cost: \$235,555 (50% ITD - \$117,777.50, 50% PRISM - \$117,777.50)

95% Federal Share: \$223,777

5% State Share: \$11,778

2. Administrative and technical support for Kentucky's ITD/PRISM program

2.1 Introduction

The purpose of this project is to provide administrative and technical support for Kentucky's ITD and PRISM programs. In 2006, the Kentucky Transportation Cabinet entered into an agreement with the Kentucky Transportation Center (KTC) at the University of Kentucky (UK) to provide program management, technical support, and logistical support for Kentucky's CVISN Program. Under this agreement, the CVISN Team was reformed and reenergized, several planning meetings have been held, priority projects have been identified and initiated, and Kentucky is moving forward with the Expanded CVISN (now ITD) Program. Over time, assisting with the PRISM program also became part of KTC's responsibilities. Staff members at KTC are providing day-to-day support for the programs, including preparation of meeting agendas, scheduling and arrangements for off-site meetings, information gathering and dissemination, documentation of existing and planned systems, preparation of quarterly reports, participation in conference calls, etc. KTC staff also collects and analyzes data as requested by the Program Manager or ITD/PRISM team. The ITD Program Manager and members of Kentucky's ITD/PRISM team will utilize a portion of this funding to travel to national ITD and PRISM-related meetings on behalf of Kentucky's program. This project supports both ITD and PRISM programs (50/50).

2.2 Problem Statement

Kentucky's ITD team is made up of a diverse group of agencies working together to meet the national ITD goals and advance Kentucky's expanded ITD program. This group is also composed of the PRISM team from Kentucky who focuses on the priorities outlined by the PRISM program. The Kentucky Transportation Center at UK has been

contracted to serve as the facilitator for this group and provide administrative, technical, and logistical support. For an active group focused on ITD and PRISM, this support is not only beneficial but essential.

This administrative support helps to strengthen Kentucky's ITD and PRISM programs and therefore will help the Commonwealth of Kentucky advance the national priorities for these programs. A continued area of focus will be enhancing Kentucky's CVIEW, improving data quality, and tracking and reporting performance measures.

2.3 Performance Objectives

Specific objectives of this effort will include:

1. To host and arrange at least four meetings of the ITD/PRISM team
2. To host an ITD/PRISM planning meeting for the ITD team
3. To attend at least one national ITD or PRISM-related meeting
4. To assist team members as request with administrative, technical, and logistical support of the ITD and/or PRISM program
5. To document the efforts/accomplishments of the ITD/PRISM team

2.4 Program Activity Plan

The Kentucky Transportation Cabinet will establish a project with the Kentucky Transportation Center to perform activities such as:

- Arranging meetings, issuing invitations, preparing meeting materials, etc.;
- Planning, scheduling, and making arrangements for periodic ITD/PRISM planning meetings;
- Preparing minutes and summaries of ITD/PRISM meetings and planning meetings;
- **Assisting with ITD/PRISM-related MCSAP grant reporting and monitoring activities as requested by Kentucky's ITD/PRISM team members**
- Fostering communications among all ITD/PRISM stakeholders within Kentucky;
- Gathering and disseminating information related to Kentucky's ITD/PRISM program (this includes responding to requests for information from internal and external stakeholders);
- Gathering feedback on CVIEW, KATS, and inspection software problems that arise and enhancements that are needed;
- Representing Kentucky's ITD/PRISM Team on national committees, working groups, and ad hoc teams;
- Assisting with ITD/PRISM data quality issues that are internal to the state;
- **Assisting with preparation of ITD/PRISM-related MCSAP grant application material;**
- Providing minor updates to Kentucky's Program Plan and Top-Level Design as needed;
- Investigating technologies or systems of interest by the ITD/PRISM team;
- Providing technical assistance and support in designing and implementing systems;
- Preparing ITD/PRISM-related project descriptions, system documentation, etc.;
- Assisting with ITD and PRISM-related training as needed; and
- Assistance with the tracking of performance metrics of ITD and PRISM-related projects.
- Travel to conferences or meetings as needed to present information on Kentucky's ITD/PRISM program, including specific findings from grant-funded projects

- Travel to national, state, and local meetings on behalf of the ITD/PRISM Team to benefit the national and Kentucky programs.

2.5 Performance Measurement Plan

The Kentucky Transportation Center will keep documentation (minutes) of all ITD/PRISM team meetings.

The Kentucky Transportation Center will document the activities and the accomplishments of the ITD/PRISM Program.

2.6 Schedule and Milestones

Milestone		Expected Completion Date
Project Start		October 1, 2025
1	Establish Contract	
2	Organize/Host Strategic Planning Meeting	
3	Organize/Host Quarterly Team Meetings (at least 4 total)	
4	Attend Local, State, and National Meetings/Conferences Representing Kentucky's ITD Team	
5	Update of Kentucky's PP/TLD	
6	Assist as needed with administrative, technical, and logistical support of the ITD/PRISM program (training, performance metrics, research/investigation of technologies or projects, grant assistance/oversight, data quality investigations, activities that support, promote, and compliment Kentucky's and the national ITD/PRISM programs, etc.)	
7	Document the activities/accomplishments of the ITD/PRISM Program	
Project End		September 30, 2026

2.7 Budget Narrative



Description of Services	Total Cost
Administrative and Technical Support for the ITD Program	\$200,000
<i>KYTC has obtained a work plan and proposal from the Kentucky Transportation Center to perform this effort. KTC has been serving in this capacity since the beginning of Kentucky's ITD program and is an integral part of the ITD team. These funds will serve to pay the staff who participate in the activities mentioned in the project narrative. There are also funds allowed for their staff members to travel on behalf of Kentucky's ITD team. KTC also hosts a planning meeting each year for Kentucky's ITD team and these funds will be utilized for expenses associated with that event.</i>	

Total Cost: \$200,000 (50% ITD - \$100,000, 50% PRISM - \$100,000)

95% Federal Share: \$190,000

5% State Share: \$10,000

Travel Cost Budget Narrative				
(SF-424A, Line 6c)				
Purpose	# of Staff	Method of Travel	Days	Total Cost
To provide travel funds for the ITD/PRISM team members (state employees) to represent Kentucky	2	Air, Vehicle	12	\$13,158
<i>Estimates are made for national trips to CVSA Fall and Spring, IFTA, IRP, ITD/PRISM Workshops, AAMVA, etc. Estimate also includes local travel to represent the ITD/PRISM team in Kentucky. These estimates are based on previous trips.</i>				

Total Cost: \$13,158 (75% ITD - \$9,868.50, 25% PRISM - \$3,289.50)

95% Federal Share: \$12,500

5% State Share: \$658

3. ITD and PRISM-Related training

3.1 Introduction

The purpose of this project is to provide ITD and PRISM-related training to all MCSAP-certified inspectors and officers under the KSP-CVE umbrella. This training is necessary since these inspectors and officers have numerous responsibilities. Many of the safety, registration, and credentials information related to the ITD and PRISM programs can be confusing and complicated. Because of the diversity of their responsibilities, the complexity of the information, and the recently implemented changes, regular training is needed for KSP-CVE to ensure they are comfortable with utilizing the technologies and systems that have been provided to them. The tools are only useful when properly utilized by enforcement. This type of training will allow KSP-CVE officers and inspectors to access this data and identify carriers with credential or registration problems or poor safety history for inspection. With increased usage of Kentucky's CVIEW, inspection software, and KATS, problems will be identified and solved as well as enhancements will be implemented. This project supports both ITD and PRISM programs (50/50).

Similar training has been conducted annually for the past several years and KSP-CVE supervisors and Kentucky Department of Vehicle Regulation staff have noted an increase in the credential violations that were identified along with increases in the out-of-service rates for those utilizing the data. The training encourages the use of various e-screening tools to make better selections for inspection. Kentucky's FY23 data (shown below) from the FMCSA portal indicates that the use of e-screening tools does help to raise OOS and violation rates. Use of e-screening tools showed an increase of 13.72% in the VOOS rate, 1.19% in the DOOS rate, and 18.97% in the violation rate.

Type of Inspection	VOOS Rate	DOOS Rate	Violation Rate
Non-E-Screening	17.25%	6.12%	53.02%
E-Screening	30.97%	7.31%	71.99%

3.2 Problem Statement

Over the past few years, Kentucky has made significant changes to the way screening data is accessed as well as how inspections are documented and reported by KSP-CVE. The CVIEW is now the primary means for verifying credentials, registration, and safety information by KSP-CVE. New inspection software is now utilized to document and report all inspections of commercial vehicles. KATS technology is available in all of Kentucky's weigh stations and at virtual weigh stations.

These inspectors and officers have numerous responsibilities, so it is critical that annual training on these technologies and systems is provided. Even with recent training in every region of the state, it is clear that many are not comfortable with some of the systems and technologies or the information being provided. Kentucky, like most states, does not have sufficient resources to stop every vehicle and verify the credentials and registration or perform an inspection. This project can improve the safety of commercial vehicle operations and improve compliance with credential and registration regulations by helping KSP-CVE to identify carriers or vehicles with a specific problem.

3.3 Performance Objectives

The objectives of this project include:

To provide hands-on training to Kentucky's MCSAP-certified inspectors and officers under the KSP-CVE umbrella.

To provided updated training materials as needed.

To increase knowledge and usage of the electronic screening checkbox (in the inspection software).

To increase the driver and vehicle OOS over state rates when screening systems are utilized.

To increase the number of credential and safety violations identified on inspections for inspections identified using screening systems.

3.4 Program Activity Plan

The Kentucky Transportation Cabinet will contract with the Kentucky Transportation Center at UK to conduct this training. Initially, KTC will meet with the ITD/PRISM team to discuss specific training needs of KSP-CVE and will plan to travel to every region to conduct training. Specifically, they will discuss training in the latest available technologies, screening software and database queries, standard practices respecting the enforcement of various safety and credentialing programs and policies, when and how to cite a driver or carrier for violating various safety and credentialing laws, how to report data quality issues, who to contact with questions, strategies and techniques for identifying non-compliant vehicles and drivers, reporting requirements and other official protocols which apply to law enforcement officials in Kentucky. The training will be organized and planned by KTC in conjunction with DMC and KSP-CVE. Regular updating of training materials, particularly the Help document attached to Kentucky's CVIEW, will be included in the activities.

3.5 Performance Measurement Plan

The Kentucky Transportation Cabinet will keep record of all training related visits to KSP-CVE. This record will include location and type of training as well as the number of KSP-CVE staff participating.

3.6 Schedule and Milestones

Milestone		Expected Completion Date
Project Start		October 1, 2025
1	Training Kickoff Meeting Held with ITD Team	
2	Coordination, Planning, Preparation for Training Sessions	
3	Update Training Materials as Needed	
4	Conduct hands-on training in all regions	
5	Collect "Before" Data for Analysis	

6	Collect "After" Data for Analysis
7	Summarize Data Analysis
Project End	
September 30, 2026	

3.7 Budget Narrative

Contractual Cost Budget Narrative (SF-424A, Line 6f)	
Description of Services	Total Cost
ITD-Related Training	\$52,632
<i>KYTC has obtained a work plan and proposal from the Kentucky Transportation Center to perform this effort. KTC has a long history of working with KYTC and KSP-CVE and has the technical expertise for this effort. The bulk of these funds will be utilized to pay staff to train officers and inspectors. Funds are set aside for travel so that staff can go to the officers and inspectors.</i>	

Total Cost: \$52,632 (50% ITD - \$26,316, 50% PRISM - \$26,316)

95% Federal Share: \$50,000

5% State Share: \$2,632

Travel Cost Budget Narrative (SF-424A, Line 6c)				
Purpose	# of Staff	Method of Travel	Days	Total Cost
To provide travel funds for the ITD/PRISM team members (state employees) to assist with training in Kentucky	4	State Vehicle	10	\$7,369

Estimates are made for trips to various areas of Kentucky (particularly the 3 KSP-CVE regions) to assist with training; budget is based on previous travel needed for training.

Total Cost: \$7,369 (50% ITD - \$3,684.50, 50% PRISM - \$3,684.50)

95% Federal Share: \$7,000

5% State Share: \$369

4. Data quality initiative

4.1 Introduction

Improving data quality has long been a goal of the ITD and PRISM programs. While FMCSA and state DOTs have directed substantial resources at addressing problems, a multitude of data quality issues persist. Kentucky has found that data quality initiatives should be incorporated to our daily routines. Kentucky's CVIEW provides users with the ability to report data quality issues while they are using the system. The data that is collected will need to be reviewed and utilized on a daily basis to keep Kentucky's data at the highest quality. This project will serve to enhance Kentucky's CVIEW, maintain and improve data uploads, and assist with the reporting of performance metrics. This project supports both ITD and PRISM programs (50/50).

4.2 Problem Statement

Researchers and officials at KTC and KYTC are engaged in the investigation of data quality issues on a daily basis. They look at records in Kentucky's CVIEW, the inspection software, the Kentucky Clearinghouse, the Observation System, the Motor Carrier portal, Transportation Enterprise Data housed in KYTC's SAP Business Objects application, and other systems referenced in Kentucky's current ITD system architecture.

Previous data quality initiatives have focused on IFTA, IRP, UCR, and PRISM data. This effort will focus on all types of data. Researchers will continue to monitor the Kentucky Automated Truck Screening (KATS) system, inspection software, and CVIEW to identify data quality issues. In addition to CVIEW data quality reporting, Kentucky will continue to emphasize the accuracy of license plate readers and USDOT readers at fixed inspection stations and virtual inspection stations. Kentucky will work with FMCSA, other states, and organizations as needed to address these issues.

4.3 Performance Objectives

1. Identify existing data quality issues by monitoring KATS, the inspection software, and CVIEW.
2. Identify problems and take appropriate steps to remedy these issues.
3. Identify methods to address reoccurring problems.

4.4 Program Activity Plan

The following tasks will be accomplished:

Task 1: Regular monitoring of KATS, the inspection software, and CVIEW.

Run reports in CVIEW for records marked with Data Quality issues.

Check KATS for data quality and data upload problems.

Receive feedback on data quality issues identified by KSP-CVE through the inspection process.

Continue to monitor accuracy of license plate readers and USDOT readers.

Verify these problems and identify the source of the problem.

Milestone: List of data quality problems

Task 2: Work with appropriate entity to address data quality issue

Contact entity with data quality problems.

Work with these entities to identify the problems and address it.

Ensure the data quality issue is addressed and notify the user (if reported by a user) of the update.

Milestone: Resolution plans

Task 3: Analyze data quality problems to identify most prevalent issues

Collect data from systems in ITD architecture or relevant to ITD data quality.

Analyze the data quality issues reported to identify the most prevalent issues.

Identify methods to eliminate these issues if possible.

Milestone: Long-term resolution plan for data quality issues

Task 4: Summarize findings

Pull together information collected from previous tasks.

Summarize findings in a draft document.

Allow review and input from the ITD/PRISM team.

Finalize document.

Milestone: Data Quality Report

4.5 Performance Measurement Plan

The ITD/PRISM team will serve as the advisory committee for this effort. They will provide direction as needed. Data quality updates will be provided to the ITD/PRISM team at regular team meetings to keep them abreast of data quality problems and initiatives. The Data Quality Report will be provided to the ITD/PRISM team for their input and review.

4.6 Schedule and Milestones

Milestone		Expected Completion Date
Project Start		October 1, 2025
1	Monitor ITD systems for data quality issues	
2	Prepare list of data quality problems	
3	Develop resolution plans	
4	Develop long-term resolution plan for issues as needed	
5	Develop Data Quality Report	
Project End		September 30, 2026

4.7 Budget Narrative

Contractual Cost Budget Narrative (SF-424A, Line 6f)	
Description of Services	Total Cost
Data Quality	\$42,106
<i>KYTC has obtained a work plan and proposal from the Kentucky Transportation Center to perform this effort. KTC has a long history of working with KYTC, KSP-CVE, FMCSA, IFTA and IRP, and other states. The bulk of these funds will be utilized to pay staff to spearhead the data quality initiative, but funds are allowed for travel when necessary.</i>	

Total Cost: \$42,106 (50% ITD - \$21,053, 50% PRISM - \$21,053)

95% Federal Share: \$40,000

5% State Share: \$2,106

5. International registration Plan and International Fuel Tax Agreement Membership fees

5.1 Introduction

The purpose of this project is to maintain membership in the International Registration Plan (IRP) and the International Fuel Tax Agreement (IFTA). Participation in IRP and IFTA is required for Core ITD compliance and helps states exchange information and fees related to fuel tax and vehicle registration. Maintaining Kentucky's membership in these organizations helps to improve data quality and data uploads to CVIEW. Membership fees for IFTA, Inc. support the ITD program (100), while membership fees for IRP, Inc. support both ITD and PRISM programs (50/50).

5.2 Problem Statement

The Commonwealth of Kentucky is a member of IRP and IFTA. As a member of these organizations, the Commonwealth is required to make sure that member jurisdictions receive an appropriate amount of revenue from registered vehicles (IRP) and fuel taxes (IFTA). Kentucky is also required to share information about these credentials among member jurisdictions.

5.3 Performance Objectives

The Commonwealth of Kentucky's participation in IRP and IFTA has several objectives, including:

1. To make sure that each member jurisdictions receives an appropriate amount of revenue from registered vehicles (IRP),
2. To make sure that each member jurisdiction received an appropriate amount of revenue from fuel taxes (IFTA), and
3. To electronically share information among member jurisdictions about tax and registration revenue.

5.4 Program Activity Plan

The Kentucky Transportation Cabinet will pay membership fees for IRP and IFTA in order to maintain membership within the organizations.

5.5 Performance Measurement Plan

This project will be considered complete when the dues and clearinghouse fees are paid to IFTA and IRP.

5.6 Schedule and Milestones

Milestone		Expected Completion Date
Project Start		October 1, 2025
1	Pay IFTA Membership Fees (Annual membership)	
2	Pay IRP Membership Fees (Annual Membership)	
Project End		September 30, 2026

5.7 Budget Narrative

Other Cost Budget Narrative (SF-424A, Line 6h)			
Item Name	# of Units	Cost per Unit	Total Cost
International Registration Plan	1	\$28,421	\$28,421
International Fuel Tax Agreement	1	\$45,895	\$45,895
Total			\$74,316
<i>The purpose of this budget cost is to provide funding for the cost of the International Registration Plan (IRP) and the International Fuel Tax Agreement (IFTA) annual membership dues and clearinghouse fees for one year.</i>			

Total Cost: \$74,316 (ITD - \$60,105.50, PRISM - \$14,210.50)

95% Federal Share: \$70,600

5% State Share: \$3,716

6. e-screening Membership fees

6.1 Introduction

The purpose of this project is to provide funding for the cost to participate on the PrePass Safety Alliance for Kentucky's e-screening program. Participation in the PrePass e-screening program supports the core ITD requirement of electronic screening. Maintaining Kentucky's e-screening membership will help to improve the reporting of performance metrics. PrePass provides reports that help to quantify the benefits received from e-screening. This project implements ITD performance measures of safety, efficiency, and environmental benefits through electronic screening. It will promote safety and credentials of commercial vehicles in the United States. The project will also increase the effectiveness and efficiency of KSP-CVE in their efforts to focus on non-compliant carriers. Additionally, this project encourages states to share safety and credentialing information with each other. This project supports both ITD and PRISM programs (50/50).

6.2 Problem Statement

Kentucky's facilities and resources are insufficient to handle the vast number of motor carriers coming through them. Weigh station ramps often back up due to the large number of vehicles entering these facilities. Most facilities have a safety feature allowing trucks to bypass before traffic backs up onto the mainline, but in this case, these vehicles are not screened or even observed by enforcement. Participating in e-screening allows Kentucky to meet the core ITD requirements, but more importantly allows approved carriers to be screened electronically prior to the weigh stations.

6.3 Performance Objectives

The Commonwealth of Kentucky's participation in the PrePass Safety Alliance has several objectives, including:

1. To promote safety and credentialing,
2. To facilitate inspections by increasing efficiency and effectiveness of KSP-CVE enforcement efforts to target motor carriers with credentials problems and poor safety histories,
3. To allow compliant carriers to bypass weigh stations and continue unimpeded,
4. To prevent congestion around weigh stations, and
5. To decrease idling time to save on fuel costs and the emission of greenhouse gasses.

6.4 Program Activity Plan

The KYTC will make the necessary arrangements to pay the dues for the PrePass Safety Alliance Board of Directors.

6.5 Performance Measurement Plan

This task will be considered complete when the membership dues are paid to the PrePass Safety Alliance.

6.6 Schedule and Milestones

Milestone	Expected Completion Date
Project Start	October 1, 2025

1	Pay E-Screening State Membership
Project End	September 30, 2026

6.7 Budget Narrative

Other Cost Budget Narrative (SF-424A, Line 6h)			
Item Name	# of Units	Cost per Unit	Total Cost
E-Screening Membership Fees	1	\$7,895	\$7,895
<i>This provides funding for the cost to participate on the board of directors for Kentucky's electronic screening program through PrePass Safety Alliance.</i>			

Total Cost: \$7,895 (50% ITD - \$3,947.50, 50% PRISM - \$3,947.50)

95% Federal Share: \$7,500

5% State Share: \$395

7. Maintenance of Roadside Screening Systems

7.1 Introduction

The purpose of this project is to provide maintenance and support for Kentucky's roadside screening systems. Kentucky has automated screening systems in 17 locations with plans to install an additional system in the next 6-8 months. These systems utilize all or some of the following technologies:

- ⌚ An automated license plate reader (ALPR) that provides the license plate number from the front of the vehicle along with the state/jurisdiction.
- ⌚ An automated USDOT/KYU number reader (USDOTR) that provides the USDOT number and KYU from the side of the vehicle.
- ⌚ A scene camera to capture a digital image of each passing vehicle for general description and visual identification purposes.
- ⌚ A driver-focus camera to monitor commercial driver seatbelt and cellphone use on weigh station ramps.
- ⌚ An automated rear license plate reader that provides license plate numbers from the rear of the vehicle along with the state/jurisdiction.
- ⌚ Lighting to help illuminate the truck as images are being captured.
- ⌚ A triggering device (loop) to begin and end the image capture process.

- ⌚ Wireless internet radios allowing communication between camera equipment.
- ⌚ An interface to the existing weigh-in-motion (WIM) and truck sorting and tracking system (Mettler-Toledo), which directs trucks targeted for inspection to park.
- ⌚ Truck sorting and tracking system signage which includes electronic: variable message signage, park signs, open/close signs, directional arrows, red/green lights, etc.
- ⌚ Thermal imaging cameras to identify brake and tire problems.
- ⌚ Over-height detectors to measure trucks for potential over-dimensional violations.
- ⌚ Tire anomaly classification system to identify potential problems with tires such as uninflated, underinflated, mismatched, and missing tires.
- ⌚ Parking monitoring cameras to monitor and track vehicles through the facilities and to ensure trucks do not leave the facility before meeting with enforcement personnel inside the inspection station.
- ⌚ Solar panels and batteries to power cameras.
- ⌚ A screening database containing national and state information pertaining to safety, registration, and credentials. The database is updated daily, using data from Kentucky's Commercial Vehicle Information Exchange Window (CVIEW). Safety and Fitness Electronic Records (SAFER) provides (via Kentucky's CVIEW) the PRISM status and the Federal Out-of-Service (FOOS) status of the motor carrier.
- ⌚ Computers and display monitors within the inspection station to provide an interface for the user.

Screening systems are a very effective tool for commercial vehicle enforcement officers. The volume of truck traffic at weigh stations is extremely high therefore personnel are only able to inspect a small percentage of all vehicles. A screening system allows personnel to target "high-risk" carriers for inspection making better use of their time. Although volumes are lower on side routes, virtual weigh stations also improve efficiency and effectiveness by identifying "high-risk" carriers for inspection. These systems also provide the ability for enforcement to target specific issues if desired. Personnel can direct the system to pull in specific types of potential violations and then focus their efforts there. This project supports both the ITD and PRISM programs (50/50).

7.2 Problem Statement

All the equipment used in these systems requires regular maintenance to ensure their effectiveness and functionality are maintained. Maintenance on these screening systems includes both equipment maintenance and software maintenance. Maintaining the screening equipment to its optimal level helps to facilitate inspections and increase the effectiveness of the limited number of enforcement personnel compared to the number of trucks that pass-through weigh stations on a daily basis. To keep the screening systems functioning at a high level, it is imperative that periodic preventative maintenance be performed and to have call-out availability for repairs of these devices if needed. If the screening system fails to function at a high level for any reason and enforcement personnel loses confidence in the ability of the system to accurately identify vehicles and carriers, it will not be used, and the momentum gained during the installation and use of the system to screen commercial vehicles will be lost.

7.3 Performance Objectives

The objectives associated with this project are to maintain the roadside screening systems. This will be accomplished by utilizing the Kentucky Transportation Center to monitor system, troubleshoot problems, and perform routine maintenance. A contract will also be set up with a software provider to perform maintenance on the Kentucky Automated Truck Screening (KATS) software at all locations.

7.4 Program Activity Plan

The Kentucky Transportation Cabinet will establish maintenance contracts for the KATS software.

The Kentucky Transportation Center will monitor roadside screening systems, troubleshoot problems, and perform regular, routine maintenance for the systems.

7.5 Performance Measurement Plan

The Kentucky Transportation Cabinet will require that maintenance reports be provided detailing preventive maintenance, outlining all work that was done. Identified issues with the systems and how the problem was resolved will also be documented. The enforcement personnel will also provide feedback to the ITD program manager concerning the functionality of the system. If the required maintenance is performed, there should not be a drop off in quality or effectiveness of the screening system. If a drop off in performance is noted, or problems arise with the screening systems, the enforcement personnel will be expected to contact the ITD Program Manager or KTC to ensure that the required maintenance is performed, and functionality is restored.

7.6 Schedule and Milestones

Milestone		Expected Completion Date
Project Start		October 1, 2025
1	Setup maintenance contracts	
2	Monitor roadside screening systems	
3	Perform preventative maintenance	
3	Troubleshoot problems and implement solutions	
Project End		September 30, 2026

7.7 Budget Narrative

Description of Services	Total Cost
Maintenance of Roadside Screening Systems	\$368,422
This budget represents quotes for a year of contractual work for routine and preventative maintenance of hardware, lighting, monitoring of the equipment and data, troubleshooting of problems, minor repairs, updates and fixes for the software, and warranties on the cameras.	

Total Cost: \$368,422 (50% ITD - \$184,211, 50% PRISM - \$184,211)

95% Federal Share: \$350,000

5% State Share: \$18,422

8. Maintenance of Motor carrier connect System

8.1 Introduction

The purpose of this project is to provide operations and maintenance for Kentucky's Motor Carrier Connect (MCC) system. The MCC is an online processing system allowing the Division of Motor Carriers to manage the requirements for IFTA and IRP. For IFTA, this system has been designed to permit motor carriers to register, order the IFTA license and decals, renew the IFTA license, file IFTA tax returns, and make payments. For IRP, this system has been designed to permit motor carriers to register, order the IRP plates and cab cards, renew the IRP plates and cab cards, add vehicles, update MCRS lease agreements, and make payments. MCC helps motor carriers to communicate with the Division of Motor Carriers in a safe and secure electronic environment. This request is for maintenance and support associated with a core ITD project. Because this system is for IFTA and IRP, the project supports both the ITD and PRISM program (75/25).

8.2 Problem Statement

The Kentucky IPC system is the automated electronic processing system that allows for the application, processing, issuance, and tax filing for the IFTA agreement. This system is linked to Kentucky's CVIEW and provides important data to Kentucky's Division of Motor Carriers and Commercial Vehicle Enforcement as well as to other states via SAFER. Kentucky seeks funds to maintain this system.

The MCC system is the automated electronic processing system that allows for the application, processing, issuance, and tax filing for IFTA and IRP. This system is linked to Kentucky's CVIEW and provides important data to Kentucky's Division of Motor Carriers and Commercial Vehicle Enforcement as well as to other states via SAFER. Kentucky seeks funds to maintain this system.

8.3 Performance Objectives

The objective of this project is to provide funding for maintenance and support for Kentucky's MCC system.

8.4 Program Activity Plan

The Kentucky Transportation Cabinet will contract with the vendor to provide maintenance and support for Kentucky's MCC system.

8.5 Performance Measurement Plan

Quarterly reports will be made to FMCSA documenting activities and project billing specifics. In the event FMCSA would like an update on the project's progress, Kentucky will host a conference call or provide any requested documentation for review.

8.6 Schedule and Milestones

Milestones	Expected Completion Date
Project Start	October 1, 2025
Pay Maintenance Fees for Kentucky's MCC System	
End Project	September 30, 2026

8.7 Budget Narrative

Description of Services	Total Cost
<i>Contractual agreement for the maintenance and support of the MCC System</i>	\$290,659
KYTC will contract with the developer of the MCC system for the hosting and maintenance of the system. This cost estimate is based upon the monthly charges to date.	

Total Cost: \$290,659 (75% ITD - \$217,994.25, 25% PRISM - \$72,664.75)

95% Federal Share: \$276,126

5% State Share: \$14,533

9. Maintenance of the motor Carrier Portal

9.1 Introduction

The purpose of this project is to provide operations and maintenance for Kentucky's Motor Carrier Portal (MCP) system. MCP is a web-based portal that allows interaction with any of the systems that trucking companies utilize to obtain credentials, tax licenses, permits, and registrations. It interfaces with Kentucky's screening data and provides information for the motor carrier through the MCP Dashboard. The MCP includes Passengers, Household Goods, Utility and Driveaway, U-Drive-It, trip permits, KYU, KIT, and links to the external systems such as UCR, IRP, OWOD and IFTA-IPC. The Motor Carrier Portal also provides a health dashboard allowing users to track all data interfaces to ensure all screening decisions are using the most up to date data. This project supports both the ITD and PRISM programs (50/50).

9.2 Problem Statement

The MCP system is a key component of Kentucky's ITD and PRISM programs. This program is critical for the Division of Motor Carriers, Kentucky State Police, and commercial motor carriers. Kentucky seeks funds to maintain this system.

The Division of Motor Carriers and Office of Information Technology have identified technical debt and several bugs in the Portal applications that need to be addressed. The bugs identified in the applications vary in impact to internal and external users, and priority. The Technical debt identified for the applications requires back end technology updates to varying degrees, and will include things like .NET changes, Bootstrap upgrade, etc.

9.3 Performance Objectives

The objective of this project is to provide funding for maintenance and support for Kentucky's MCP system through:

Analysis, development, testing and deployment for high priority bugs identified by the department.

Analysis, development, testing and deployment for application technical debt, thereby improving application reliability and performance.

9.4 Program Activity Plan

KYTC will work with the Office of Information Technology (OIT) to complete the following tasks:

Task 1: Identify and Prioritize Bugs – KYTC will kick off this project with the development of a team to identify and prioritize items for development. This team will be comprised of Division of Motor Carrier staff who work regularly with the Motor Carrier Portal and motor carriers who use Portal applications. Feedback from motor carriers received through calls, emails, etc. will also be considered when identifying bugs to be worked on.

Task 2: Provide Maintenance Support for MCP Technical Debt – KYTC already has a contract for the maintenance of the MCP. Funds received through this project will be utilized to pay for the updates required to eliminate technical debt. OIT will identify and document back-end system technical debt, and solicit feedback from the Division of Motor Carriers on the priority compared to other maintenance efforts.

9.5 Performance Measurement Plan

Quarterly reports will be made to FMCSA documenting activities and project billing specifics. In the event FMCSA would like an update on the project's progress, Kentucky will host a conference call or provide any requested documentation for review.

9.6 Schedule and Milestones

Milestone		Expected Completion Date
Project Start		October 1, 2025
1	Identify and Prioritize Bugs	
2	Provide Maintenance Support for MCP Technical Debt	
Project End		September 30, 2026

9.7 Budget Narrative

Description of Services		Total Cost
<i>Contractual agreement for the maintenance and support of the MCP</i>		\$263,158
The Office of Information Technology with KYTC has contract workers that will perform this work. OIT has estimated the personnel costs associated with this project by looking over the project plan and using the hours required along with personnel cost rates. The estimates are based on previous OIT projects delivered to the Division of Motor Carriers.		

Total Cost: \$263,158 (50% ITD - \$131,579, 50% PRISM - \$131,579)

95% Federal Share: \$250,000

5% State Share: \$13,158

10. Budget Summary

Project	Line Item	Chapter	Total Eligible Costs	95% Federal	5% State
Maintenance of CVIEW, inspection software	Contractual 1	1	\$ 235,555	\$ 223,777	\$ 11,778
ITD/PRISM Admin & Tech Support	Contractual 2	2	\$ 200,000	\$ 190,000	\$ 10,000
ITD/PRISM Admin & Tech Support	Travel 1	2	\$ 13,158	\$ 12,500	\$ 658
ITD/PRISM Training	Contractual 3	3	\$ 52,632	\$ 50,000	\$ 2,632
ITD/PRISM Training	Travel 2	3	\$ 7,369	\$ 7,000	\$ 369
Data Quality	Contractual 4	4	\$ 42,106	\$ 40,000	\$ 2,106
IRP/IFTA Dues	Other	5	\$ 74,316	\$ 70,600	\$ 3,716
E-screening Membership Dues	Other	6	\$ 7,895	\$ 7,500	\$ 395
Maintenance of Roadside Systems	Contractual 5	7	\$ 368,422	\$ 350,000	\$ 18,422
Maintenance of Motor Carrier Connect System	Contractual 6	8	\$ 290,659	\$ 276,126	\$ 14,533
Maintenance of MCP	Contractual 7	9	\$ 263,158	\$ 250,000	\$ 13,158
Totals			\$ 1,555,270	\$ 1,477,503	\$ 77,767

Funds in Support of ITD/PRISM Programs

Project	ITD Support	PRISM Support
Maintenance of CVIEW, inspection software	\$ 117,777.50	\$ 117,777.50
ITD/PRISM Admin & Tech Support	\$ 100,000.00	\$ 100,000.00
ITD/PRISM Admin & Tech Support	\$ 9,868.50	\$ 3,289.50
ITD/PRISM Training	\$ 26,316.00	\$ 26,316.00
ITD/PRISM Training	\$ 3,684.50	\$ 3,684.50
Data Quality	\$ 21,053.00	\$ 21,053.00
IRP/IFTA Dues	\$ 60,105.50	\$ 14,210.50
E-screening Membership Dues	\$ 3,947.50	\$ 3,947.50
Maintenance of Roadside Systems	\$ 184,211.00	\$ 184,211.00
Maintenance of Motor Carrier Connect System	\$ 217,994.25	\$ 72,664.75
Maintenance of MCP	\$ 131,579.00	\$ 131,579.00
	\$ 876,536.75	\$ 678,733.25

Revised: 11/07/2024

Part 4 Section 8 - Other Costs

Other Costs are those not classified elsewhere and are allocable to the Federal award. These costs must be specifically itemized and described. The total costs and allocation bases must be explained in the narrative. Examples of Other Costs (typically non-tangible) may include utilities, leased property or equipment, fuel for vehicles, employee training tuition, meeting registration costs, etc. The quantity, unit of measurement (e.g., monthly, annually, each, etc.), unit cost, and percentage of time on MCSAP grant must be included.

Operations and Maintenance-If the State plans to include O&M costs that do not meet the definition of a contractual or subaward cost, details must be provided in the table and narrative below. Please identify these costs as ITD O&M, PRISM O&M, or SSDQ O&M. Sufficient detail must be provided in the narrative that explains what components of the specific program are being addressed by the O&M costs.

Enter a description of each requested Other Cost.

Enter the number of items/units, the unit of measurement, the cost per unit/item, and the percentage of time dedicated to the MCSAP grant for each Other Cost listed. Show the cost of the Other Costs and the portion of the total cost that will be billed to MCSAP. For example, you intend to purchase air cards for \$2,000 to be shared equally among five programs, including MCSAP. The MCSAP portion of the total cost is \$400.

Total Project Costs equal the Number of Units x Cost per Item x Percentage of Time on MCSAP grant.

Indirect Costs

Information on Indirect Costs ([2 CFR §200.1](#) Definitions) is captured in this section. This cost is allowable only when an approved indirect cost rate agreement has been provided in the "My Documents" area in the eCVSP tool and through Grants.gov. Applicants may charge up to the total amount of the approved indirect cost rate multiplied by the eligible cost base. Applicants with a cost basis of salaries/wages and fringe benefits may only apply the indirect rate to those expenses. Applicants with an expense base of modified total direct costs (MTDC) may only apply the rate to those costs that are included in the MTDC base. For more information, please see [2 CFR § 200.414](#) Indirect (F&A) costs.

- **Cost Basis** - is the accumulated direct costs (normally either total direct salaries and wages or total direct costs exclusive of any extraordinary or distorting expenditures) used to distribute indirect costs to individual Federal awards. The direct cost base selected should result in each Federal award bearing a fair share of the indirect costs in reasonable relation to the benefits received from the costs.
- **Approved Rate** - is the rate in the approved Indirect Cost Rate Agreement.
- **Eligible Indirect Expenses** - means after direct costs have been determined and assigned directly to Federal awards and other activities as appropriate. Indirect costs are those remaining to be allocated to benefitted cost objectives. A cost may not be allocated to a Federal award as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been assigned to a Federal award as a direct cost.
- **Total Indirect Costs** equal Approved Rate x Eligible Indirect Expenses divided by 100.

Your State will not claim reimbursement for Indirect Costs.

Other Costs Project Costs							
Item Name	# of Units/ Unit of Measurement	Cost per Unit	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Computer and Software Maintenance Fees	12 Monthly Cost	\$5,813.97	40.0000	\$27,907.05	\$26,511.70	\$1,395.35	\$0.00
Conference Registration Fees	1 Cost	\$6,890.00	100.0000	\$6,890.00	\$6,545.50	\$344.50	\$0.00
Mid American Truck Space Rental	1 Cost	\$8,500.00	90.0000	\$7,650.00	\$7,267.50	\$382.50	\$0.00
Cellular Costs	1 Cost	\$35,000.00	100.0000	\$35,000.00	\$33,250.00	\$1,750.00	\$0.00
Vehicle Maintenance Costs	1 Cost	\$6,000.00	100.0000	\$6,000.00	\$5,700.00	\$300.00	\$0.00
CVSA Decals	4 Quarterly Cost	\$1,000.00	100.0000	\$4,000.00	\$3,800.00	\$200.00	\$0.00
Vehicle Operating Expenses	1 Cost	\$200,000.00	100.0000	\$200,000.00	\$190,000.00	\$10,000.00	\$0.00
Post-Crash Data Retrieval Software	1 Cost	\$16,858.00	100.0000	\$16,858.00	\$16,015.10	\$842.90	\$0.00
CVSA Annual Dues	1 Cost	\$12,900.00	100.0000	\$12,900.00	\$12,255.00	\$645.00	\$0.00
Media Outreach	1 Cost	\$15,000.00	100.0000	\$15,000.00	\$14,250.00	\$750.00	\$0.00
TOTAL: Other Costs				\$332,205.05	\$315,594.80	\$16,610.25	\$0.00

Enter a detailed explanation of how the 'other' costs were derived and allocated to the MCSAP project.

Other:

- **Computer and Software Maintenance Fees**

- By law, most computer, software, and technology purchases for state government entities are handled by the Commonwealth Office of Technology (COT). Other state government agencies, including KSP, pay fees for the maintenance of these items to COT. KSP receives a monthly itemized billing statement from COT which shows the individual charges. KSP extracts certain MCSAP eligible expenses from this statement and charges a pro-rated amount to MCSAP funds as indicated on the table above. These charges include: email for MCSAP employees, Microsoft Office subscription fees for certain MCSAP dedicated employees, data and pass-through charges for weigh station technology systems, and fixed computers installed at weigh stations and other CVE facilities.
- Since the number of charges could vary by month due to employee assignment and equipment changes, the cost estimate was determined by examining the actual cost for the prior FFY, determining the average cost, and then adjusting that based upon the anticipated needs of the upcoming FFY. The cost presented is based on the estimated monthly cost.

- **Conference Registration Fees**

- These fees are related to the travel expenses listed in Part 4 – Section 4 of this CVSP. Registration fees for conferences that charge them are not included as a part of travel expenses, they included here instead.

The costs represent the actual registration costs. Some costs may include additional funds in an anticipation of a cost increase if the actual cost increase was not known at the time this CVSP was written.

- **Revision #1 Update:** Please see Part 4 – Section 4 of this CVSP (Travel) for a detailed description of these registration expenses and their associated travel. The registration expenses break down as follows:

Event	# Staff	Registration Each	Total Registration	% MCSAP Eligible	Prorated Registration
FMCSA MCSAP Planning Meeting	3	N/A	N/A	100%	N/A
COHMED Conference	2	\$800.00	\$1,600.00	100%	\$1,600.00
CVSA Fall Conference	3	\$800.00	\$2,400.00	100%	\$2,400.00
CVSA Inspector Championship	1	N/A	N/A	100%	N/A
CVSA Spring Workshop	3	\$800.00	\$2,400.00	100%	\$2,400.00
Southern Grants Forum	2	\$700.00	\$1,400.00	35%	\$490.00
MCSAP Grants Training	3	N/A	N/A	100%	N/A
DIAP Conference	2	N/A	N/A	100%	N/A
South East CMV Safety Research Summit	1	N/A	N/A	100%	N/A
		TOTAL			\$6,890.00

- **Mid-American Truck Show Space Rental**

- KSP rents a booth at the Mid-American Truck Show (MATS) as a part of its public outreach efforts. This multi-day event is one of the largest of its kind and it attracts vendors, industry professionals, and the general public. Seeing thousands of people per day in foot traffic, KSP is able to provide CMV-related public safety materials and outreach information to a variety of audiences. This cost is prorated to account for the estimated share of non-MCSAP-eligible outreach efforts conducted alongside MCSAP-eligible outreach efforts during this event.

- **Cellular Costs**

- KSP provides cell phones or portable wireless devices to its sworn enforcement, supervisory, safety audit, and compliance investigation staff. These devices are provided to facilitate phone calls and network connectivity critical to accessing real-time data during inspection and enforcement efforts. Where the use is not 100% MCSAP dedicated, the cost of the service is prorated. Since the calculation is complex, the pro-rated amount to be charged to MCSAP funds is included in the chart above at 100%.

- **Vehicle Maintenance Costs**

- KSP charges routine vehicle maintenance costs to MCSAP funds and prorates these charges based upon the amount of time the vehicle is used for MCSAP purposes. Collision damage or other forms of non-MCSAP-eligible repairs are not charged to MCSAP funds. KSP reviews all vehicle repairs monthly to determine which repairs are MCSAP eligible and which are not. Since the calculation is complex, the pro-rated amount to be charged to MCSAP funds is included in the chart above at 100%. The total amount is based upon actual vehicle maintenance costs realized during prior years.
- **Revision #1 Update:** Based upon the fuel expenses reported in July of 2024, 107 vehicles were listed on the automotive fuel and repair report for the CVE Division and 78 of those were fueled at least once during that month. This figure includes regularly assigned vehicles and pool or specialty vehicles that only see occasional use. KSP anticipates this number will remain relatively stable through FFY2025. This fuel and repair report is screened monthly and any vehicle not used for MCSAP purposes is manually removed and its costs are not reimbursed with MCSAP funds.

- **CVSA Decals**

- As a member of CVSA, KSP is required to utilize CVSA decals for certain vehicles passing a CMV inspection. These decals are only utilized on MCSAP-eligible inspections and in accordance with CVSA policies. These decals change quarterly and annually, requiring regular purchases. KSP currently budgets approximately \$1,000 per quarter for the purchase of these decals.

- **Vehicle Operating Expenses**

- KSP charges vehicle operating expenses, mainly fuel costs, to MCSAP funds and prorates these charges based upon the amount of time the vehicle is used for MCSAP purposes. KSP reviews all vehicle operating expenses monthly to determine which expenses are MCSAP eligible and which are not. Since the calculation is complex, the pro-rated amount to be charged to MCSAP funds is included in the chart above at 100%. The total amount is based upon actual vehicle operating costs realized during prior years.

- **Post-Crash Data Retrieval Software**

- KSP charges expenses related to post-crash data retrieval software, and related subscription fees, to MCSAP funds. This software is used exclusively by collision reconstruction specialists and exclusively for the investigation of CMV-involved severe or fatal collisions. One of the primary purposes of the software is to allow for the retrieval and analysis of data from CMV computers and modules as a part of the collision investigation or reconstruction process. Most of the software programs used for this purpose charge annual subscription fees in order to remain functional. If KSP purchases any dual-use software to facilitate CMV collision investigation, the cost will be prorated based upon the amount of time it is used for MCSAP-eligible activities. Currently, all software paid for with MCSAP funds is 100% dedicated to CMV investigation, without the capability to be used on non-CMVs.
- **Revision #1 Update: An itemized list of software expenses is provided below. These costs anticipate two CMV-focused reconstructionists being provided with the software programs on the list. The PACCAR DAVIE 4 software has a higher initial cost, but lower annual costs, which are not charged during FFY2025.**

Item	# Ordered	Cost	Total Cost	% MCSAP Eligible	Prorated Cost	Federal Share (95%)	State Share (5%)
Detroit Diesel Diagnostic Link	2	\$995.00	\$1,990.00	100%	\$1,990.00	\$1,890.50	\$99.50
Cummins Insite Pro	2	\$1,545.00	\$3,090.00	100%	\$3,090.00	\$2,935.50	\$154.50
Bendix ACOM Pro	2	\$399.00	\$798.00	100%	\$798.00	\$758.10	\$39.90
WABCO ToolBox	2	\$395.00	\$790.00	100%	\$790.00	\$750.50	\$39.50
The Forensic Link Adapter with TruckCRYPT Software	2	\$2,000.00	\$4,000.00	100%	\$4,000.00	\$3,800.00	\$200.00
PACCAR DAVIE 4 (initial)	2	\$3,095.00	\$6,190.00	100%	\$6,190.00	\$5,880.50	\$309.50
PACCAR DAVIE 4 (annual)	0	\$1,795.00	\$0.00	100%	\$0.00	\$0.00	\$0.00
TOTAL					\$16,858.00	\$0.00	\$0.00

- **Media Outreach**

- KSP plans to conduct media outreach on a variety of CMV safety related topics including highway safety and human trafficking. In order to maximize cost-effective outreach, KSP intends to primarily utilize social media and online ads. These strategies have proven to have greater reach than traditional media outreach efforts for a fraction of the cost. The estimated cost is based upon the prior cost of similar outreach campaigns and was provided by the KSP Public Affairs Branch. KSP plans to make multiple media purchases spread throughout the year within the established annual budget.

- **CVSA Annual Dues**

- KSP's membership in CVSA is beneficial to its CMV safety mission, providing for national standardization in its inspection, training, and operational policies. CVSA provides training on a variety of basic and advanced inspection techniques necessary to KSP's CMV safety mission. KSP is required to pay annual membership dues to be a member of CVSA and these dues are MCSAP-eligible.

Revised: 11/07/2024

Part 4 Section 9 - Comprehensive Spending Plan

The Comprehensive Spending Plan is auto-populated from all line items in the tables and is in read-only format. Changes to the Comprehensive Spending Plan will only be reflected by updating the individual budget category table(s).

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	95% Federal Share	5% State Share	Total Estimated Funding
Total	\$7,343,706.00	\$386,511.00	\$7,730,217.00

Summary of MCSAP Funding Limitations	
Allowable amount for Lead MCSAP Agency Overtime without prior approval (15% of MCSAP Award Amount):	\$1,159,533.00
MOE Baseline:	\$1,751,368.59

Estimated Expenditures				
Personnel				
	Federal Share	State Share	Total Project Costs (Federal + Share)	MOE
Compliance Investigator	\$152,368.98	\$8,019.42	\$160,388.40	\$0.00
Criminal Intelligence Analyst	\$22,899.23	\$1,205.22	\$24,104.45	\$0.00
CVE Captain	\$102,617.05	\$5,400.90	\$108,017.95	\$0.00
CVE Captain - Programs	\$70,688.92	\$3,720.47	\$74,409.39	\$0.00
CVE Lieutenant	\$109,707.52	\$5,774.08	\$115,481.60	\$0.00
CVE Lieutenant - Programs	\$56,444.91	\$2,970.79	\$59,415.70	\$0.00
CVE Major	\$66,369.47	\$3,493.13	\$69,862.60	\$0.00
CVE Officer	\$374,914.00	\$19,732.32	\$394,646.32	\$0.00
CVE Officer-R	\$164,409.92	\$8,653.15	\$173,063.07	\$0.00
CVE Sergeant	\$198,000.98	\$10,421.10	\$208,422.08	\$0.00
CVE Sergeant - Programs	\$53,572.43	\$2,819.60	\$56,392.03	\$0.00
CVE Trooper	\$158,162.41	\$8,324.34	\$166,486.75	\$0.00
CVE Trooper-R	\$41,629.19	\$2,191.01	\$43,820.20	\$0.00
DataQs Analyst	\$52,433.86	\$2,759.68	\$55,193.54	\$0.00
Inspector	\$623,496.24	\$32,815.59	\$656,311.83	\$0.00
Inspector Specialist Pay	\$125,439.19	\$6,602.06	\$132,041.25	\$0.00
Non-CVE Captain	\$2,462.73	\$129.62	\$2,592.35	\$0.00
Non-CVE Officer	\$12,051.74	\$634.30	\$12,686.04	\$0.00
Non-CVE Officer-R	\$1,573.01	\$82.79	\$1,655.80	\$0.00
Non-CVE Sergeant	\$5,547.72	\$291.99	\$5,839.71	\$0.00
Non-CVE Trooper	\$28,863.31	\$1,519.12	\$30,382.43	\$0.00
Non-CVE Trooper - OT Only	\$0.00	\$0.00	\$0.00	\$0.00
Non-CVE Trooper Sergeant	\$1,641.67	\$86.40	\$1,728.07	\$0.00
Non-CVE Trooper Sergeant - OT Only	\$0.00	\$0.00	\$0.00	\$0.00
Safety Auditor	\$276,893.03	\$14,573.32	\$291,466.35	\$0.00
Support Staff - Financial	\$27,593.50	\$1,452.29	\$29,045.79	\$0.00
Support Staff - Programs	\$191,885.20	\$10,099.22	\$201,984.42	\$0.00
Support Staff - Regional	\$35,754.62	\$1,881.82	\$37,636.44	\$0.00
MOE Cost of Regular Salary	\$0.00	\$0.00	\$0.00	\$1,166,065.74
Salary Subtotal	\$2,957,420.83	\$155,653.73	\$3,113,074.56	\$1,166,065.74
Federal Overtime	\$373,639.81	\$19,665.25	\$393,305.06	\$0.00
Overtime subtotal	\$373,639.81	\$19,665.25	\$393,305.06	\$0.00
Personnel total	\$3,331,060.64	\$175,318.98	\$3,506,379.62	\$1,166,065.74

Fringe Benefits				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Compliance Investigator	\$72,901.04	\$3,836.90	\$76,737.94	\$0.00
Criminal Intelligence Analyst	\$7,742.53	\$407.50	\$8,150.03	\$0.00
CVE Captain	\$34,878.58	\$1,835.72	\$36,714.30	\$0.00
CVE Captain - Programs	\$40,267.58	\$2,119.35	\$42,386.93	\$0.00
CVE Lieutenant	\$57,405.70	\$3,021.35	\$60,427.05	\$0.00
CVE Lieutenant - Programs	\$34,812.52	\$1,832.24	\$36,644.76	\$0.00
CVE Major	\$38,023.80	\$2,001.25	\$40,025.05	\$0.00
CVE Officer	\$214,886.92	\$11,309.84	\$226,196.76	\$0.00
CVE Officer-R	\$94,280.71	\$4,962.14	\$99,242.85	\$0.00
CVE Sergeant	\$66,663.34	\$3,508.60	\$70,171.94	\$0.00
CVE Sergeant - Programs	\$19,630.71	\$1,033.19	\$20,663.90	\$0.00
CVE Trooper	\$75,793.29	\$3,989.12	\$79,782.41	\$0.00
CVE Trooper-R	\$31,534.11	\$1,659.69	\$33,193.80	\$0.00
DataQs Analyst	\$29,572.70	\$1,556.46	\$31,129.16	\$0.00
Inspector	\$277,175.40	\$14,588.18	\$291,763.58	\$0.00
Inspector Specialist Pay	\$70,747.71	\$3,723.56	\$74,471.27	\$0.00
Non-CVE Captain	\$1,907.93	\$100.42	\$2,008.35	\$0.00
Non-CVE Officer	\$8,844.89	\$465.52	\$9,310.41	\$0.00
Non-CVE Officer-R	\$887.18	\$46.69	\$933.87	\$0.00
Non-CVE Sergeant	\$2,759.41	\$145.23	\$2,904.64	\$0.00
Non-CVE Trooper	\$13,306.15	\$700.32	\$14,006.47	\$0.00
Non-CVE Trooper - OT Only	\$0.00	\$0.00	\$0.00	\$0.00
Non-CVE Trooper Sergeant	\$1,243.56	\$65.45	\$1,309.01	\$0.00
Non-CVE Trooper Sergeant - OT Only	\$0.00	\$0.00	\$0.00	\$0.00
Safety Auditor	\$167,164.86	\$8,798.15	\$175,963.01	\$0.00
Support Staff - Financial	\$9,216.06	\$485.06	\$9,701.12	\$0.00
Support Staff - Programs	\$57,233.78	\$3,012.30	\$60,246.08	\$0.00
Support Staff - Regional	\$20,606.71	\$1,084.56	\$21,691.27	\$0.00
MOE Cost of Regular Duty Fring	\$0.00	\$0.00	\$0.00	\$571,510.61
Overtime Fringe	\$188,314.46	\$9,911.29	\$198,225.75	\$0.00
Fringe Benefits total	\$1,637,801.63	\$86,200.08	\$1,724,001.71	\$571,510.61

Travel				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
FMCSA MCSAP Planning Meeting	\$8,291.26	\$436.38	\$8,727.64	\$0.00
COHMED Conference	\$5,416.67	\$285.09	\$5,701.76	\$0.00
CVSA Fall Conference	\$8,291.26	\$436.38	\$8,727.64	\$0.00
CVSA Inspector Championship	\$3,283.09	\$172.79	\$3,455.88	\$0.00
CVSA Spring Workshop	\$8,291.26	\$436.38	\$8,727.64	\$0.00
Southern Grants Forum	\$1,895.84	\$99.78	\$1,995.62	\$0.00
MCSAP Grants Training	\$4,417.50	\$232.50	\$4,650.00	\$0.00
DIAP Conference	\$5,416.67	\$285.09	\$5,701.76	\$0.00
South East CMV Safety Research Summit	\$2,466.09	\$129.79	\$2,595.88	\$0.00
Travel TBD	\$27,083.36	\$1,425.44	\$28,508.80	\$0.00
Travel total	\$74,853.00	\$3,939.62	\$78,792.62	\$0.00

Equipment				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Patrol Vehicles	\$162,928.80	\$8,575.20	\$171,504.00	\$0.00
Equipment total	\$162,928.80	\$8,575.20	\$171,504.00	\$0.00

Supplies				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Uniforms, Footwear, and Related Duty Supplies	\$53,989.89	\$2,841.57	\$56,831.46	\$0.00
Office and General-Purpose Supplies	\$9,822.46	\$516.97	\$10,339.43	\$0.00
MOE Costs of Supplemental Supplies	\$0.00	\$0.00	\$0.00	\$13,792.24
Computers/Tablets/Laptops	\$28,839.74	\$1,517.88	\$30,357.62	\$0.00
FMCSR Regulation Books	\$2,698.95	\$142.05	\$2,841.00	\$0.00
Hazardous Materials Regulation Books	\$6,118.95	\$322.05	\$6,441.00	\$0.00
Out of Service Criteria Handbooks	\$3,370.84	\$177.41	\$3,548.25	\$0.00
Out of Service Criteria Print Copies	\$669.75	\$35.25	\$705.00	\$0.00
Patrol Vehicle Equipment	\$38,000.00	\$2,000.00	\$40,000.00	\$0.00
Supplies total	\$143,510.58	\$7,553.18	\$151,063.76	\$13,792.24

Contractual and Subaward				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Xerox Copy Machines	\$8,550.00	\$450.00	\$9,000.00	\$0.00
Boone County Sheriffs Office	\$59,850.00	\$3,150.00	\$63,000.00	\$0.00
KY Transportation Cabinet	\$1,477,503.25	\$77,766.75	\$1,555,270.00	\$0.00
Lexington Police Department	\$64,864.10	\$3,413.90	\$68,278.00	\$0.00
Louisville Metro Police Department	\$67,186.13	\$3,536.11	\$70,722.24	\$0.00
Contractual and Subaward total	\$1,677,953.48	\$88,316.76	\$1,766,270.24	\$0.00

Other Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Computer and Software Maintenance Fees	\$26,511.70	\$1,395.35	\$27,907.05	\$0.00
Conference Registration Fees	\$6,545.50	\$344.50	\$6,890.00	\$0.00
Mid American Truck Space Rental	\$7,267.50	\$382.50	\$7,650.00	\$0.00
Cellular Costs	\$33,250.00	\$1,750.00	\$35,000.00	\$0.00
Vehicle Maintenance Costs	\$5,700.00	\$300.00	\$6,000.00	\$0.00
CVSA Decals	\$3,800.00	\$200.00	\$4,000.00	\$0.00
Vehicle Operating Expenses	\$190,000.00	\$10,000.00	\$200,000.00	\$0.00
Post-Crash Data Retrieval Software	\$16,015.10	\$842.90	\$16,858.00	\$0.00
CVSA Annual Dues	\$12,255.00	\$645.00	\$12,900.00	\$0.00
Media Outreach	\$14,250.00	\$750.00	\$15,000.00	\$0.00
Other Costs total	\$315,594.80	\$16,610.25	\$332,205.05	\$0.00

Total Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Subtotal for Direct Costs	\$7,343,702.93	\$386,514.07	\$7,730,217.00	\$1,751,368.59
Total Costs Budgeted	\$7,343,702.93	\$386,514.07	\$7,730,217.00	\$1,751,368.59

Part 4 Section 10 - Financial Summary

The Financial Summary is auto-populated by the system by budget category. It is a read-only document and can be used to complete the SF-424A in Grants.gov. Changes to the Financial Summary will only be reflected by updating the individual budget category table(s).

- The system will confirm that percentages for Federal and State shares are correct for Total Project Costs. The edit check is performed on the **"Total Costs Budgeted"** line only.
- The system will confirm that Planned MOE Costs equal or exceed FMCSA funding limitation. The edit check is performed on the **"Total Costs Budgeted"** line only.
- The system will confirm that the Overtime value does not exceed the FMCSA funding limitation. The edit check is performed on the **"Overtime subtotal"** line.

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	95% Federal Share	5% State Share	Total Estimated Funding
Total	\$7,343,706.00	\$386,511.00	\$7,730,217.00

Summary of MCSAP Funding Limitations	
Allowable amount for Lead MCSAP Agency Overtime without prior approval (15% of MCSAP Award Amount):	\$1,159,533.00
MOE Baseline:	\$1,751,368.59

Estimated Expenditures				
	Federal Share	State Share	Total Project Costs (Federal + State)	Planned MOE Costs
;;;Salary Subtotal	\$2,957,420.83	\$155,653.73	\$3,113,074.56	\$1,166,065.74
;;;Overtime Subtotal	\$373,639.81	\$19,665.25	\$393,305.06	\$0.00
Personnel Total	\$3,331,060.64	\$175,318.98	\$3,506,379.62	\$1,166,065.74
Fringe Benefits Total	\$1,637,801.63	\$86,200.08	\$1,724,001.71	\$571,510.61
Travel Total	\$74,853.00	\$3,939.62	\$78,792.62	\$0.00
Equipment Total	\$162,928.80	\$8,575.20	\$171,504.00	\$0.00
Supplies Total	\$143,510.58	\$7,553.18	\$151,063.76	\$13,792.24
Contractual and Subaward Total	\$1,677,953.48	\$88,316.76	\$1,766,270.24	\$0.00
Other Costs Total	\$315,594.80	\$16,610.25	\$332,205.05	\$0.00
	95% Federal Share	5% State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Subtotal for Direct Costs	\$7,343,702.93	\$386,514.07	\$7,730,217.00	\$1,751,368.59
Indirect Costs	\$0.00	\$0.00	\$0.00	NA
Total Costs Budgeted	\$7,343,702.93	\$386,514.07	\$7,730,217.00	\$1,751,368.59

Part 5 - Certifications and Documents**Part 5 Section 1 - Overview**

Part 5 includes electronic versions of specific requirements, certifications and documents that a State must agree to and abide by as a condition of participation in MCSAP. The submission of the CVSP serves as official notice and certification of compliance with these requirements. State or States means all of the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the Virgin Islands.

If the person submitting the CVSP does not have authority to certify these documents electronically, then the State must continue to upload the signed/certified form(s) through the "My Documents" area on the State's Dashboard page.

These certifications must be completed and signed on an annual basis.

Part 5 Section 2 - State Certification

The State Certification will not be considered complete until the four questions and certification declaration are answered. Selecting 'no' in the declaration may impact your State's eligibility for MCSAP funding.

1. What is the name of the person certifying the declaration for your State? Emily Horton
2. What is this person's title? Major
3. Who is your Governor's highway safety representative? Jim Gray
4. What is this person's title? Secretary

The State affirmatively accepts the State certification declaration written below by selecting 'yes'.

- ☒ Yes
- ☐ Yes, uploaded certification document
- ☐ No

State Certification declaration:

I, Emily Horton, Major, on behalf of the Commonwealth of KENTUCKY, as requested by the Administrator as a condition of approval of a grant under the authority of [49 U.S.C. § 31102](#), as amended, certify that the Commonwealth satisfies all the conditions required for MCSAP funding, as specifically detailed in [49 C.F.R. § 350.211](#).

If there are any exceptions that should be noted to the above certification, include an explanation in the text box below.
N/A

Part 5 Section 3 - Annual Review of Laws, Regulations, Policies and Compatibility Certification

You must answer all three questions and indicate your acceptance of the certification declaration. Selecting 'no' in the declaration may impact your State's eligibility for MCSAP funding.

1. What is the name of your certifying State official? Emily Horton
2. What is the title of your certifying State official? Major
3. What are the phone # and email address of your State official? 502-782-1800 emily.horton@ky.gov

The State affirmatively accepts the compatibility certification declaration written below by selecting 'yes'.

- ☐ Yes
- ☐ Yes, uploaded certification document
- ☒ No

I, Emily Horton, certify that KENTUCKY has conducted the annual review of its laws and regulations for compatibility regarding commercial motor vehicle safety and that the Commonwealth's safety laws remain compatible with the Federal Motor Carrier Safety Regulations (49 CFR parts 390-397) and the Hazardous Materials Regulations (49 CFR parts 107 (subparts F and G only), 171-173, 177, 178, and 180) and standards and orders of the Federal government, except as may be determined by the Administrator to be inapplicable to a State enforcement program. For the purpose of this certification, Compatible means Commonwealth laws or regulations pertaining to interstate commerce that are identical to the FMCSRs and HMRs or have the same effect as the FMCSRs and identical to the HMRs and for intrastate commerce rules identical to or within the tolerance guidelines for the FMCSRs and identical to the HMRs.

If there are any exceptions that should be noted to the above certification, include an explanation in the text box below.
 Note: This form is signed and submitted electronically on behalf of, and with the approval of, Major Emily Horton. Kentucky underwent a MCSAP Regulatory Compatibility and Conformance Review during FFY2024 and this resulted in 3 Findings with Required Actions and 2 Management Considerations with Recommended Actions. This has resulted in a Corrective Action Plan intended to address these findings. Each finding will require legislative action from the Kentucky General Assembly and KSP plans to seek corrective actions in the upcoming legislative session. KSP provides quarterly updates to the KY Division Office on the status of the findings and will continue to do so until the findings are resolved. Additional details can be found in a copy of the MCSAP Regulatory Compatibility and Conformance Review (FFY2024) which has been attached to this CVSP. After the MCSAP Regulatory Compatibility and Conformance Review during FFY2024, new bills became effective, changing certain laws which may have an impact on CMV safety. A review of these bills indicates that some new incompatibilities may exist. Copies of each of these bills is provided for FMCSA's review, along with a memorandum from a KSP staff attorney concerning potential incompatibilities. See Attachments: 1. 01 KY 2024 MCSAP NPR Report - Regulatory Compatibility and Conformance Review 2. 02 HB7_VO 3. 03 SB199_EN 4. 04 Compatibility Memorandum Updated: 08/30/2024

Part 5 Section 4 - New Laws/Legislation/Policy Impacting CMV Safety

The State will provide answers to the questions below regarding any new laws, regulations, or policy that impacts CMV safety since the last CVSP or annual update that was submitted.

Has the State adopted/enacted any new or updated laws (i.e., statutes) impacting CMV safety since the last CVSP or annual update was submitted?

☒ Yes ☐ No

In the table below, please provide the bill number and effective date of any new legislation. Include the code section which was changed because of the bill and provide a brief description of the legislation. Please include a statute number, hyperlink or URL, in the summary. Do NOT include the actual text of the Bill as that can be very lengthy.

Legislative Adoption			
Bill Number	Effective Date	Code Section Changed	Summary of Changes
HB-7	07/01/2024	Multiple	Multiple changes related to autonomous vehicles, including CMVs. Potential incompatibilities exist, see Part 5, Section 3 of this CVSP for additional details. Copy attached.
SB-199	07/01/2024	Multiple	Multiple changes related to CDL requirements, mostly small and technical changes. Human trafficking laws were strengthened. No potential incompatibilities were noted, see Part 5, Section 3 of this CVSP for additional details. Copy attached.

Has the State adopted/enacted any new administrative actions or policies impacting CMV safety since the last CVSP?

☐ Yes ☒ No

MCSAP National Program Review

**Regulatory
Compatibility
and
Conformance
Review**

**Kentucky
2024**

MCSAP National Program Review Report

Introduction

Section 5101(k) of the FAST Act requires FMCSA to periodically evaluate MCSAP lead agency implementation and compliance with the CVSP. The Federal Motor Carrier Safety Administration (FMCSA) MCSAP National Program Review (NPR) is a comprehensive evaluation to assess regulatory, programmatic, and financial requirements as part of 49 CFR part 350 and other regulations.

Additionally, the MCSAP NPR allows the MCSAP lead agency to partner with FMCSA to evaluate their program's overall quality and effectiveness. Information derived from a MCSAP NPR also helps to highlight areas where FMCSA might improve its policy guidance, share best practices, and provide the MCSAP lead agency with information to garner support within the State necessary to ensure compliance with Federal requirements.

The FMCSA evaluates one of the following three areas for compliance:

- 1) **MCSAP Qualifying Conditions Review.** This includes a review of the MCSAP lead agency adherence to 49 CFR § 350.207 requirement of qualifying conditions a State/Territory must meet to qualify for MCSAP funds.
- 2) **MCSAP Safety Activity Performance Review.** This includes an assessment of MCSAP lead agency safety performance to identify potential vulnerabilities, how the MCSAP lead agency is meeting CVSP performance and objectives, and how a MCSAP lead agency plans, evaluates and monitors the CVSP, and
- 3) **Regulatory Compatibility and Conformance Review.** This includes a review of whether a State/Territory has adopted and enforced State/Territory laws, regulations, standards, and orders that are compatible with the FMCSRs, HMRs, as well as enforcement standards and orders.

The MCSAP NPR will complement existing MCSAP program/process review and grant monitoring activities to ensure nationwide uniformity and consistency in meeting compliance requirements. The MCSAP NPR will also clarify the intent of the regulations and provide a risk-based approach to focus resources to areas in need and of most concern. For further information on compliance requirements and impact of incompatibility, please review the Motor Carrier Grant Comprehensive Policy (MCP).

The focus of this review was MCSAP Regulatory Compatibility and Conformance based on the 2024 eCVSP submission. This review was conducted by John E Smoot, State Programs Specialist with review by Linda Goodman, FMCSA Kentucky Division Administrator and Dr. Georgia Steele, FMCSA Southern Service Center Regional Field Administrator.

Review Participants

The following individuals participated in the MCSAP Regulatory Compatibility and Conformance Review:

- Emily Horton, Major, Kentucky State Police
- Richard Bolduc, Lieutenant, Kentucky State Police

Terminology

The following terminology will be used throughout this report to identify compliance concerns and actions associated with resolution of these items.

Commendation: Recognition of exemplary performance and/or best practices that are innovative and demonstrate successful results.

Corrective Action Plan (CAP): A document jointly developed by the FMCSA Division Office and the State/Territory MCSAP Lead Agency that identifies actions to address findings in the review document, tasks to complete the actions, target dates for completion of each task, and the status of each required action. Also includes a non-mandatory section for Management Considerations and Recommended Actions.

Finding: A determination that one or more areas of review are in non-compliance with Federal requirements.

Management Consideration: A determination that an element needs improvement and, if improved, should have a positive impact on the management of the MCSAP process.

Recommended Action: A recommended approach based on a management consideration, which should have a positive impact on the management of the MCSAP process and is not a compliance item. It is a good business practice that the State/Territory may accept.

Required Action: A specific corrective action based on Federal requirements which the State/Territory must implement to resolve a non-compliance issue (Finding).

Summary of Results

During the course of the MCSAP Regulatory Compatibility and Conformance Review, the following items were identified:

- **3 Findings with Required Actions**
 - **KY/FI-1-2010-MC Finding 4385 – Previously Identified Finding, originally 2010 MCSAP Review.**
 - **State's laws and regulations , standards, and orders relating to CMV safety identical to or have the same effect as corresponding provision of the FMCSR's.**
 - **State's laws and regulations , standards, and orders relating to CMV safety identical to or have the same effect as corresponding provision of the FMCSR's.**
- **2 Management Considerations with Recommended Actions**
 - **Lighting Incapability**
 - **Windshield Incapability**

[Appendix A includes a Corrective Action Plan for addressing the Required Actions and Recommended Actions.

Status of Required Actions from Previous MCSAP Regulatory Compatibility and Conformance Review

- KY/FI-1-2010-MC Finding 4385 is a finding from the 2010 MCSAP review done under the previous methodology and is the lone active finding from that review. The KSP had requested possible grandfathering of the legislation, but a historical review of the legislation shows a passage and signature date of 2006 which makes it outside the ability to grandfather. The KSP needs to address the current legislation with the legislature for modification. Below is the verbiage from the existing finding:

The Commonwealth's exemptions provided in KRS 281.600 from 49 CFR Part 393 for farm vehicles are incompatible with the FMCSRs. Kentucky's statutory authority to adopt the FMCSRs in KRS 281.600 provides two statutory exceptions from required compliance with 49 CFR Part 393, as adopted, for two types of vehicles when used in the intrastate transportation of fertilizer in bulk, or liquid fertilizer to a farm or field during the fertilizer season. Certain farm operations are exempted from provisions in 49 CFR Parts 391 and 395, but no exceptions are made for farm vehicles from the requirements of 49 CFR Part 393. Therefore, the exceptions in KRS 281.600 (2) are incompatible with the corresponding provisions of the FMCSRs.

CAP and Follow Up Procedures

FMCSA seeks a draft response on the CAP from the Kentucky State Police within 30 days after the issuance of this report. FMCSA will then schedule a follow-up meeting to discuss the draft CAP with the Kentucky State Police and the timeline for addressing the Finding(s) and Required Action(s). The FMCSA Kentucky Division will continue to monitor the status of closing all Findings in the CAP on a quarterly basis. The Kentucky State Police may also, at any time, provide updates to the CAP if the agency believes a Finding has been resolved. FMCSA will make the final determination of closing all Findings and Required Actions in the CAP. Once all Findings have been sufficiently addressed, FMCSA will notify the Kentucky State Police that the CAP is closed.

Impact of Incompatibility

In accordance with 49 C.F.R. § 350.231, a State/Territory may be subject to the withholding of MCSAP funds for non-compliance if, after notice and an opportunity for response from the State, FMCSA finds that a State/Territory is in non-compliance with MCSAP requirements, (i.e. 49 C.F.R. part 350). FMCSA will notify the State/Territory in writing, identifying the source of non-compliance (e.g., no existing right-of-entry authority), explaining what action(s) are required to achieve compliance, and may withhold funds for the period of the State's/Territory's noncompliance. The FMCSA may withhold funds based on increasing percentages during the fiscal year(s) of noncompliance with up to 5% during the fiscal year that FMCSA notifies the State/Territory of its noncompliance, up to 10 percent for the first full fiscal year of noncompliance, up to 25% for the second full fiscal year of noncompliance, and up to 50% for the third and any subsequent fiscal years. A State/Territory may also seek judicial review under 5 U.S.C. chapter 7 if aggrieved by an adverse decision made by FMCSA.

Changes to withholding processes in the FAST Act reinforce the importance of regulatory compatibility. Current regulatory requirements remain in effect; however, any findings related to items within 49 C.F.R. § 350.207 listed below may immediately subject a State/Territory to a written notice of proposed determination of nonconformity:

- 1) A State's/Territory's failure to designate a Lead State Agency to administer the CVSP and to enforce the State's/Territory's commercial motor carrier, driver, and highway hazardous materials safety laws or regulations (49 C.F.R. § 350.207(a)(1));
- 2) A State's/Territory's failure to adopt laws and regulations that are compatible with the FMCSRs (broadly) and the HMRs (any deviation) (49 C.F.R. § 350.207(a)(2));
- 3) A State's/Territory's failure to provide right of entry authority (or other method a State may use that FMCSA determines is adequate to obtain necessary information) and inspection sufficient to carry out the CVSP (49 C.F.R. § 350.207(a)(5)); and
- 4) A State's/Territory's failure to maintain appropriate levels of expenditure of State funds (MOE) (49 C.F.R. § 350.207(a)(9)).

Results: MCSAP Regulatory Compatibility and Conformance Review

Findings

FINDING 1: State's Laws and Regulations, Standards, and Orders Relating to CMV Safety Identical To or Have the Same Effect as Corresponding Provision of the FMCSRs

Requirement:

350.303(e)(2): If State laws, regulations, standards, and orders on CMV safety are not longer compatible, the certifying official must explain the State's plan to correct the discrepancy.

Review: Checklist Item 10

Kentucky's statute KRS 189.160 published in 1942 appears obsolete but in conflict with the FMCSR's and could interfere with interstate commerce as it requires stricter marking and requires two fire extinguishers.

"189.160 Vehicles transporting explosives to be marked -- Fire extinguishers. Whenever a vehicle is used to transport an explosive, it shall be marked on each side and the rear with the word "Explosives" in letters no less than eight (8) inches high, or there shall be displayed on the rear of the vehicle a red flag not less than twenty-four (24) inches square marked with the word "Danger" in white letters six (6) inches high. The vehicle shall be equipped with not less than two (2) fire extinguishers, filled and ready for immediate use, and placed at a convenient point on the vehicle.

Effective: October 1, 1942 History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2739g-69e.”

Applies to: **Both**

Required Actions:

- 1) Ensure State Laws and Regulations, Standards, and Orders Relating to CMV Safety and are Applicable to Both Interstate and Intrastate Commerce are Identical to the Corresponding Provision of the HMRs
 - a. Provide a review of existing regulation and the current KRS.
 - b. Modify conflicts in the KRS or remove the statute from state law.

FINDING 2: State's Laws and Regulations, Standards, and Orders Relating to CMV Safety Identical To or Have the Same Effect as Corresponding Provision of the FMCSRs

Requirement:

350.303(e)(2): If State laws, regulations, standards, and orders on CMV safety are not longer compatible, the certifying official must explain the State's plan to correct the discrepancy.

Review: Checklist Item 10

Kentucky's statutes 189.560 and 281.745 conflict with the FMCSR's:

CFR 392.10 requires commercial motor vehicles to stop at railroad grade crossings, see below and the Kentucky KRS 189.560 does not.

CFR 392.10, 392.10 Railroad grade crossings; stopping required.

- (a) *Except as provided in paragraph (b) of this section, the driver of a commercial motor vehicle specified in paragraphs (a) (1) through (6) of this section shall not cross a railroad track or tracks at grade unless he/she first: Stops the commercial motor vehicle within 50 feet of ...”*

189.560 Railroad crossings -- Duties of motor vehicle operators and commercial drivers -- Railroad's liability for death or injury.

(1) The operator of a vehicle shall stop and remain standing at a railroad grade crossing when any of the following conditions exist: (a) A visible electric or mechanical signal device warns of the immediate approach of a railroad train or other on-track equipment; (b) A crossing gate is lowered warning of the immediate approach or passage of a railroad train or other on-track equipment; (c) An approaching train or other on-track equipment is visible and in hazardous proximity; or (d) A human flagman signals the approach or passage of a train or other on-track equipment. (2) In addition to subsection (1) of this section, a person who holds or is required to hold a CDL as defined in KRS 281A.010 and is driving a commercial motor vehicle shall: (a) Slow down and check that the railroad tracks are clear of an approaching train; (b) Stop and remain standing at a railroad grade crossing if the railroad tracks are not clear; (c) Maintain sufficient space to drive completely through the railroad grade crossing without stopping; and (d) Negotiate a railroad grade crossing only with sufficient undercarriage clearance...”

KRS 281.745 provides a requirement for vehicles transporting passengers it does not require the same of other vehicles covered by CFR 392.10:

“281.745 Passenger vehicles required to stop at railroad crossings. The driver of any motor vehicle used in the transportation of passengers for hire shall stop such motor vehicle before crossing at grade the main track of any railroad, except where the crossing is a guarded crossing protected by gates or a flag controlled or operated by an employee of the railroad company. The stop shall be made at not less than ten (10) feet nor more than thirty (30) feet from the nearest track to be crossed. After making the stop, the driver shall look carefully in each direction for approaching cars or trains and shall not start his or her vehicle until he or she has ascertained that no cars or trains are approaching in each direction....”

Applies to: **Both**

Required Actions:

- 2) Ensure State Laws and Regulations, Standards, and Orders Relating to CMV Safety are Identical or Have the Same Effect as Corresponding Provision of the FMCSRs
 - a. Provide a review of existing regulation and the current KRS.

Management Considerations

MANAGEMENT CONSIDERATION 1: Lighting incompatibility

Requirement:

350.303(e)(2): If State laws, regulations, standards, and orders on CMV safety are not longer compatible, the certifying official must explain the State's plan to correct the discrepancy.

Review:

Kentucky's statutes regarding lighting, KRS 189.040, KRS 189.043, KRS 189.050, KRS 189.055, KRS 189.060 and KRS 281.757 have regulations regarding lighting that may be more restrictive than FMCSR.

Applies to: Both

Recommended Actions:

- 1) Review current regulations and determine how to make compliant with the FMCSR's.

MANAGEMENT CONSIDERATION 2: Windshield incompatibility

Requirement:

350.303(e)(2): If State laws, regulations, standards, and orders on CMV safety are not longer compatible, the certifying official must explain the State's plan to correct the discrepancy.

Review:

The Kentucky statute, KRS 189.110 is more restrictive regarding windshield obstruction and could interfere with Interstate Commerce.

KRS 189.110:

(2) A person shall not operate a motor vehicle on a public highway, road, or street with any sign, sunscreening material, product, or covering attached to, or located in or upon the windshield, except the following: (a) A certificate or other paper required to be displayed by law; (b) Sunscreening material along a strip at the top of the windshield, if the material is transparent and does not encroach upon the driver's direct forward viewing area as defined in Federal Motor

Applies to: Both

Recommended Actions:

- 2) Review current regulation and determine how to make compliant with the FMCSR's.

Signatures

Based on the MCSAP Qualifying Conditions Review conducted by the Kentucky Division Office from January 24, 2024 – March 13, 2024, we affirm the information in this report is accurate as of the completion of the review. We are available to assist the Kentucky State Police in addressing any Findings and Management Considerations therein.



Linda Goodman
FMCSA Kentucky Division Administrator

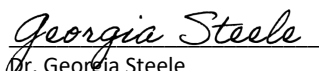
4-18-2024

Date

Patrick D. Nemons

Director, Office of Safety Program

Date



Dr. Georgia Steele
FMCSA Southern Service Center, Regional Field Administrator

05/06/2024

Date

1 AN ACT relating to autonomous vehicles.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
4 READ AS FOLLOWS:

5 ***As used in Sections 1 to 8 of this Act:***

6 ***(1) "Automated driving system" means hardware and software that are collectively***
7 ***capable of performing the entire dynamic driving task on a sustained basis,***
8 ***regardless of whether it is limited to a specific operational design domain;***

9 ***(2) "Dynamic driving task" or "DDT":***

10 ***(a) Means all of the real-time operational and tactical functions required to***
11 ***operate a vehicle in on-road traffic, including without limitation:***

12 ***1. Lateral vehicle motion control via steering;***

13 ***2. Longitudinal motion control via acceleration and deceleration;***

14 ***3. Monitoring the driving environment via object and event detection,***
15 ***recognition, classification, and response preparation;***

16 ***4. Object and event response execution;***

17 ***5. Maneuver planning; and***

18 ***6. Enhancing conspicuity via lighting, signaling, and gesturing; and***

19 ***(b) Does not include strategic functions such as trip scheduling and the***
20 ***selection of destinations and waypoints;***

21 ***(3) "DDT fallback" means the response by:***

22 ***(a) The person or human driver to either perform the DDT or achieve a***
23 ***minimal risk condition after occurrence of a DDT performance relevant***
24 ***system failure, or upon operational design domain exit; or***

25 ***(b) An automated driving system to achieve minimal risk condition, given the***
26 ***same circumstances identified in paragraph (a) of this subsection;***

27 ***(4) "Fully autonomous vehicle" means a motor vehicle equipped with an automated***

1 driving system designed to function without a human driver as a level 4 or 5
2 system under SAE J3016;

3 (5) "Human driver" means a natural person in the vehicle with a valid license to
4 operate a motor vehicle who controls all or part of the dynamic driving task;

5 (6) "Minimal risk condition" means a condition to which a person, human driver, or
6 an automated driving system may bring a vehicle after performing the DDT
7 fallback in order to reduce the risk of a crash when a given trip cannot or should
8 not be completed;

9 (7) "Operational design domain" or "ODD" means the operating conditions under
10 which a given automated driving system is specifically designed to function,
11 including but not limited to:

12 (a) Environmental, geographical, and time-of-day restrictions; and

13 (b) The requisite presence or absence of certain traffic and roadway
14 characteristics;

15 (8) "Public agency" has the same meaning as in KRS 61.870;

16 (9) "Request to intervene" means a notification by an automated driving system to a
17 human driver that the human driver should promptly begin or resume
18 performance of part or all of the dynamic driving task; and

19 (10) "SAE J3016" means the "Taxonomy and Definitions for Terms Related to
20 Driving Automation Systems for On-Road Motor Vehicles" published by SAE
21 International on June 15, 2018, as amended.

22 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
23 READ AS FOLLOWS:

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

- 1 (a) If a failure of the automated driving system occurs that renders that system
2 unable to perform the entire dynamic driving task relevant to its intended
3 operational design domain, the fully autonomous vehicle will achieve a
4 minimal risk condition;
- 5 (b) The fully autonomous vehicle is capable of operating in compliance with
6 the applicable traffic and motor vehicle safety laws and regulations of this
7 state when reasonable to do so, unless an exemption has been granted by
8 the Transportation Cabinet; and
- 9 (c) When required by federal law, the vehicle bears the required
10 manufacturer's certification label indicating that at the time of its
11 manufacture it has been certified to be in compliance with all applicable
12 federal motor vehicle safety standards, including any exemptions granted by
13 the National Highway Traffic Safety Administration.
- 14 (2) From the effective date of this Act until July 31, 2026, a fully autonomous vehicle
15 for which the declared gross weight of the vehicle and any towed unit is more
16 than sixty-two thousand (62,000) pounds shall have a human driver, with the
17 appropriate credentials to operate the vehicle, present in the vehicle to monitor
18 the performance of the vehicle and intervene if necessary.
- 19 (3) Prior to operating a fully autonomous vehicle on the highways of this state
20 without a human driver, a person shall submit a law enforcement interaction
21 plan to the Transportation Cabinet and the Department of Kentucky State Police
22 that describes:
- 23 (a) How to communicate with a fleet support specialist who is available during
24 the times the vehicle is in operation;
- 25 (b) How to safely remove the fully autonomous vehicle from the roadway and
26 steps to safely tow the vehicle;
- 27 (c) How to recognize whether the automated driving system is engaged on the

1 fully autonomous vehicle; and
2 (d) Any additional information the manufacturer or owner deems necessary
3 regarding hazardous conditions or public safety risks associated with the
4 operation of the fully autonomous vehicle.

5 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
6 READ AS FOLLOWS:

7 (1) Before operating a fully autonomous vehicle that does not meet the definition of a
8 motor carrier under Section 12 of this Act on a highway in this state without a
9 human driver, a person shall submit proof of financial responsibility satisfactory
10 to the Transportation Cabinet that the fully autonomous vehicle has single limits
11 liability coverage, by contract of insurance or by qualifying as a self-insurer, of
12 not less than one million dollars (\$1,000,000) that satisfies the requirements of
13 KRS 304.39-080.

14 (2) Before operating a fully autonomous vehicle that meets the definition of a motor
15 carrier under Section 12 of this Act on a highway in this state without a human
16 driver, a person shall submit proof of financial responsibility satisfactory to the
17 Transportation Cabinet that the fully autonomous vehicle is covered by insurance
18 or proof of self-insurance that satisfies the requirements of Section 15 of this Act.

19 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
20 READ AS FOLLOWS:

21 A fully autonomous vehicle shall be properly titled and registered in accordance with
22 KRS Chapters 186 and 186A. If a fully autonomous vehicle is titled and registered in
23 this state, the vehicle shall be identified on the title and registration as a fully
24 autonomous vehicle.

25 ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
26 READ AS FOLLOWS:

27 (1) A person may operate a motor vehicle equipped with an automated driving system

1 capable of performing the entire dynamic driving task if the automated driving
2 system:

3 (a) Will achieve a minimal risk condition or issue a request to intervene with
4 the expectation that the person will respond appropriately to such a request
5 whenever the automated driving system is not capable of performing the
6 entire dynamic driving task; and

7 (b) Is capable of being operated in compliance with KRS 189.285 to 189.450,
8 unless an exemption has been granted by the Transportation Cabinet.

9 (2) Nothing in this chapter or KRS Chapter 189 prohibits or restricts a human driver
10 from operating a fully autonomous vehicle equipped with controls that allow for
11 the human driver to control all or part of the dynamic driving task.

12 ➔SECTION 6. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
13 READ AS FOLLOWS:

14 A fully autonomous vehicle that meets the definition of a motor carrier under Section
15 12 of this Act shall also be subject to KRS Chapter 281.

16 ➔SECTION 7. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
17 READ AS FOLLOWS:

18 (1) Unless otherwise provided in this chapter, KRS Chapter 189, and KRS Chapter
19 281, fully autonomous vehicles and automated driving systems are governed
20 exclusively by the provisions of Sections 1 to 8 of this Act. The Transportation
21 Cabinet is the sole and exclusive state agency that may implement Sections 1 to 8
22 of this Act.

23 (2) No state agency shall prohibit the operation of fully autonomous vehicles or
24 automated driving systems, or otherwise enact or keep in force rules or
25 ordinances that would impose taxes, fees, or other requirements, including
26 performance standards, that are specific to the operation of fully autonomous
27 vehicles or automated driving systems.

1 (3) The Transportation Cabinet may promulgate administrative regulations in
2 accordance with KRS Chapter 13A to implement procedural provision of Sections
3 1 to 8 of this Act, but shall not impose additional requirements on the operation
4 of fully autonomous vehicles or automated driving systems that are inconsistent
5 with Sections 1 to 8 of this Act.

6 ➔SECTION 8. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
7 READ AS FOLLOWS:

8 (1) The provisions of Sections 1 to 8 of this Act are intended to be a comprehensive
9 scheme of legislation governing the operational and performance standards of
10 fully autonomous vehicles and automated driving systems. No public agency shall
11 prohibit the operation of fully autonomous vehicles or automated driving systems
12 or impose any rule, regulation, or ordinance in conflict with Sections 1 to 8 of
13 this Act or that otherwise differentiates the treatment of fully autonomous
14 vehicles and automated driving systems from non-autonomous vehicles.

15 (2) Nothing in subsection (1) of this section shall be interpreted or construed to
16 prohibit a city, county, charter county government, consolidated local
17 government, or urban-county government from exercising the powers and
18 authorities provided by law to govern the public streets and roadways within their
19 respective jurisdictions, provided that any action does not impose additional
20 requirements in conflict with Sections 1 to 8 of this Act or otherwise differentiate
21 the treatment of fully autonomous vehicles and automated driving systems from
22 nonautonomous vehicles.

23 ➔Section 9. KRS 186.410 is amended to read as follows:

24 (1) Except as provided in subsection (6) of this section, every person ~~not~~[except those]
25 exempted by KRS 186.420 and 186.430 shall, before operating a motor vehicle,
26 motorcycle, or moped upon a highway, secure an operator's license as provided in
27 this chapter.

- 1 (2) Except as provided in KRS 186.4121, all original, renewal, and duplicate personal
2 identification cards and licenses for the operation of motor vehicles, motorcycles, or
3 mopeds shall be applied for with the Transportation Cabinet, or through alternative
4 technology, and issued by the Transportation Cabinet. Subject to the provisions of
5 KRS 186.4101, applications for renewal licenses and personal identification cards
6 shall be made every eight (8) years within the birth month of the applicant. A
7 license shall not be issued until the application has been certified by the cabinet and
8 the applicant has, if required under KRS 186.635, successfully completed the
9 examinations required under KRS 186.480.
- 10 (3) All personal identification cards shall be issued under the provisions of KRS
11 186.4102, 186.4122, and 186.4123.
- 12 (4) A person under the age of eighteen (18) years who applies for an instruction permit
13 shall, at any time between the age of sixteen (16) and before the person's eighteenth
14 birthday, enroll in one (1) of the following driver training programs:
- 15 (a) A driver's education course administered by a school district;
- 16 (b) A driver training school licensed pursuant to KRS Chapter 332 which offers a
17 course meeting or exceeding the minimum standards established by the
18 Transportation Cabinet; or
- 19 (c) State traffic school. The person may seek to enroll in state traffic school
20 before the person's eighteenth birthday. Persons enrolling in state traffic
21 school pursuant to this paragraph shall not be required to pay a fee.
- 22 (5) Any applicant for any initial or renewal instruction permit, operator's license, or
23 personal identification card under KRS 186.400 to 186.640 may apply for either:
- 24 (a) A voluntary travel ID document; or
- 25 (b) A standard document that does not meet standards for federal identification
26 purposes.
- 27 **(6) When an automated driving system as defined in Section 1 of this Act is installed**

1 on a motor vehicle and is engaged, and the motor vehicle is operating as a fully
2 autonomous vehicle as defined in Section 1 of this Act, the:

3 (a) Owner of the motor vehicle is considered the operator of the fully
4 autonomous vehicle and shall comply with applicable traffic or motor
5 vehicle laws, regardless of whether the owner is physically present in the
6 vehicle while the vehicle is operating; and

7 (b) Automated driving system is considered to be licensed to operate the vehicle
8 and a licensed human operator is not required to operate the motor vehicle.

9 ➔SECTION 10. A NEW SECTION OF KRS CHAPTER 189 IS CREATED TO
10 READ AS FOLLOWS:

11 (1) As used in this section, "fully autonomous vehicle" and "automated driving
12 system" shall have the same meaning as in Section 1 of this Act.

13 (2) A fully autonomous vehicle that is designed to be operated exclusively by the
14 automated driving system for all trips shall not be subject to any of the provisions
15 of KRS 189.020 to 189.205 that:

16 (a) Relate to or support motor vehicle operation by a human driver seated in the
17 vehicle; and

18 (b) Are not relevant to an automated driving system.

19 ➔Section 11. KRS 189.635 is amended to read as follows:

20 (1) The Justice and Public Safety Cabinet, Department of Kentucky State Police, shall
21 be responsible for maintaining a reporting system for all vehicle accidents which
22 occur within the Commonwealth. ~~These~~^{Such} accident reports shall be utilized for~~f~~
23 ~~such~~ purposes as will improve the traffic safety program in the Commonwealth
24 involving the collection, processing, storing, and dissemination of~~such~~ data and
25 the establishment of procedures by administrative regulations to ensure that uniform
26 definitions, classifications, and other federal requirements are in compliance.

27 (2) (a) Any person operating a vehicle on the highways of this state who is involved

1 in an accident resulting in fatal or nonfatal personal injury to any person or
2 damage to the vehicle rendering the vehicle inoperable shall be required to
3 immediately notify a law enforcement officer having jurisdiction.

4 **(b)** In the event the operator fails to notify or is incapable of notifying a law
5 enforcement officer having jurisdiction, ~~the~~^[such] responsibility **to make the**
6 **notification under this subsection** shall rest with the owner of the vehicle or
7 any occupant of the vehicle at the time of the accident.

8 **(c) If the accident involves a fully autonomous vehicle, as defined in Section 1**
9 **of this Act, the responsibility to make the notification under this subsection**
10 **shall rest with the owner of the fully autonomous vehicle or a person on**
11 **behalf of the vehicle owner.**

12 **(d)** A law enforcement officer having jurisdiction shall investigate the accident
13 and file a written report of the accident with his or her law enforcement
14 agency.

15 (3) Every law enforcement agency whose officers investigate a vehicle accident of
16 which a report must be made as required in this chapter shall file a report of the
17 accident with the Department of Kentucky State Police within ten (10) days after
18 investigation of the accident upon forms supplied by the department.

19 (4) **(a)** Any person operating a vehicle on the highways of this state who is involved
20 in an accident resulting in any property damage exceeding five hundred
21 dollars (\$500) in which an investigation is not conducted by a law
22 enforcement officer shall file a written report of the accident with the
23 Department of Kentucky State Police within ten (10) days of occurrence of
24 the accident upon forms provided by the department.

25 **(b) If the accident involves a fully autonomous vehicle, as defined in Section 1**
26 **of this Act, the responsibility to file the report under this subsection shall**
27 **rest with the owner of the fully autonomous vehicle or a person on behalf of**

1 *the vehicle owner.*

2 (5) (a) All accident reports filed with the Department of Kentucky State Police in
3 compliance with subsection (4) of this section shall not be considered open
4 records under KRS 61.870 to 61.884 and shall remain confidential, except that
5 the department may:

6 1. Disclose the identity of a person involved in an accident when his or her
7 identity is not otherwise known or when he or she denies his or her
8 presence at an accident; and

9 2. Make the reports available:

10 a. To the persons named in paragraph (c) of this subsection; and

11 b. In accordance with subsection (8) of this section.

12 (b) All other accident reports required by this section, and the information
13 contained in the reports, shall be confidential and exempt from public
14 disclosure under KRS 61.870 to 61.884, except when:

15 1. Produced pursuant to a properly executed subpoena or court order; or

16 2. Disclosed as provided in this section.

17 (c) Accident reports shall be made available to:

18 1. The parties to the accident;

19 2. The parents or guardians of a minor who is party to the accident;

20 3. Insurers or their written designee for insurance business purposes of any
21 party who is the subject of the report;

22 4. The attorneys of the parties to the accident;

23 5. Any party to litigation who files with the department a request for the
24 report and includes a copy of the first page of a District or Circuit Court
25 clerk-stamped complaint naming all parties; and

26 6. The Department of Workplace Standards in the Education and Labor
27 Cabinet if the accident report is pertinent to an occupational safety and

1 health investigation.

2 (6) (a) Except as provided for in paragraph (b) of this subsection, the department
3 shall not release accident reports for a commercial purpose.

4 (b) Notwithstanding any other provision of this section, the department may, as a
5 matter of public safety, contract with an outside entity and release unredacted
6 vehicle damage data extracted from accident reports to the entity if the data is
7 used solely for the purpose of providing the public a means of determining a
8 vehicle's accident history. The department may further contract with a third
9 party to provide electronic access to reports for persons and entities who are
10 entitled to the reports under subsection (5) of this section.

11 (7) The department shall promulgate administrative regulations in accordance with
12 KRS Chapter 13A to set out a fee schedule for accident reports made available
13 pursuant to subsections (5) and (8) of this section. These fees shall be in addition to
14 those charged to the public for records produced under KRS Chapter 61.

15 (8) (a) The report shall be made available to a news-gathering organization, solely
16 for the purpose of publishing or broadcasting the news. The news-gathering
17 organization shall not use or distribute the report, or knowingly allow its use
18 or distribution, for a commercial purpose other than the news-gathering
19 organization's publication or broadcasting of the information in the report.

20 (b) For the purposes of this subsection:

21 1. "News-gathering organization" includes:

22 a. A newspaper or periodical if it:

23 i. Is published at least fifty (50) of fifty-two (52) weeks during
24 a calendar year;

25 ii. Contains at least twenty-five percent (25%) news content in
26 each issue or no more than seventy-five percent (75%)
27 advertising content in any issue in the calendar year; and

- 1 iii. Contains news of general interest to its readers that can
2 include news stories, editorials, sports, weddings, births, and
3 death notices;
- 4 b. A television or radio station with a valid broadcast license issued
5 by the Federal Communications Commission;
- 6 c. A news organization that broadcasts over a multichannel video
7 programming service as defined in KRS 136.602;
- 8 d. A website~~[Web site]~~ published by or affiliated with any entity
9 described in subdivision a., b., or c. of this subparagraph;
- 10 e. An online-only newspaper or magazine that publishes news or
11 opinion of interest to a general audience and is not affiliated with
12 any entity described in subparagraph 2. of this paragraph; and
- 13 f. Any other entity that publishes news content by any means to the
14 general public or to members of a particular profession or
15 occupational group; and
- 16 2. "News-gathering organization" does not include any product or
17 publication with the primary purpose of distributing advertising or of
18 publishing names and other personal identifying information concerning
19 parties to motor vehicle accidents which may be used to solicit for
20 services covered under Subtitle 39 of KRS Chapter 304.
- 21 (c) A news-gathering organization shall not be held to have used or knowingly
22 allowed the use of the report for a commercial purpose merely because of its
23 publication or broadcast.
- 24 (d) A request under this subsection shall be completed using a form promulgated
25 by the department through administrative regulations in accordance with KRS
26 Chapter 13A. The form under this paragraph shall include:
- 27 1. The name and address of the requestor and the news-gathering

- 1 organization the requestor represents;
- 2 2. A statement that the requestor is a news-gathering organization under
- 3 this subsection and identifying the specific subdivision of paragraph
- 4 (b)1. of this subsection under which the requester qualifies;
- 5 3. A statement that the request is in compliance with the criteria contained
- 6 in this section; and
- 7 4. A declaration of the requestor as to the accuracy and truthfulness of the
- 8 information provided in the request.
- 9 (e) 1. The department shall redact all personal information from a report prior
- 10 to making it available to a news-gathering organization as defined under
- 11 paragraph (b)1.f. of this subsection.
- 12 2. Reports may be provided to news-gathering organizations as defined
- 13 under paragraph (b)1.a. to e. of this subsection without redaction.
- 14 3. For the purposes of this paragraph, "personal information" means:
- 15 a. The address, driver's license number, phone number, date of birth,
- 16 and any other contact information contained in the report for each
- 17 person listed on the report; and
- 18 b. The vehicle identification numbers (VINs) for each vehicle listed
- 19 on the report.
- 20 (9) The motor vehicle insurers of any train engineer or other train crew member
- 21 involved in an accident on a railroad while functioning in their professional
- 22 capacity shall be prohibited from obtaining a copy of any accident report filed on
- 23 the accident under this section without written consent from the individual the
- 24 company insures. Insurance companies issuing motor vehicle policies in the
- 25 Commonwealth shall be prohibited from raising a policyholder's rates solely
- 26 because the policyholder, in his or her professional capacity, is a train engineer or
- 27 other train crew member involved in an accident on a railroad.

1 (10) For reporting and statistical purposes, motor scooters and autocycles as defined in
2 KRS 186.010 shall be listed as a distinct category and shall not be considered to be
3 a motor vehicle or a motorcycle for reports issued under this section.

4 ➔Section 12. KRS 281.010 is amended to read as follows:

5 As used in this chapter:

6 (1) "Automobile club" means a person that, for consideration, promises to assist its
7 members or subscribers in matters relating to the assumption of or reimbursement
8 of the expense or a portion thereof for towing of a motor vehicle; emergency road
9 service; matters relating to the operation, use, and maintenance of a motor vehicle;
10 and the supplying of services which includes, augments, or is incidental to theft or
11 reward services, discount services, arrest bond services, lock and key services, trip
12 interruption services, and legal fee reimbursement services in defense of traffic-
13 related offenses;

14 (2) "Automobile utility trailer" means any trailer or semitrailer designed for use with
15 and towed behind a passenger motor vehicle;

16 (3) "Automobile utility trailer certificate" means a certificate authorizing a person to
17 engage in the business of automobile utility trailer lessor;

18 (4) "Automobile utility trailer lessor" means any person operating under an automobile
19 utility trailer certificate who is engaged in the business of leasing or renting
20 automobile utility trailers, but shall not include the agents of such persons;

21 (5) "Broker" means a person selected by the cabinet through a request for proposal
22 process to coordinate human service transportation delivery within a specific
23 delivery area. A broker may also provide transportation services within the specific
24 delivery area for which the broker is under contract with the cabinet;

25 (6) "Bus" means a motor vehicle operating under a bus certificate transporting
26 passengers for hire between points over regular routes;

27 (7) "Bus certificate" means a certificate granting authority for the operation of one (1)

- 1 or more buses;
- 2 (8) "Cabinet" means the Kentucky Transportation Cabinet;
- 3 (9) "Certificate" means a certificate of compliance issued under this chapter to motor
4 carriers;
- 5 (10) "Charter bus" means a motor vehicle operating under a charter bus certificate
6 providing for-hire intrastate transportation of a group of persons who, pursuant to a
7 common purpose under a single contract at a fixed charge for the motor vehicle,
8 have acquired the exclusive use of the motor vehicle to travel together under an
9 itinerary either specified in advance or modified after having left the place of
10 origin;
- 11 (11) "Charter bus certificate" means a certificate granting authority for the operation of
12 one (1) or more charter buses;
- 13 (12) "Commissioner" means the commissioner of the Department of Vehicle Regulation;
- 14 (13) "CTAC" means the Coordinated Transportation Advisory Committee created in
15 KRS 281.870;
- 16 (14) "Department" means the Department of Vehicle Regulation;
- 17 (15) "Delivery area" means one (1) or more regions established by the cabinet in
18 administrative regulations promulgated under KRS Chapter 13A for the purpose of
19 providing human service transportation delivery in that region;
- 20 (16) "Disabled persons vehicle carrier" means a motor carrier for hire, transporting
21 passengers including the general public who require transportation in disabled
22 persons vehicles;
- 23 (17) "Disabled persons vehicle" means a motor vehicle operating under a disabled
24 persons vehicle certificate especially equipped for the transportation of passengers
25 with disabilities in accordance with 49 C.F.R. pt. 38, and is designed or constructed
26 with not more than fifteen (15) regular seats. It shall not mean an ambulance as
27 defined in KRS 311A.010. It shall not mean a motor vehicle equipped with a

1 stretcher;

2 (18) "Disabled persons vehicle certificate" means a certificate granting authority for the
3 operation of one (1) or more disabled persons vehicles transporting passengers for
4 hire;

5 (19) "Driveaway" means the transporting and delivering of motor vehicles, except
6 semitrailers and trailers, whether destined to be used in either a private or for-hire
7 capacity, under their own power or by means of a full mount method, saddle mount
8 method, the tow bar method, or any combination of them over the highways of this
9 state from any point of origin to any point of destination for hire. "Driveaway" does
10 not include the transportation of such vehicles by the full mount method on trailers
11 or semitrailers;

12 (20) "Driveaway certificate" means a certificate granting authority for the operation of
13 one (1) or more motor carrier vehicles operating as a driveaway;

14 (21) "Driver" means the person physically operating the motor vehicle;

15 (22) "Flatbed/rollback service" means a form of towing service which involves moving
16 vehicles by loading them onto a flatbed platform;

17 (23) **"Fully autonomous vehicle" has the same meaning as in Section 1 of this Act;**

18 **(24)** "Highway" means all public roads, highways, streets, and ways in this state,
19 whether within a municipality or outside of a municipality;

20 **(25)**~~[(24)]~~ "Household goods" has the same meaning as in 49 C.F.R. sec. 375.103;

21 **(26)**~~[(25)]~~ "Household goods carrier" has the same meaning as "household goods motor
22 carrier" in 49 C.F.R. sec. 375.103;

23 **(27)**~~[(26)]~~ "Household goods certificate" means a certificate granting authority for the
24 operation of one (1) or more household goods vehicles;

25 **(28)**~~[(27)]~~ "Human service transportation delivery" means the provision of transportation
26 services to any person that is an eligible recipient in one (1) of the following state
27 programs:

- 1 (a) Nonemergency medical transportation under KRS Chapter 205;
- 2 (b) Mental health, intellectual disabilities, or comprehensive care under KRS
- 3 Chapter 202A, 202B, 210, or 645;
- 4 (c) Work programs for public assistance recipients under KRS Chapter 205;
- 5 (d) Adult services under KRS Chapter 205, 209, 216, or 273;
- 6 (e) Vocational rehabilitation under KRS Chapter 151B or 157; or
- 7 (f) Blind industries or rehabilitation under KRS Chapter 151B or 163;
- 8 ~~(29)~~~~(28)~~ "Interstate commerce" has the same meaning as in 49 C.F.R. sec. 390.5;
- 9 ~~(30)~~~~(29)~~ "Intrastate commerce" has the same meaning as in 49 C.F.R. sec. 390.5;
- 10 ~~(31)~~~~(30)~~ "Limousine" means a motor vehicle operating under a limousine certificate
- 11 that is designed or constructed with not more than fifteen (15) regular seats;
- 12 ~~(32)~~~~(31)~~ "Limousine certificate" means a certificate granting authority for the
- 13 operation of one (1) or more limousines transporting passengers for hire;
- 14 ~~(33)~~~~(32)~~ "Mobile application" means an application or a computer program designed to
- 15 run on a smartphone, tablet computer, or other mobile device that is used by a TNC
- 16 to connect drivers with potential passengers;
- 17 ~~(34)~~~~(33)~~ "Motor carrier" means any person in either a private or for-hire capacity who
- 18 owns, controls, operates, manages, or leases, except persons leasing to authorized
- 19 motor carriers, any motor vehicle for the transportation of passengers or property
- 20 upon any highway, and any person who engages in the business of automobile
- 21 utility trailer lessor, vehicle towing, driveaway, or U-Drive-It;
- 22 ~~(35)~~~~(34)~~ "Motor carrier vehicle" means a motor vehicle, **including a fully autonomous**
- 23 **vehicle**, used by a motor carrier to transport passengers or property;
- 24 ~~(36)~~~~(35)~~ "Motor carrier vehicle license" means a license issued by the department for a
- 25 motor carrier vehicle authorized to operate under a certificate;
- 26 ~~(37)~~~~(36)~~ "Motor carrier license plate" means a license plate issued by the department to
- 27 a motor carrier authorized to operate under a certificate other than a household

1 goods, property, TNC, peer-to-peer car sharing, or U-Drive-It certificate;

2 ~~(38)~~~~[(37)]~~ "Motor vehicle" means any motor-propelled vehicle used for the
3 transportation of passengers or property on a public highway, including any such
4 vehicle operated as a unit in combination with other vehicles;

5 ~~(39)~~~~[(38)]~~ "Passenger" means an individual or group of people;

6 ~~(40)~~~~[(39)]~~ "Peer-to-peer car sharing":

7 (a) Means the authorized use of a motor vehicle by an individual other than the
8 vehicle's owner through a peer-to-peer car sharing program; and

9 (b) Does not:

- 10 1. Include the operation of a U-Drive-It certificate as defined in this
11 section; or
12 2. Involve the sale or provision of rental vehicle insurance as defined in
13 KRS 304.9-020;

14 ~~(41)~~~~[(40)]~~ "Peer-to-peer car sharing certificate" means a certificate granting the authority
15 for the operation of a peer-to-peer car sharing program;

16 ~~(42)~~~~[(41)]~~ "Peer-to-peer car sharing company" means a person that operates a peer-to-
17 peer car sharing program;

18 ~~(43)~~~~[(42)]~~ "Peer-to-peer car sharing program":

19 (a) Means a business platform that connects shared vehicle owners with shared
20 vehicle drivers to enable the sharing of motor vehicles for financial
21 consideration; and

22 (b) Does not include a:

- 23 1. U-Drive-It;
24 2. Motor vehicle renting company as defined in KRS 281.687;
25 3. Rental vehicle agent as defined in KRS 304.9-020; or
26 4. Service provider that is solely providing hardware or software as a
27 service to a person or entity that is not effectuating payment of financial

1 consideration for use of a shared vehicle;

2 ~~(44)~~~~[(43)]~~ "Permit" means a temporary permit of compliance issued under this chapter
3 for a specified period not to exceed ten (10) days, and for a specific vehicle, to any
4 motor carrier, including one who is a nonresident of the Commonwealth, who
5 operates a motor vehicle and is not entitled to an exemption from the payment of
6 fees imposed under KRS 186.050 because of the terms of a reciprocal agreement
7 between the Commonwealth and the state in which the vehicle is licensed;

8 ~~(45)~~~~[(44)]~~ "Person" means any individual, firm, partnership, corporation, company,
9 association, or joint stock association, and includes any trustee, assignee, or
10 personal representative thereof;

11 ~~(46)~~~~[(45)]~~ "Platoon" means a group of two (2) individual commercial motor vehicles
12 traveling in a unified manner at electronically coordinated speeds at following
13 distances that are closer than would ordinarily be allowed under KRS
14 189.340(9)(b);

15 ~~(47)~~~~[(46)]~~ "Prearranged ride" means the period of time that begins when a transportation
16 network company driver accepts a requested ride through a digital network or
17 mobile application, continues while the driver transports the rider in a personal
18 vehicle, and ends when the transportation network company services end;

19 ~~(48)~~~~[(47)]~~ "Pre-trip acceptance liability policy" means the transportation network
20 company liability insurance coverage for incidents involving the driver for a period
21 of time when a driver is logged into a transportation network company's digital
22 network or mobile application but is not engaged in a prearranged ride;

23 ~~(49)~~~~[(48)]~~ "Property" means general or specific commodities, including hazardous and
24 nonhazardous materials;

25 ~~(50)~~~~[(49)]~~ "Property certificate" means a certificate granting authority for the
26 transportation of property, other than household goods, not exempt under KRS
27 281.605;

1 ~~(51)~~~~(50)~~ "Recovery":

2 (a) Means a form of towing service which involves moving vehicles by the use of
3 a wheel-lift device, such as a lift, crane, hoist, winch, cradle, jack, automobile
4 ambulance, tow dolly, or any other similar device as requested by a state or
5 local law enforcement agency; and

6 (b) Includes:

- 7 1. Relocating a vehicle or cargo from a place where towing is not possible
8 to a place where towing is possible; and
9 2. The cleanup of debris or cargo, and returning an area to pre-event
10 condition;

11 ~~(52)~~~~(51)~~ "Regular route" means the scheduled transportation of passengers between
12 designated points over designated routes under time schedules that provide a
13 regularity of services;

14 ~~(53)~~~~(52)~~ "Regular seat" means a seat ordinarily and customarily used by one (1)
15 passenger and, in determining such seating capacity, the manufacturer's rating may
16 be considered;

17 ~~(54)~~~~(53)~~ "Shared vehicle":

18 (a) Means a motor vehicle that is available for car sharing through a peer-to-peer
19 car sharing program; and

20 (b) Does not include a motor vehicle leased or rented by a person operating under
21 a U-Drive-It certificate;

22 ~~(55)~~~~(54)~~ "Shared vehicle driver" means an individual who has been authorized to drive
23 the shared vehicle by the shared vehicle owner under a car sharing program
24 agreement;

25 ~~(56)~~~~(55)~~ "Shared vehicle owner":

26 (a) Means the registered owner, or a person designated by the registered owner,
27 of a motor vehicle made available for sharing to shared vehicle drivers,

1 through a peer-to-peer car sharing program; and

2 (b) Does not include a:

3 1. Person operating a U-Drive-It certificate;

4 2. Motor vehicle renting company as defined in KRS 281.687; or

5 3. Rental vehicle agent as defined in KRS 304.9-020;

6 ~~(57)~~~~(56)~~ "Storage facility" means any lot, facility, or other property used to store motor
7 vehicles that have been removed from another location by a tow truck;

8 ~~(58)~~~~(57)~~ "Street hail" means a request for service made by a potential passenger using
9 hand gestures or verbal statement;

10 ~~(59)~~~~(58)~~ "Subcontractor" means a person who has signed a contract with a broker to
11 provide human service transportation delivery within a specific delivery area and
12 who meets human service transportation delivery requirements, including proper
13 operating authority;

14 ~~(60)~~~~(59)~~ "Tariff" means the listing of compensation received by a motor carrier for
15 household goods that includes the manner in which and the amount of fares an
16 authorized motor carrier may charge;

17 ~~(61)~~~~(60)~~ "Taxicab" means a motor vehicle operating under a taxicab certificate that is
18 designed or constructed with not more than eight (8) regular seats and may be
19 equipped with a taximeter;

20 ~~(62)~~~~(61)~~ "Taxicab certificate" means a certificate granting authority for the operation
21 of one (1) or more taxicabs transporting passengers for hire;

22 ~~(63)~~~~(62)~~ "Taximeter" means an instrument or device approved by the department that
23 automatically calculates and plainly indicates the charge to a passenger for hire who
24 is being charged on the basis of mileage;

25 ~~(64)~~~~(63)~~ "Tow truck" means a motor vehicle equipped to provide any form of towing
26 service, including recovery service or flatbed/rollback service;

27 ~~(65)~~~~(64)~~ "Tow truck operator" means an individual who operates a tow truck as an

1 employee or agent of a towing company;

2 ~~(66)~~~~[(65)]~~ "Towing" means:

3 (a) Emergency towing, which is the towing of a motor vehicle, with or without
4 the owner's consent, because of:

- 5 1. A motor vehicle accident on a public highway;
6 2. An incident related to an emergency; or
7 3. An incident that necessitates the removal of the motor vehicle from a
8 location for public safety reasons;

9 (b) Private property towing, which is the towing of a motor vehicle, without the
10 owner's consent, from private property:

- 11 1. On which the motor vehicle was illegally parked; or
12 2. Because of an exigent circumstance necessitating its removal to another
13 location; and

14 (c) Seizure towing, which is the towing of a motor vehicle for law enforcement
15 purposes involving the:

- 16 1. Maintenance of the chain of custody of evidence;
17 2. Forfeiture of assets; or
18 3. Delinquency of highway fuel tax, weight distance tax, or any other taxes
19 and fees administered by the Transportation Cabinet;

20 ~~(67)~~~~[(66)]~~ "Towing company":

21 (a) Means a service or business operating as a motor carrier that:

- 22 1. Tows or otherwise moves motor vehicles by means of a tow truck; or
23 2. Owns or operates a storage lot;

24 (b) Includes a tow truck operator acting on behalf of a towing company when
25 appropriate in the context; and

26 (c) Does not include an automobile club, car dealership, insurance company,
27 repossession company, lienholders and entities hired by lienholders for the

1 purpose of repossession, local government, or any other entity that contracts
2 with a towing company;

3 ~~(68)~~~~((67))~~ "Transportation network company" or "TNC" means a person or entity that
4 connects passengers through its digital network or mobile application to its drivers
5 for the provision of transportation network company services;

6 ~~(69)~~~~((68))~~ "Transportation network company certificate" or "TNC certificate" means a
7 certificate granting the authority for the operation of one (1) or more transportation
8 network company vehicles transporting passengers for hire;

9 ~~(70)~~~~((69))~~ "Transportation network company driver" or "TNC driver" means an
10 individual who operates a motor vehicle that is owned or leased by the individual,
11 or a motor vehicle for which the driver is an insured driver and has the permission
12 of the owner or lessee of the motor vehicle, and used to provide transportation
13 network company services;

14 ~~(71)~~~~((70))~~ "Transportation network company service" or "TNC service" means a
15 prearranged passenger transportation service offered or provided through the use of
16 a transportation network company mobile application or digital network to connect
17 potential passengers with transportation network company drivers;

18 ~~(72)~~~~((71))~~ "Transportation network company vehicle" or "TNC vehicle" means a
19 privately owned or leased motor vehicle, **including a fully autonomous vehicle,**
20 designed or constructed with not more than eight (8) regular seats, operating under
21 a transportation network company certificate;

22 ~~(73)~~~~((72))~~ "U-Drive-It" means any person operating under a U-Drive-It certificate who
23 leases or rents a motor vehicle for consideration to be used for the transportation of
24 persons or property, but for which no driver is furnished, and the use of which
25 motor vehicle is not for the transportation of persons or property for hire by the
26 lessee or rentee; and

27 ~~(74)~~~~((73))~~ "U-Drive-It certificate" means a certificate granting authority for the operation

1 of one (1) or more U-Drive-Its.

2 ➔Section 13. KRS 281.630 is amended to read as follows:

3 (1) A person shall not act as a motor carrier without first obtaining a certificate from
4 the department.

5 (2) A certificate for the intrastate transportation of passengers or property, including
6 household goods, shall be issued to any qualified applicant authorizing operation
7 covered by the application, if it is found that the applicant conforms to the
8 provisions of this chapter and the requirements of the administrative regulations
9 promulgated in accordance with this section.

10 (3) (a) The department shall issue the following certificates:

- 11 1. Taxicab certificate;
- 12 2. Limousine certificate;
- 13 3. Disabled persons vehicle certificate;
- 14 4. Transportation network company certificate;
- 15 5. Household goods certificate;
- 16 6. Charter bus certificate;
- 17 7. Bus certificate;
- 18 8. U-Drive-It certificate;
- 19 9. Property certificate;
- 20 10. Driveaway certificate;
- 21 11. Peer-to-peer car sharing certificate; and
- 22 12. Automobile utility trailer certificate.

23 (b) Application for a certificate shall be made in such form as the department may
24 require. The department shall receive an application fee of two hundred fifty
25 dollars (\$250) for all applications, except that the department shall receive an
26 application fee of twenty-five dollars (\$25) for a property certificate.

27 (c) Before the department may issue a certificate, an applicant shall:

- 1 1. Pay the application fee established under paragraph (b) of this
2 subsection;
- 3 2. For entities other than TNCs and peer-to-peer car sharing companies,
4 file a motor carrier vehicle license application for each motor carrier
5 vehicle as required by KRS 281.631. The applicant shall file at least one
6 (1) motor carrier vehicle license application before being eligible for a
7 certificate;
- 8 3. For TNCs, file a TNC authority application with the department
9 pursuant to administrative regulations promulgated by the department;
- 10 4. For peer-to-peer car sharing companies, file a peer-to-peer car sharing
11 certificate application with the department pursuant to administrative
12 regulations promulgated by the department;
- 13 5. File with the department one (1) or more approved indemnifying bonds
14 or insurance policies as required by KRS 281.655;
- 15 6. For taxicab, limousine, disabled persons vehicle, TNC, household
16 goods, charter bus, and bus certificates, obtain and retain for a period of
17 at least three (3) years, a nationwide criminal background check, in
18 compliance with KRS 281.6301, of each owner, official, employee,
19 independent contractor, or agent operating a passenger vehicle or
20 household goods vehicle or entering a private residence or storage
21 facility for the purpose of providing or facilitating the transportation of
22 household goods;
- 23 7. For household goods certificates, file with the department a current
24 tariff; and
- 25 8. For a bus certificate, file with the department authorization from a city
26 as required by KRS 281.635.

27 (4) (a) Every certificate shall be renewed annually. Application for renewal shall be

1 in such form as the department may require.

2 (b) A certificate not renewed within one (1) calendar year after the date for its
3 renewal shall become null and void.

4 (c) The department shall not renew any certificate if it has been revoked or, if
5 suspended, during the period of any suspension. A certificate shall not be
6 considered revoked or suspended when an appeal of the revocation or
7 suspension is pending in a court of competent jurisdiction.

8 (d) For the renewal of an intrastate certificate, the department shall receive a fee
9 of two hundred fifty dollars (\$250), except for an application for renewal of a
10 property certificate, for which the department shall receive a fee of twenty-
11 five dollars (\$25).

12 (e) Before the department may renew a certificate, the certificate holder shall:

13 1. Pay the renewal fee established under paragraph (d) of this subsection;

14 2. For the entities other than TNCs and peer-to-peer car sharing
15 companies, file a motor carrier vehicle license application or renewal for
16 each motor carrier vehicle as required by KRS 281.631. The certificate
17 holder shall file at least one (1) motor carrier vehicle license application
18 or renewal before being eligible for renewal;

19 3. For TNCs, file a TNC authority application with the department
20 pursuant to administrative regulations promulgated by the department;

21 4. For peer-to-peer car sharing companies, file a peer-to-peer car sharing
22 certificate application with the department pursuant to administrative
23 regulations promulgated by the department;

24 5. File with the department one (1) or more approved indemnifying bonds
25 or insurance policies as required by KRS 281.655;

26 6. Every three (3) years, for taxicab, limousine, disabled persons vehicle,
27 TNC, household goods, charter bus, and bus certificates, obtain and

1 retain for a period of at least three (3) years, a nationwide criminal
2 background check in compliance with KRS 281.6301, of each owner,
3 official, employee, independent contractor, or agent operating a
4 passenger vehicle or entering a private residence or storage facility for
5 the purpose of providing or facilitating the transportation of household
6 goods. However, within the three (3) year period:

- 7 a. If a new owner, official, employee, independent contractor, or
8 agent joins the certificate holder and performs the aforementioned
9 duties; or
10 b. If the certificate holder has knowledge that a current owner,
11 official, employee, independent contractor, or agent who performs
12 the aforementioned duties has been convicted of or pled guilty to
13 any of the offenses listed in KRS 281.6301(2);

14 then the certificate holder shall obtain and retain for a period of at least
15 three (3) years, a nationwide criminal background check for that owner,
16 official, employee, independent contractor, or agent; and

17 7. For household goods certificates, have on file with the department a
18 current tariff.

19 (5) (a) A motor carrier operating under a household goods certificate shall, at all
20 times the certificate is in effect, maintain on file with the department a current
21 tariff.

22 (b) Except for a household goods certificate holder that has had only an out-of-
23 state address on file with the department prior to January 1, 2015, all
24 certificate holders shall maintain on file with the department an address within
25 the Commonwealth. The certificate holder shall keep open for public
26 inspection at that address such information as the department may require.

27 (c) The certificate holder shall not charge, demand, collect, or receive a greater,

1 less, or different compensation for the transportation of household goods or
2 for any service in connection therewith, than the tariff filed with the
3 department and in effect at the time would require. A certificate holder shall
4 not make or give any unreasonable preference or advantage to any person, or
5 subject any person to any unreasonable discrimination.

6 (6) A certificate shall not be transferred unless the transfer involves either the change
7 of the legal name of the existing certificate holder or the incorporation of a sole
8 proprietor certificate holder.

9 (7) A certificate authorizing a person to act as an automobile utility trailer lessor shall
10 also authorize the agents of the person to act on his or her behalf during the period
11 of their agency.

12 (8) A motor carrier vehicle shall not be operated after the expiration of the certificate
13 under which it is operated.

14 (9) A person shall not knowingly employ the services of a motor carrier not authorized
15 to perform such services.

16 (10) If the department, after a hearing held upon its own motion or upon complaint, finds
17 any existing rate unjustly discriminatory, or finds the services rendered or facilities
18 employed by any motor carrier to be unsafe, inadequate, inconvenient, or in
19 violation of law or of the administrative regulations of the department, it may by
20 final order do any or all of the following:

21 (a) Require the certificate holder to follow any rate or time schedule in effect at
22 the time of service;

23 (b) Require the certificate holder to issue a refund to the complainant;

24 (c) Require the certificate holder to pay the fine set out in KRS 281.990 to the
25 department; and

26 (d) Determine the reasonable, safe, adequate, and convenient service to be
27 thereafter furnished.

1 (11) Hearings conducted under authority of this section shall be conducted in the same
2 manner as provided in KRS 281.640.

3 (12) (a) Subject to the limitation of paragraph (b) of this subsection, the department
4 shall have the power to promulgate administrative regulations as it may deem
5 necessary to carry out the provisions of this section.

6 (b) Any administrative regulation that reasonably applies only to a human
7 driver shall not apply to the operation of a fully autonomous vehicle
8 licensed under this section.

9 ➔Section 14. KRS 281.764 is amended to read as follows:

10 (1) A motor carrier may operate a platoon on the highways of this state if the motor
11 carrier complies with this section.

12 (2) Motor carriers wishing to operate a platoon shall provide notification to the
13 department and the Kentucky State Police, including a plan for general platoon
14 operations. The department shall have thirty (30) days from the date of receipt to
15 review the notification plan submitted and determine whether it will approve or
16 reject the plan. If the department rejects a submitted plan, it shall inform the motor
17 carrier of the reason for the rejection and provide guidance on how to resubmit the
18 notification and plan to meet the standards.

19 (3) Only commercial motor vehicles shall be eligible to operate in a platoon.

20 (4) An appropriately endorsed driver who holds a valid commercial driver's license
21 shall be present behind the wheel of the lead~~each~~ commercial motor vehicle in a
22 platoon.

23 (5) A commercial motor vehicle involved in a platoon shall not draw another motor
24 vehicle in the platoon.

25 (6) Each commercial motor vehicle involved in a platoon shall display a marking
26 warning other motorists and law enforcement that the vehicle may be part of a
27 platoon.

1 (7) The department shall promulgate administrative regulations in accordance with
2 KRS Chapter 13A to set forth procedures for platooning, including required
3 elements of a platooning plan.

4 ➔Section 15. KRS 281.655 is amended to read as follows:

5 (1) Before any certificate will be issued or renewed, the applicant or holder of the
6 certificate shall file or shall have on file with the department one (1) or more
7 approved indemnifying bonds or insurance policies issued by some surety company
8 or insurance carrier authorized to transact business within the Commonwealth of
9 Kentucky. The term of each bond or policy shall be continuous and shall remain in
10 full force until canceled under proper notice. Each bond or policy shall have
11 attached thereto the state insurance endorsement. All bonds or policies required
12 under this section shall be issued in the name of the holder of the certificate. In lieu
13 of the bonds or policies, the department, under appropriate regulations, may require
14 the filing of one (1) or more approved certificates of insurance, the terms of which
15 shall be continuous and shall remain in force and effect until canceled under proper
16 notice.

17 (2) The bonds or policies required of a U-Drive-It or automobile utility trailer lessor
18 shall provide public liability and property damage coverage when operated either
19 by the lessee or lessor thereof or agents, servants, or employees of either.

20 (3) All bonds or policies shall provide blanket coverage for all equipment operated
21 pursuant to the certificate or permit.

22 (4) The types and minimum amounts of insurance to be carried on each vehicle shall be
23 as follows:

24 MOTOR VEHICLES FOR THE TRANSPORTATION OF PERSONS,

25 INCLUDING U-DRIVE-ITS

26 Death of Total Liability

27 or Injury for Death

1		to Any One	of or Injury	Property
2	Capacity	Person	to Persons	Damage
3	7 regular seats	\$100,000.00	\$300,000.00	\$50,000.00
4	8 or more regular seats	\$100,000.00	\$600,000.00	\$50,000.00

5 MOTOR VEHICLES FOR THE TRANSPORTATION OF PROPERTY,

6 INCLUDING U-DRIVE-ITS AND AUTOMOBILE UTILITY

7 TRAILERS

8		Death of	Total Liability	
9		or Injury	for Death	
10		to Any One	of or Injury	Property
11	Gross Weight	Person	to Persons	Damage
12	18,000 lbs. or less	\$100,000.00	\$300,000.00	\$50,000.00
13	More than 18,000 lbs.	\$100,000.00	\$600,000.00	\$50,000.00

14 (5) Any person, firm, or corporation operating or causing to be operated any vehicle for
 15 the transportation of petroleum or petroleum products in bulk in amounts less than
 16 ten thousand (10,000) pounds shall have the following types and minimum amount
 17 of insurance carried on each vehicle:

18		Death of	Total Liability	
19		or Injury	for Death	
20		to Any One	of or Injury to	Property
21		Person	Persons	Damage
22		\$100,000.00	\$300,000.00	\$50,000.00

23 (6) Any person, firm, or corporation operating or causing to be operated any vehicle for
 24 the transportation of hazardous material as defined in KRS 174.405, except
 25 petroleum or petroleum products in bulk in amounts less than ten thousand (10,000)
 26 pounds, shall have on each vehicle single limits liability insurance coverage of not
 27 less than one million dollars (\$1,000,000) for all damages whether arising out of

1 bodily injury or damage to property as a result of any one (1) accident or
2 occurrence.

3 (7) Before any household goods certificate shall be issued or renewed, the applicant or
4 certificate holder shall file or have on file with the department an approved
5 insurance policy or bond compensating shippers or consignees for loss or damage to
6 property belonging to shippers or consignees and coming into possession of the
7 carrier in connection with its transportation service in the amounts required by 49
8 C.F.R. sec. 387.303(c) for interstate household goods motor carriers. The policy or
9 bond shall have attached thereto the Kentucky cargo policy endorsement and shall
10 be issued by some insurance or surety company authorized to transact business
11 within the Commonwealth of Kentucky. The term of the bond or policy shall be
12 continuous and shall remain in full force until canceled under proper notice. In lieu
13 of the bond or policy, the department, under appropriate regulations, may require
14 the filing of an approved certificate of insurance, the term of which shall be
15 continuous and shall remain in force and effect until canceled under proper notice.

16 (8) No insurance company or insurance carrier issuing any policy filed with the
17 department, and no surety or obligor on any bond or contract filed with the
18 department, shall be relieved from liability under the policy, bond, or contract until
19 after the expiration of thirty (30) days' notice to the department of an intention to
20 cancel the policy, bond, or contract. A prior cancellation may be allowed in cases
21 where one (1) policy, bond, or contract is substituted for another policy, bond, or
22 contract if the substituted policy, bond, or contract is of force and effect at a time
23 prior to the expiration of thirty (30) days' notice to the department of an intention to
24 cancel the policy, bond, or contract for which the additional policy, bond, or
25 contract is being substituted. The acceptance of any notice of an intention to cancel
26 any policy, bond, or contract or the cancellation of any policy, bond, or contract by
27 the department, unless under the circumstances set forth, shall not relieve the

1 insurance company, insurance carrier, surety, or obligor of any liability that accrued
2 prior to the effective date of the cancellation.

3 (9) Upon the cancellation of any bond or insurance policy required by this section, all
4 operating rights granted by the certificate for which the bond or policy was filed,
5 shall immediately cease, and the department may immediately require the cessation
6 of all operations conducted under authority of the certificate, and may require the
7 immediate surrender of all certificates, licenses, and other evidence of a right to act
8 as a motor carrier.

9 (10) The department may exempt in whole or in part from the requirements of this
10 section any person who applies for the exemption and shows to the satisfaction of
11 the department that, by reason of the financial ability of the person applying, there
12 is due assurance of the payment of all damages for which he or she may become
13 liable as a result of the operation of any vehicle owned by him or her or operated
14 under authority of his or her certificate.

15 (11) The provisions of this section notwithstanding, the Secretary of Transportation may
16 adopt, incorporate by reference, or set forth in its entirety the provisions of Title 49,
17 United States Code of Federal Regulations, Part 387, relating to the levels of
18 financial responsibility for motor carriers, in effect as of June 24, 2015, or as
19 amended after that date, with respect to any motor carrier operating in Kentucky.

20 (12) The cabinet shall promulgate administrative regulations to set standards for pre-trip
21 acceptance liability policies and prearranged ride liability insurance policies for
22 transportation network company vehicles. The minimum amount of insurance for
23 pre-trip acceptance liability policies shall be fifty thousand dollars (\$50,000) for
24 death and personal injury to one (1) person, one hundred thousand dollars
25 (\$100,000) for death and personal injury resulting from one (1) incident, and
26 twenty-five thousand dollars (\$25,000) for property damage. The minimum amount
27 of insurance for prearranged ride liability policies shall be the same as for motor

1 vehicles for the transportation of persons under subsection (4) of this section. Pre-
2 trip acceptance liability policies and prearranged ride liability policies may be
3 issued by an eligible surplus lines insurer.

4 **(13) Notwithstanding any other provision of this section, any fully autonomous vehicle**
5 **operating under a certificate issued under this chapter shall have on file with the**
6 **department indemnifying bonds or insurance policies in the minimum amounts**
7 **of:**

8 **(a) One million dollars (\$1,000,000) of total liability for death of or injury to**
9 **persons resulting from any one (1) accident; and**

10 **(b) One million dollars (\$1,000,000) for property damage.**

11 ➔Section 16. Section 14 of this Act takes effect August 1, 2026.

1 AN ACT relating to motor vehicles and making an appropriation.

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

3 ➔Section 1. KRS 281A.010 is amended to read as follows:

4 **As used in this chapter:**

5 (1) "Alcohol" means:

- 6 (a) Beer, ale, port, or stout and other similar fermented beverages, including sake
7 or similar products, of any name or description containing one-half of one
8 ~~percent~~~~[percentum]~~ (0.5%) or more of alcohol by volume, brewed or
9 produced from malt, wholly or in part, or from any substitute therefor;
- 10 (b) Wine of not less than one-half of one ~~percent~~~~[percentum]~~ (0.5%) of alcohol
11 by volume;
- 12 (c) Distilled spirits, which means that substance known as ethyl alcohol, ethanol,
13 or spirits of wine in any form, including all dilutions and mixtures thereof
14 from whatever source or by whatever process produced; or
- 15 (d) Any substance containing ethyl alcohol, hydrated oxide of ethyl, spirit of
16 wine, or any distilled spirits including but not limited to ethanol, methanol,
17 propanol, and isopropanol;~~[-]~~

18 (2) "Alcohol concentration" means:

- 19 (a) The number of grams of alcohol per one hundred (100) milliliters of blood;
- 20 (b) The number of grams of alcohol per two hundred ten (210) liters of breath; or
- 21 (c) The number of grams of alcohol per sixty-seven (67) milliliters of urine;~~[-]~~

22 (3) "Cabinet" means the Transportation Cabinet;~~[- of the Commonwealth of Kentucky.]~~

23 (4) "Commerce" means:

- 24 (a) Any trade, traffic, or transportation within the jurisdiction of the United States
25 between a place in a state and a place outside of the state, including a place
26 outside of the United States; and
- 27 (b) Trade, traffic, and transportation in the United States that affects any trade,

- 1 traffic, and transportation described in paragraph (a) of this subsection;[.]
- 2 (5) "Commercial driver's license[.]" or "CDL[.]" means a license issued to an
3 individual in accordance with the requirements of this chapter or, if the license is
4 issued by another state in accordance with the Federal Commercial Motor Vehicle
5 Safety Act, to an individual that authorizes the individual to drive any class of
6 commercial motor vehicle;[.]
- 7 (6) "Commercial driver's license information system" or "CDLIS" means the national
8 information system established to serve as a clearinghouse for locating information
9 related to the licensing and identification of commercial motor vehicle drivers;[.]
- 10 (7) "Commercial learner's[driver's instruction] permit" or "CLP" means a permit
11 issued pursuant to KRS 281A.120;[.]
- 12 (8) "Commercial motor vehicle[.]" or "CMV[.]" means a motor vehicle or combination
13 motor vehicle used in commerce that is:
- 14 (a) Designed to carry property and has a gross vehicle weight rating as
15 determined by federal regulation which has been adopted into cabinet
16 administrative regulations pursuant to KRS Chapter 13A;
- 17 (b) Designed to transport sixteen (16) or more passengers, including the driver;
- 18 (c) Transporting hazardous materials and is required to be placarded in
19 accordance with[Title] 49 C.F.R. pt.[, Code of Federal Regulations, Part]
20 172; or
- 21 (d) Any other vehicle that is required by cabinet administrative regulation,
22 pursuant to KRS Chapter 13A, to be operated by a licensed commercial
23 driver;[.]
- 24 (9) "Controlled substance" means any substance so classified under[Section 102(6) of
25 the Controlled Substances Act,] 21 U.S.C. sec. 802(6), and includes all substances
26 listed on Schedules I through V[.], off[Title] 21 C.F.R. pt.[, Code of Federal
27 Regulations, Part] 1308, as adopted by the Transportation Cabinet by administrative

1 regulation pursuant to KRS Chapter 13A. It shall also include those substances
2 defined or listed in KRS Chapter 218A;~~[-]~~

3 (10) "Conviction" means an unvacated adjudication of guilt, or a determination that a
4 person has violated or failed to comply with the law in a court of original
5 jurisdiction or an authorized administrative tribunal, an unvacated forfeiture of bail
6 or collateral deposited to secure the person's appearance in court, a plea of guilty, a
7 plea of nolo contendere, or Alford plea entered and accepted by the court, the
8 payment of a fine or court cost, or violation of a condition of release without bail,
9 regardless of whether or not the penalty is rebated, suspended, or probated;~~[-]~~

10 (11) "Disqualification" means any of the following actions:

11 (a) The suspension, revocation, or cancellation of a CDL by the Commonwealth
12 or the jurisdiction of issuance;

13 (b) Any withdrawal of a person's privilege to drive a commercial motor vehicle
14 by the Commonwealth or another jurisdiction as a result of a violation of state
15 or local law relating to motor vehicle traffic control, other than parking,
16 vehicle weight, or vehicle defect violations; or

17 (c) A determination by the Federal Motor Carrier Safety Administration that a
18 person is not qualified to operate a commercial motor vehicle under 49 C.F.R.
19 pt. 391;~~[-]~~

20 (12) "Drive" means to drive, operate, or be in physical control of a motor vehicle;~~[-]~~

21 (13) "Driver" means any person who drives, operates, or is in physical control of a
22 commercial motor vehicle, or who is required to hold a commercial driver's
23 license;~~[-]~~

24 (14) "Driver's license" **or "operator's license"** means a license issued by a state to an
25 individual that authorizes the individual to drive a motor vehicle;~~[-]~~

26 (15) "Employee" means any operator of a commercial motor vehicle, including full-
27 time, regularly employed drivers; casual, intermittent, or occasional drivers; leased

- 1 drivers and independent, owner-operator contractors while in the course of
2 operating a commercial motor vehicle who are either directly employed by, under
3 lease to, or operating in a manner indicating employment to an employer;[.]
- 4 (16) "Employer" means any person, including the United States, a state, or a political
5 subdivision of a state, who owns or leases a commercial motor vehicle, or assigns a
6 person to drive a commercial motor vehicle;[.]
- 7 (17) "Felony" means any offense under state or federal law that is punishable by death or
8 imprisonment for a term exceeding one (1) year;[.]
- 9 (18) "Gross combination weight rating[.]" or "GCWR[.]" is the gross vehicle weight
10 rating of power unit plus the gross vehicle weight rating of any towed unit. In the
11 absence of a value specified by the manufacturer, GCWR shall be determined by
12 **the combined actual physical weight of the vehicle, including passengers, cargo,**
13 **fuel, all other items, and, if towing, the tongue weight;**~~[adding the gross vehicle~~
14 ~~weight rating of the power unit and the total weight of the towed unit and load~~
15 ~~therein.]~~
- 16 (19) "Gross vehicle weight rating[.]" or "GVWR[.]" means the value specified by the
17 manufacturer as the maximum loaded weight of a single, a combination or an
18 articulated vehicle;[.]
- 19 (20) "Hazardous materials" has the same meaning as in 49 C.F.R. sec. 383.5;[.]
- 20 (21) "Highway" shall include any way or place of any nature when any part of it is open
21 to the use of the public as a matter of right, license, or privilege for the use of
22 vehicular traffic;[.]
- 23 (22) "Imminent hazard" means a condition that presents a substantial likelihood that
24 death, serious illness, severe personal injury, or a danger to health, property, or the
25 environment exists;[.]
- 26 (23) "Moped" shall have the same meaning as in KRS 186.010(5);[.]
- 27 (24) "Motor vehicle" means a vehicle, machine, tractor, trailer, or semitrailer propelled

- 1 or drawn by mechanical power used on highways, or any other vehicle required to
2 be registered under the laws of this state, but shall not include any vehicle, machine,
3 tractor, trailer, or semitrailers operated exclusively on a rail:~~[-]~~
- 4 (25) "NDR" means the national driver register:~~[-]~~
- 5 (26) "Out-of-service order" means a declaration by an authorized enforcement officer of
6 a federal, state, Canadian, Mexican, or local jurisdiction that a driver, commercial
7 motor vehicle, or a motor carrier operation is out of service pursuant to 49 C.F.R.
8 ~~secs.~~~~[sec.]~~ 386.72, 392.5, 395.13, or 396.9; comparable laws or regulations; or the
9 North American Uniform Out-of-Service Criteria:~~[-]~~
- 10 (27) "Resident" means a person who has established Kentucky as his or her state of
11 domicile. Proof of residency shall include but not be limited to a deed or property
12 tax bill, utility agreement or utility bill, or rental housing agreement:~~[-]~~
- 13 (28) "School bus" means a vehicle that meets the specification of KRS 156.153 used to
14 transport preprimary, primary, or secondary school students between school and
15 home, or to and from school-sponsored events. A school bus shall not include a bus
16 used as a common carrier:~~[-]~~
- 17 (29) "Serious traffic violation" means a conviction when operating a commercial motor
18 vehicle of:
- 19 (a) Excessive speeding, involving a single charge of any speed fifteen (15) miles
20 per hour or more, above the specified speed limit;
- 21 (b) Reckless driving, as defined under state or local law, including conviction of
22 driving a commercial motor vehicle in willful or wanton disregard for the
23 safety of persons or property;
- 24 (c) Improper or erratic traffic lane changes;
- 25 (d) Following the vehicle ahead too closely;
- 26 (e) A violation of any state or local law related to motor vehicle traffic control,
27 other than a parking violation, arising in connection with a fatal accident;

- 1 (f) Driving a commercial motor vehicle without a CDL;
- 2 (g) Driving a commercial motor vehicle without a CDL in one's possession or
3 refusing to display a CDL upon request;
- 4 (h) Driving a commercial motor vehicle without the proper class of CDL or
5 endorsements, or both, for the specific vehicle type or types being operated or
6 for the passengers or type or types of cargo being transported; or
- 7 (i) Any conviction of an offense that requires mandatory suspension under KRS
8 186.560 or a serious violation as defined by ~~the Title 49 C.F.R. pt. of the Code~~
9 ~~of Federal Regulations Part 383 or as amended by the Federal Highway~~
10 ~~Administration~~; ~~or~~
- 11 (30) **"Severe forms of trafficking in persons" has the same meaning as in 22 U.S.C.**
12 **sec. 7102;**
- 13 **(31)** "State" means a state of the United States and the District of Columbia; ~~or~~
- 14 **(32)** ~~(31)~~ "State police" means the Department of Kentucky State Police; **and** ~~or~~
- 15 **(33)** ~~(32)~~ "Vehicle" means every device in, upon, or by which any person or property is
16 or may be transported or drawn along a public highway, except devices moved by
17 human or animal power, used exclusively upon stationary rails or tracks, or which
18 derives its power from overhead wires.
- 19 ➔Section 2. KRS 281A.120 is amended to read as follows:
- 20 (1) A commercial **learner's** ~~driver's instruction~~ permit may be issued to an individual
21 twenty-one (21) years and older who:
- 22 (a) Has complied with the criminal history background check required by KRS
23 281A.300;
- 24 (b) Holds a valid Kentucky Class D operator's license;
- 25 (c) Is a citizen or permanent resident of the United States, or can provide to the
26 cabinet documentation issued by the United States Citizenship and
27 Immigration Services in the United States Department of Homeland Security,

1 authorizing the person to be in the United States and to be employed while in
2 the United States; and

3 (d) Has passed the vision and knowledge tests required for a commercial driver's
4 license of the class vehicle to be driven. **Commercial learner's**~~[Instruction]~~
5 permits shall be class specific.

6 (2) A commercial **learner's**~~[driver's instruction]~~ permit may be issued to a resident
7 eighteen (18) years of age who:

8 (a) Has complied with the criminal history background check required by KRS
9 281A.300;

10 (b) Holds a valid Kentucky Class D operator's license;

11 (c) Is a citizen or permanent resident of the United States, or can provide to the
12 cabinet documentation issued by the United States Citizenship and
13 Immigration Services in the United States Department of Homeland Security,
14 authorizing the person to be in the United States and to be employed while in
15 the United States; and

16 (d) Has passed the vision and knowledge tests required for a commercial driver's
17 license of the class vehicle to be driven.

18 A commercial **learner's**~~[driver's license instruction]~~ permit issued under this
19 subsection shall be valid only for the operation of a commercial motor vehicle in
20 intrastate commerce that is not a school bus or a vehicle hauling hazardous material.

21 The **CLP**~~[instruction permit]~~ shall be class specific and shall contain~~an~~ **a**
22 **"K"**~~["I"]~~ restriction noting that the commercial driver is limited to Kentucky
23 intrastate commerce.

24 (3) A commercial **learner's**~~[driver's instruction]~~ permit shall not be issued to a resident
25 for a period to exceed one hundred eighty (180) days. Only one (1) renewal or
26 reissuance may be granted within a two (2) year period for the same class of
27 vehicle. The holder of a commercial **learner's**~~[driver's instruction]~~ permit may,

1 unless otherwise disqualified, drive a commercial motor vehicle on the highways of
2 Kentucky only when accompanied by the holder of a commercial driver's license
3 valid for the type of vehicle driven and who occupies a seat beside the permit
4 holder for the purpose of giving instruction in driving the commercial motor
5 vehicle.

6 (4) ~~[A person who is not a resident who is enrolled in a program offering commercial~~
7 ~~truck driving under the Kentucky Community and Technical College System or a~~
8 ~~proprietary school licensed under KRS Chapter 165A may be issued a provisional~~
9 ~~Class D license that allows an applicant to include a commercial driver's instruction~~
10 ~~permit into a single license that shall be valid for ninety (90) days. The fee for a~~
11 ~~provisional Class D license shall be the same as for a regular Class D license. A~~
12 ~~provisional Class D license may be renewed for one (1) ninety (90) day period. A~~
13 ~~person issued a provisional Class D license under this subsection shall be required~~
14 ~~to convert the license to a regular Kentucky CDL or return to the person's state of~~
15 ~~domicile and transfer the Kentucky provisional Class D license to his or her state of~~
16 ~~domicile. A provisional Class D license issued under this subsection shall not be~~
17 ~~converted to a regular Class D license unless the applicant satisfies all Kentucky~~
18 ~~residency requirements.]~~ A commercial **learner's**~~[driver's instruction]~~ permit shall
19 contain **the same elements and meet the same**~~],~~ in addition to other information
20 ~~required by the cabinet, those~~ requirements **as those for commercial driver's**
21 **licenses** set forth in KRS 281A.170~~]. The commercial driver's instruction permit~~
22 ~~shall not contain the permit holder's Social Security number but shall include a~~
23 ~~color photo of the permit holder].~~

24 ➔ Section 3. KRS 281A.140 is amended to read as follows:

25 (1) The application for a commercial driver's license or commercial **learner's**~~[driver's~~
26 ~~instruction]~~ permit shall include the following information:

27 (a) The **applicant's** full legal name, **any**~~[including]~~ nicknames **or other names by**

- 1 which he or she is known, and present Kentucky resident address~~[of the~~
2 ~~applicant]~~. If the applicant's mailing address is different from the resident
3 address, the mailing address shall also be included~~[. If the applicant is not a~~
4 ~~resident, the application shall include the person's resident address in the~~
5 ~~person's state of domicile and the address of the Kentucky driver training~~
6 ~~school where the applicant is currently enrolled];~~
- 7 (b) A physical description of the applicant including sex, height, weight, eye
8 color, and race;
- 9 (c) The applicant's date of birth;
- 10 (d) The applicant's Social Security number;
- 11 (e) The applicant's signature;
- 12 (f) Certifications including those required by~~[Title] 49~~ C.F.R.~~[, Code of Federal~~
13 ~~Regulations,]~~ secs. 383.71, 383.73, and 384.206, as adopted by the cabinet;
- 14 (g) A consent to release driving record information;
- 15 (h) A valid Class D operator's license issued pursuant to KRS 186.4102 and
16 186.412;
- 17 (i) A birth certificate if the applicant does not hold a valid operator's license at
18 the time of application;
- 19 (j) The name of every jurisdiction in which the applicant has previously been
20 licensed to drive any type of motor vehicle during the ten (10) year period
21 immediately preceding the date of the application; and
- 22 (k) Any other information required by the cabinet.
- 23 (2) The cabinet or state police may require any other information needed in order to
24 process the application.
- 25 (3) When the holder of a commercial driver's license changes his or her name or
26 residence, the information shall be reported to the cabinet within ten (10) days. The
27 holder of a Class A, B, or C license shall make an application for a duplicate license

1 within thirty (30) days of changing his or her name or address.

2 (4) Any person whose commercial driver's license has been legitimately lost or
3 destroyed shall make an application for a duplicate. ~~;~~

4 ~~(a) —~~ A person applying for ~~a~~^{the first} duplicate within the time period for which
5 the original license was issued~~;~~ shall apply to the Transportation Cabinet.
6 The person shall provide the cabinet with proof of the person's identity and a
7 notarized affidavit with a raised seal explaining in detail the loss or
8 destruction of the original license.

9 ~~[(b) — A person applying for a second or subsequent duplicate within the time period
10 for which the original license was issued, shall apply to the Transportation
11 Cabinet in Frankfort or a Transportation Cabinet field office. The person shall
12 provide the cabinet with proof of the person's identity and a notarized
13 affidavit explaining in detail the loss or destruction of the previous duplicate
14 issued. The Transportation Cabinet shall, within thirty (30) days of receipt of
15 the application, review the person's proof of identity and affidavit and
16 determine if the person will be issued a duplicate.]~~

17 (5) A person who is a resident of this state shall not drive a commercial motor vehicle
18 under the authority of a commercial driver's license issued by another jurisdiction.

19 (6) Any person who knowingly falsifies information or certifications required to obtain
20 a commercial driver's license, a commercial driver's license permit, or a duplicate
21 commercial driver's license subsequent to an administrative hearing conducted in
22 accordance with KRS 186.570, shall be subject to suspension, revocation, or
23 cancellation of his or her commercial driver's license for a period of at least sixty
24 (60) consecutive days.

25 ➔ Section 4. KRS 281A.160 is amended to read as follows:

26 (1) (a) Except as provided in subsection (4) of this section, the State Police shall be
27 responsible for administering both the knowledge and skills test required by

1 KRS 281A.130.

2 (b) Prior to taking the knowledge test, a first-time applicant for a hazardous
3 materials endorsement shall complete the entry level driver training
4 required under 49 C.F.R. pt. 380.

5 (c) Applicants who fail the written knowledge test shall be permitted to retake the
6 written test on the next day the tests are administered. Applicants who fail the
7 written test six (6) times shall be required to wait three (3) days before taking
8 the knowledge test again. Applicants who subsequently fail the written test
9 three (3) additional times shall be required to wait three (3) days prior to
10 retaking the test.

11 (2) (a) Except as provided for in subsection (3) of this section, at the time a CDL
12 permit is issued:

- 13 1. An applicant who has held a Kentucky operator's license for thirty (30)
14 days or longer shall pay a skills-testing fee of fifty dollars (\$50); and
15 2. An applicant who has held a Kentucky operator's license for less than
16 thirty (30) days or an applicant who holds an out-of-state operator's
17 license and commercial learner's permit shall pay a skills-testing fee of
18 one hundred fifty dollars (\$150).

19 (b) ~~A person applying under subsection (8) of this section shall pay a skills-~~
20 ~~testing fee of one hundred fifty dollars (\$150).~~

21 (c) There is created within the State Treasury a trust fund to be known as the
22 State Police CDL skills-testing fund. The fund shall be administered by the
23 State Police and shall receive all skills-testing and retesting fees collected
24 under paragraph~~paragraphs~~ (a)~~and (b)~~ of this subsection and subsection
25 (6)(e) of this section, in addition to any grants, gifts, or appropriations of state
26 or federal moneys and any interest earned on moneys in the fund. Moneys in
27 the fund shall not lapse and shall be carried forward to the next succeeding

1 fiscal year. The State Police CDL skills-testing fund shall be used by the State
2 Police to contract with and train civilian CDL skills examiners and to improve
3 the logistics of the CDL skills-testing process.

4 ~~(c)~~~~(d)~~ The State Police, upon request of an applicant who has passed both the
5 vision and knowledge tests, **and has successfully completed all of the entry**
6 **level driver training required under 49 C.F.R. pt. 380 for the license class**
7 **and endorsements the applicant seeks**, may schedule the applicant for the
8 skills test at the first available test date at a test site designated by the State
9 Police but not less than fourteen (14) days after the applicant has filed the
10 application and been issued a CDL permit. Except in extenuating
11 circumstances, a retest for a failed portion of the skills test shall be given
12 within three (3) days of a request of a retest.

13 ~~(d)~~~~(e)~~ An applicant shall provide a class representative commercial vehicle, for
14 the class of CDL for which the applicant is testing, in which to take the skills
15 test. Unless the State Police grant an exemption at the time the application for
16 testing is made, the vehicle supplied under this paragraph shall be unloaded.
17 Upon arrival for the skills test, the applicant shall have in his or her
18 possession a valid Kentucky operator's license and a valid CDL permit. A
19 CDL-licensed driver who is at least twenty-one (21) years old shall
20 accompany the applicant at all times the applicant is in operation of a
21 commercial vehicle.

22 (3) A testing fee shall not be charged to:

23 (a) An individual applying for a CDL with an "S" endorsement as defined in KRS
24 281A.170; or

25 (b) Military personnel applying for a CDL under KRS 281A.165.

26 (4) The State Police may authorize a third party to administer the skills test specified by
27 this section if:

- 1 (a) The test is the same that would otherwise be administered by the state; and
- 2 (b) The third party has entered into an agreement with this Commonwealth which
- 3 complies with requirements of ~~[Title]~~ 49 **C.F.R. sec.** ~~[Code of Federal~~
- 4 ~~Regulations, Part]~~ 383.75, as adopted by the Transportation Cabinet.
- 5 (5) The State Police shall promulgate administrative regulations **in accordance**
- 6 **with** ~~[under]~~ KRS Chapter 13A that establish procedures that ensure an arm's-length
- 7 relationship is maintained between a third-party tester and any owner, officer, or
- 8 employee of any program offering commercial truck driving under the Kentucky
- 9 Community and Technical College System or a proprietary school licensed under
- 10 KRS Chapter 165A.
- 11 (6) (a) Applicants shall be permitted to take the skills test for a particular class
- 12 vehicle an unlimited number of times; however, an applicant shall not retest
- 13 more than one (1) time in any twenty-four (24) hour period.
- 14 (b) The skills test shall consist of three (3) separate portions: pre-trip inspection,
- 15 basic maneuvering, and road skills. An applicant must achieve a score of at
- 16 least eighty percent (80%) on each portion of the skills test before a CDL may
- 17 be issued to the applicant. An applicant who passes one (1) or more portions
- 18 of the skills test but does not pass all portions of the skills test shall retest only
- 19 on those portions of the skills test the applicant failed.
- 20 (c) An applicant who fails any portion of the skills test four (4) times shall be
- 21 notified by the State Police that the applicant is required to wait one (1) week
- 22 before retaking a portion of this skills test again.
- 23 (d) Failure of an applicant to notify the State Police at least forty-eight (48) hours
- 24 prior to missing an appointment for a skills test, or provide a written medical
- 25 excuse from a licensed physician, advanced registered nurse practitioner, or
- 26 physician's assistant, shall be considered a failure~~[,]~~ on all parts of the skills
- 27 test scheduled to be given~~[,]~~ for the purposes of determining number of

1 failures, waiting periods, and retesting fees under paragraphs (c) and (e) of
2 this subsection for individual applicants. The fees for a missed appointment
3 failure shall be forfeited and retained in the State Police CDL skills-testing
4 fund established under this section. If the forty-eight (48) hour notice or
5 medical excuse is given, the fee shall be applied to the rescheduled test. A
6 missed appointment failure under this paragraph shall not be reported as a
7 failure to the board.

8 (e) Except as provided for in paragraph (d) of this subsection, at the time of
9 application for a retest under this subsection, the applicant shall pay a
10 retesting fee of fifty dollars (\$50).

11 (7) (a) An applicant who seeks reinstatement of a commercial driver's license after a
12 suspension, withdrawal, revocation, or disqualification of less than one (1)
13 year shall pay the reinstatement fee as prescribed by KRS 281A.150(7) and
14 shall receive his or her commercial driver's license with all endorsement and
15 restrictions that were in effect at the time of suspension. An applicant who
16 seeks reinstatement of a commercial driver's license after a suspension,
17 withdrawal, revocation, or disqualification of one (1) year or more shall
18 submit to the skills, knowledge, and vision tests.

19 (b) Subject to paragraphs (c) and (d) of this subsection, a person who possessed a
20 Kentucky commercial driver's license that has expired for a period of less than
21 five (5) years and was not subject to suspension, withdrawal, revocation, or
22 disqualification for any reason at the time of expiration may have that license
23 reinstated, with all endorsements, without submitting to the skills and
24 knowledge tests by applying to the cabinet for renewal. Upon submission of
25 medical certification, driver self-certifications required under KRS
26 281A.140(1)(f), successful completion of any necessary criminal background
27 check, and review of the person's driving history record, the cabinet shall

1 issue a renewal CDL, with all endorsements, to an applicant under this
2 paragraph.

3 (c) A person who otherwise meets the requirements of paragraph (b) of this
4 subsection whose CDL was subject to suspension or revocation solely for
5 failure to provide medical certification may apply for renewal of a CDL under
6 paragraph (b) of this subsection.

7 (d) If the CDL held by a person who otherwise meets the requirements of
8 paragraph (b) of this subsection carried a hazardous materials endorsement,
9 and the applicant wishes to retain that endorsement, he or she shall complete
10 any examinations required for a hazardous materials endorsement renewal in
11 KRS 281A.180(2) prior to renewing the CDL under paragraph (b) of this
12 subsection.

13 ~~(8) [An applicant who is not a resident of the Commonwealth, possesses both a valid~~
14 ~~operator's license and a commercial driver's instruction permit, and has complied~~
15 ~~with all necessary federal requirements may take a commercial driver's license~~
16 ~~skills test under this section.~~

17 ~~(9)~~ (a) The commissioner of the Department of Kentucky State Police shall
18 promulgate administrative regulations in accordance with ~~[pursuant to the~~
19 ~~provisions of]~~ KRS Chapter 13A to implement the provisions of this section.

20 (b) The State Police shall promulgate administrative regulations in accordance
21 with ~~[under]~~ KRS Chapter 13A to set forth the qualifications for contract
22 examiners retained under subsection (2) ~~(b)~~ ~~(c)~~ of this section.

23 ➔ Section 5. KRS 281A.170 is amended to read as follows:

24 (1) The commercial driver's license shall be marked "commercial driver's license" and
25 "CDL" and shall be, to the maximum extent practicable, tamper proof. It shall
26 include but is not limited to the following information:

27 (a) The name and present resident address of the licensee;

- 1 (b) The licensee's photograph;
- 2 (c) A physical description of the licensee including sex, height, weight, and eye
3 color;
- 4 (d) The licensee's date of birth;
- 5 (e) The licensee's signature;
- 6 (f) The class or type of commercial motor vehicle or vehicles that the person is
7 authorized to drive together with any endorsements or restrictions;
- 8 (g) The name of this state;
- 9 (h) The dates between which the license is valid; and
- 10 (i) Any other information required by the cabinet, except for a person's Social
11 Security number.
- 12 (2) A commercial driver's license issued under this chapter shall contain a denotation
13 that either:
 - 14 (a) The commercial driver's license is a voluntary travel ID identity document
15 that complies with the security standards set forth by Pub. L. No. 109-13,
16 Title II, and may be used for identification for federal purposes; or
 - 17 (b) The commercial driver's license shall not be used for federal identification
18 purposes.
- 19 (3) A commercial driver's license shall be issued with classifications, endorsements,
20 and restrictions. Vehicles that require an endorsement shall not be driven unless the
21 proper endorsement appears on the license and the applicant has passed the
22 knowledge and skills test required by the State Police.
 - 23 (a) Classifications:
 - 24 1. Class A - Any combination of vehicles with a gross vehicle weight
25 rating of twenty-six thousand and one (26,001) pounds or more, if the
26 gross vehicle weight rating of the vehicle being towed is in excess of ten
27 thousand (10,000) pounds. Licensees with an "A" classification may

- 1 with the proper endorsement drive Class B and C vehicles;[.]
- 2 2. Class B - Any single vehicle with a gross vehicle weight rating of
- 3 twenty-six thousand and one (26,001) pounds or more, and any vehicle
- 4 towing a vehicle not in excess of ten thousand (10,000) pounds **gross**
- 5 **vehicle weight rating**. Licensees with a "B" classification may with the
- 6 proper endorsements drive Class C vehicles;[.]
- 7 3. Class C - Any single vehicle with a gross **vehicle** weight rating of less
- 8 than twenty-six thousand and one (26,001) pounds or any vehicle
- 9 towing a vehicle with a gross vehicle weight rating not in excess of ten
- 10 thousand (10,000) pounds which includes:
- 11 a. Vehicles designed to transport sixteen (16) or more passengers,
- 12 including the driver; or
- 13 b. Vehicles used in the transportation of hazardous materials which
- 14 requires the vehicle to be placarded under[Title] 49 **C.F.R. secs.**
- 15 **172.500 to 172.560**[, Code of Federal Regulations, Part 172, sub-
- 16 part F], as adopted by administrative regulations of the cabinet,
- 17 pursuant to KRS Chapter 13A;[.]
- 18 4. Class D - All other vehicles not listed in any other class, **including**
- 19 **mopeds; and**[.]
- 20 5. [~~Class E - Moped only.~~
- 21 6. ~~Class M - Motorcycles. Licensees with a "M" classification may also~~
- 22 drive **mopeds**[~~Class E vehicles~~].
- 23 (b) Endorsements:
- 24 1. "H" - Authorizes the driver to operate a vehicle transporting hazardous
- 25 materials;[.]
- 26 2. "T" - Authorizes operation of double trailers and triple trailers in those
- 27 jurisdictions allowing the operation of triple trailers;[.]

- 1 3. "P" - Authorizes operation of vehicles carrying passengers;~~;~~
- 2 4. "N" - Authorizes operation of tank vehicles;~~;~~
- 3 5. "X" - Authorizes operation of combination of hazardous materials and
- 4 tank vehicle endorsements;~~;~~
- 5 6. "R" - Authorizes operation of all other endorsements not otherwise
- 6 specified; and~~;~~
- 7 7. "S" - Authorizes operation of school buses.
- 8 (c) The Transportation Cabinet shall promulgate administrative regulations in
- 9 accordance with KRS Chapter 13A to outline restrictions on the operation of
- 10 commercial vehicles and the associated codes to identify such restrictions,
- 11 which shall appear on the face of the commercial driver's license.
- 12 (4) Within ten (10) days after issuing a commercial driver's license, the cabinet shall
- 13 notify the commercial driver's license information system of that fact, providing all
- 14 information required to ensure identification of the person.
- 15 (5) A commercial driver's license issued to a resident pursuant to this chapter shall
- 16 expire in eight (8) years unless the license was issued to a resident under the age of
- 17 twenty-one (21).~~[A commercial driver's license issued to a person who is not a~~
- 18 ~~resident shall be issued for one (1) year and shall not be renewable. The fee for a~~
- 19 ~~commercial driver's license issued to a nonresident shall be the same as the fee~~
- 20 ~~charged to a resident.]~~
- 21 (6) A person under the age of twenty-one (21) shall not be licensed to operate a Class
- 22 A, B, or C vehicle unless he or she has a "K"~~[an "I"]~~ restriction. A commercial
- 23 driver with a "K"~~[an "I"]~~ restriction shall not drive a commercial motor vehicle in
- 24 interstate commerce, unless he or she is exempt pursuant to 49 C.F.R. sec. 391.2. A
- 25 commercial driver under the age of twenty-one (21) shall not be allowed to operate
- 26 a school bus or a vehicle transporting hazardous material in intrastate commerce.
- 27 (7) The holder of a commercial driver's license shall be considered to hold a valid

1 Kentucky driver's license issued under the provisions of KRS 186.4102 and
2 186.412.

3 ➔Section 6. KRS 281A.165 is amended to read as follows:

- 4 (1) The cabinet may waive the written knowledge test, the driving skills test, or both,
5 for an applicant on active or reserve military service, or who is a member of the
6 National Guard, or within one (1) year of separation of service, who:
- 7 (a) Is currently licensed;
 - 8 (b) Has experience driving a vehicle in the military that would require a
9 commercial driver's license to operate as a civilian;
 - 10 (c) Has a good driving record;~~and~~
 - 11 (d) Certifies and provides verification that, during the two (2) year period
12 immediately prior to applying for a commercial driver's license, the applicant:
 - 13 1. Drove a motor vehicle in the military that was representative of the
14 commercial driver's license class~~and endorsement~~ for which he or she
15 is applying;
 - 16 2. Has not had his or her operator's license or commercial driver's license
17 suspended, revoked, or canceled, or been disqualified from operating a
18 commercial motor vehicle;
 - 19 3. Has not been convicted of any of the disqualifying offenses in 49 C.F.R.
20 sec. 383.51(b) while operating a commercial motor vehicle, or of any
21 offense in a noncommercial vehicle that would be disqualifying under
22 49 C.F.R. sec. 383.51(b) if committed in a commercial motor vehicle;
 - 23 4. Has not been convicted of more than one (1) serious traffic violation, as
24 defined in 49 C.F.R. sec. 383.5, while operating any type of motor
25 vehicle;
 - 26 5. Has not been convicted of any violation of military, state, or local law
27 relating to motor vehicle traffic control, other than a parking violation,

- 1 arising in connection with a traffic accident, and has no record of being
2 at fault in an accident while driving a vehicle in the military that would
3 require a commercial driver's license to operate as a civilian;
- 4 6. Has not been convicted of any motor vehicle traffic violation that
5 resulted in an accident; and
- 6 7. Is or was regularly employed in a position in the Armed Forces of the
7 United States requiring operation of a commercial motor vehicle of the
8 group the applicant seeks to drive, and provides evidence of that
9 employment in accordance with subsection ~~(4)~~~~(5)~~ of this section; **and**
- 10 **(e) If applying for a license endorsement, provides the verification for a testing**
11 **waiver required under 49 C.F.R. sec. 838.77(c).**
- 12 (2) The **written knowledge and** skills test waiver process described in subsection (1) of
13 this section shall be completed, and the commercial driver's license issued, within
14 one (1) year of separation of service.
- 15 ~~(3) Military personnel who obtain the skills test waiver under this section shall be~~
16 ~~required to take the knowledge test pursuant to KRS 281A.130.~~
- 17 ~~(4)~~ Military personnel who obtain the **written knowledge and** skills test waiver under
18 this section shall be required to pay the application fee as prescribed by KRS
19 281A.150, but shall not be charged the skills-testing fee as prescribed by KRS
20 281A.160.
- 21 ~~(4)~~~~(5)~~ The cabinet shall promulgate administrative regulations **in accordance**
22 **with**~~under~~ KRS Chapter 13A that establish an application form for waiver of the
23 **written knowledge and** skills test by military personnel. As part of the application
24 process, the applicant shall be required to provide:
- 25 (a) A copy of the applicant's DD-214 form showing the applicant's military
26 occupational specialty; **and**~~or~~
- 27 (b) A signed statement by the applicant's commanding officer or transportation

1 officer, on a form provided by the cabinet, attesting to the fact that the
2 applicant meets the requirements of this section.

3 ➔Section 7. KRS 281A.190 is amended to read as follows:

4 (1) A person who holds or is required to hold a CDL shall be disqualified from driving
5 a commercial motor vehicle for a period of one (1) year if convicted of:

6 (a) Driving or being in physical control of a motor vehicle under the influence of
7 alcohol or a controlled substance;

8 (b) Driving or being in physical control of a motor vehicle while the alcohol
9 concentration of the person's blood or breath or urine is four hundredths (0.04)
10 or more;

11 (c) Leaving the scene of an accident involving a motor vehicle driven by a person
12 who holds or is required to hold a CDL;

13 (d) Using a motor vehicle in the commission of any felony listed in KRS 186.560;

14 (e) Refusing to submit to testing as required by KRS 281A.220 when driving a
15 motor vehicle;

16 (f) Committing a first violation of driving a commercial motor vehicle while the
17 person's commercial driver's license is revoked, suspended, or canceled, or
18 when the person is disqualified from operating a commercial motor vehicle;
19 or

20 (g) Causing a fatality through negligent or criminal operation of a commercial
21 motor vehicle.

22 (2) A person who holds or is required to hold a CDL shall be disqualified for life if
23 convicted of two (2) or more violations of any of the offenses specified in
24 subsection (1) of this section or any combination of those offenses~~[,]~~ arising from
25 two (2) or more separate incidents. The provisions of this subsection shall only
26 apply to convictions that occurred after the disqualification dates established by the
27 Federal Motor Carrier Safety Administration. The Transportation Cabinet shall set

1 forth those dates in an administrative regulation promulgated in accordance
2 with~~[pursuant to]~~ KRS Chapter 13A.

3 (3) If any violation specified in subsection (1) of this section occurred while
4 transporting a hazardous material required to be placarded, the person who holds or
5 is required to hold a CDL shall be disqualified for a period of three (3) years.

6 (4) Notwithstanding any other provisions of law, a period of suspension, revocation, or
7 disqualification imposed under the provisions of this chapter shall not be reduced.
8 However, in accordance with the provisions of~~[Title]~~ 49 C.F.R. pt.~~[Code of~~
9 ~~Federal Regulations, Part]~~ 383, the cabinet may establish guidelines including
10 conditions under which a disqualification of not less than ten (10) years may be
11 imposed.

12 (5) A person who holds or is required to hold a CDL shall be disqualified from driving
13 a commercial motor vehicle for life if the person is convicted~~[who uses a~~
14 ~~commercial motor vehicle in the commission]~~ of any felony in which a commercial
15 motor vehicle was used and that involved:~~[involving]~~

16 (a) The manufacture, distribution, or dispensing of a controlled substance, or
17 possession with intent to manufacture, distribute, or dispense a controlled
18 substance; or

19 (b) An act or practice of severe forms of trafficking in persons.

20 (6) A person who holds or is required to hold a CDL shall be disqualified from driving
21 a commercial motor vehicle for a period of sixty (60) days if convicted of two (2)
22 serious traffic violations, or one hundred twenty (120) days consecutively if
23 convicted of three (3) serious traffic violations, committed in a commercial motor
24 vehicle arising from separate incidents occurring within a three (3) year period.

25 (7) A person who holds or is required to hold a CDL shall be disqualified for the first
26 offense from driving a commercial motor vehicle for six (6) months if the person
27 has been convicted of committing any of those offenses enumerated in KRS

- 1 186.610 involving a commercial motor vehicle, commercial driver's license, or
2 application for that license. For the second and each subsequent offense, the person
3 shall be disqualified from operating a commercial motor vehicle for a period of one
4 (1) year.
- 5 (8) The cabinet shall deny a person a commercial driver's license or shall suspend,
6 revoke, or cancel his or her commercial driving privilege, subject to a hearing
7 conducted in accordance with KRS 189A.107, when the cabinet has reason to
8 believe that the person refused to submit to a test to determine his or her alcohol
9 concentration while driving a commercial motor vehicle.
- 10 (9) If a person who holds or is required to hold a CDL is convicted of any of the
11 railroad crossing offenses or conduct enumerated in KRS 189.500, 189.560, and
12 189.565, then the person shall be disqualified from operating a commercial motor
13 vehicle for a period of:
- 14 (a) Sixty (60) days for the first offense;
- 15 (b) One hundred twenty (120) days for the second offense within a three (3) year
16 period; and
- 17 (c) One (1) year for the third or subsequent offense within a three (3) year period.
- 18 (10) If a person who holds or is required to hold a CDL violates an out-of-service order
19 while transporting nonhazardous materials, then the person shall be disqualified
20 from operating a commercial motor vehicle for a period of:
- 21 (a) One hundred eighty (180) ~~Ninety (90)~~ days for the first offense;
- 22 (b) Two (2) years ~~One (1) year~~ for the second offense in a separate incident
23 within a ten (10) year period; and
- 24 (c) Three (3) years for the third or subsequent offense in a separate incident
25 within a ten (10) year period.
- 26 (11) If a person who holds or is required to hold a CDL violates an out-of-service order
27 while transporting hazardous materials required to be placarded under the 49 U.S.C.

1 sec. 5101 et seq., or operating a commercial motor vehicle designed to transport
2 sixteen (16) or more passengers, including the driver, then the person shall be
3 disqualified from operating a commercial motor vehicle for a period of:

4 (a) One hundred eighty (180) days for the first offense; and

5 (b) Three (3) years for the second or subsequent offense in a separate incident
6 within a ten (10) year period.

7 (12) A person who violates the provisions of KRS 281A.205 shall be fined fifty dollars
8 (\$50) for the first offense. For a subsequent offense, a violator shall be fined one
9 hundred dollars (\$100) and shall have his or her school bus endorsement suspended
10 for a period of six (6) months.

11 (13) After disqualifying a commercial driver's license holder or suspending, revoking, or
12 canceling a commercial driver's license, the Transportation Cabinet shall update its
13 records to reflect that action within ten (10) days of receipt. After disqualifying a
14 commercial driver's license holder or suspending, revoking, or canceling an out-of-
15 state commercial driver's license holder's privilege to operate a commercial motor
16 vehicle for at least sixty (60) days, the Transportation Cabinet shall notify the
17 licensing authority of the state which issued the commercial driver's license or
18 commercial learner's~~[driver's instruction]~~ permit with this information within ten
19 (10) days. The notification shall include both the disqualification and the violation
20 that resulted in the disqualification, suspension, cancellation, or revocation.

21 (14) Upon notice from the Federal Motor Carrier Safety Administration that a driver has
22 been determined to be an imminent hazard and has been disqualified from operating
23 a commercial motor vehicle, the cabinet shall act in accordance with the provisions
24 of 49 C.F.R. sec. 383.52. The cabinet shall notify the driver of the disqualification,
25 which shall not exceed one (1) year in duration, and of the right to appeal to the
26 Federal Motor Carrier Safety Administration in accordance with 49 C.F.R. sec.
27 383.52.

1 ➔Section 8. KRS 281A.270 is amended to read as follows:

2 The Transportation Cabinet may adopt~~[in whole or in part]~~ those federally mandated
3 requirements set forth in~~[Title]~~ 49 C.F.R. pt.~~[, Code of Federal Regulations, Part]~~ 383,
4 notwithstanding the fact that the provisions may conflict with other provisions of this
5 chapter.

6 ➔Section 9. KRS 281A.185 is amended to read as follows:

7 (1) The Commonwealth shall not mask, defer imposition of judgment, or allow an
8 individual to enter into a diversion program that would prevent a CLP or CDL
9 holder's conviction for any violation, in any type of motor vehicle, of a state or local
10 traffic control law from appearing on the CDLIS driver record, whether the driver
11 was convicted for an offense committed in the Commonwealth or another state.

12 (2) This section shall not apply to the following violations:

- 13 (a) Parking;
14 (b) Vehicle weight; or
15 (c) Vehicle defect.

16 ➔Section 10. KRS 281A.090 is amended to read as follows:

17 (1) Except when driving under a commercial learner's~~[driver's instruction]~~ permit and
18 accompanied by the holder of commercial driver's license valid for the vehicle
19 being driven, no person shall drive a commercial motor vehicle on the highways of
20 this state unless the person holds a valid commercial driver's license with applicable
21 endorsements valid for the vehicle he or she is driving.

22 (2) No person shall drive a commercial motor vehicle on the highways of this state
23 while his or her driving privilege for a commercial or noncommercial motor vehicle
24 is suspended, revoked, or canceled, or while he or she is subject to a
25 disqualification, or in violation of an out-of-service order.

26 (3) The licensee shall have in his or her immediate possession at all times when
27 operating a motor vehicle his or her commercial driver's license, and shall display

1 the license upon demand to the Transportation Cabinet, a license examiner, a peace
2 officer, a State Police officer, or an inspector or officer of the Department of
3 Vehicle Regulation. It shall be a defense to a violator of this subsection if the
4 person so charged produces in court a commercial driver's license, issued to him or
5 her before his or her arrest or violation and which was valid at that time.

6 ➔Section 11. KRS 281A.130 is amended to read as follows:

7 (1) A person shall not be issued a commercial driver's license unless that person:

8 (a) Is a resident of this state;

9 (b) Holds a valid operator's license;

10 (c) Has complied with the provisions of KRS 281A.300;

11 (d) Except as provided in KRS 281A.165, has passed the knowledge and skills
12 tests for driving a commercial motor vehicle which comply with minimum
13 federal standards established by federal regulation enumerated in~~[Title]~~ 49
14 C.F.R. pt.~~[Code of Federal Regulations, Part]~~ 383, as adopted by the cabinet;
15 and

16 (e) Has satisfied all other safety requirements including those requirements
17 imposed by state law or federal regulation. The tests shall be prescribed and
18 conducted as set forth in KRS 281A.160.

19 (2) A commercial driver's license~~[,]~~ or commercial learner's~~[driver's instruction]~~
20 permit shall not be issued to a person while the person is subject to a
21 disqualification from driving a commercial motor vehicle~~[,]~~ or while the person's
22 driver's license or driving privilege is suspended, revoked, or canceled in any state
23 or jurisdiction.

24 (3) A commercial driver's license shall not be issued to a person who has a commercial
25 driver's license issued by any other state unless the person first surrenders all such
26 licenses, which shall be returned to the issuing jurisdiction for cancellation.

27 (4) To ensure that an applicant for a commercial driver's license or commercial

1 **learner's**~~[instruction]~~ permit complies with the requirements of subsections (2) and
2 (3) of this section, the Transportation Cabinet shall verify through the commercial
3 driver's license information system and national driver register that the person
4 applying for a Kentucky CDL does not currently have his or her operator's license
5 or driving privilege suspended or revoked in another licensing jurisdiction. If the
6 person's operator's license or driving privilege is currently suspended or revoked in
7 another licensing jurisdiction, the Transportation Cabinet shall not issue the person
8 a Kentucky CDL until the person resolves the matter in the other licensing
9 jurisdiction and complies with the provisions of this chapter and KRS Chapter 186.

10 ➔ Section 12. KRS 281A.150 is amended to read as follows:

11 (1) Every person seeking a commercial driver's license or a commercial
12 **learner's**~~[driver's instruction]~~ permit shall first apply in person to the cabinet. The
13 application shall be in the form prescribed by KRS 281A.140 as provided by the
14 cabinet. Except as provided in KRS 281A.160(6), each time a person applies for a
15 commercial driver's license, **a commercial learner's**~~[an instruction]~~ permit, or seeks
16 to upgrade or change his or her commercial driver's license, the person shall be
17 required to:

- 18 (a) Update the application; and
19 (b) Submit the appropriate fee to the cabinet.

20 (2) In addition to the fees for an operator's license under KRS 186.531, the cabinet
21 shall set fees by administrative regulation, **in accordance with**~~[pursuant to]~~ KRS
22 Chapter 13A, for the following applications that shall not exceed:

- 23 (a) Forty dollars (\$40) for each application for a commercial driver's license. The
24 fee shall be based on the class, type of license, endorsement, restriction, or
25 tests to be taken;
26 (b) Thirty-five dollars (\$35) for each application for a commercial
27 **learner's**~~[driver's instruction]~~ permit;

- 1 (c) Fifteen dollars (\$15) for each application for a change or addition in class or
2 type of license, endorsement, or restriction; and
- 3 (d) Forty dollars (\$40) for each application for a duplicate if it is the first
4 duplicate applied for within the time period for which the original license was
5 issued. Sixty dollars (\$60) for a second or subsequent duplicate applied for
6 within the time period for which the original license was issued. The fees
7 required for a duplicate shall be in addition to fees charged under subsection
8 (2)(c) of this section.
- 9 (3) In addition to the fees for an operator's license KRS 186.531, the cabinet shall set
10 fees by administrative regulation in accordance with, ~~pursuant to~~ KRS Chapter
11 13A, for the following commercial driver's licenses that shall not exceed:
- 12 (a) Forty-five dollars (\$45) for each initial or renewal of a commercial driver's
13 license;
- 14 (b) Sixty dollars (\$60) for each transfer of a commercial driver's license; and
- 15 (c) Thirty dollars (\$30) for each initial or renewal of a commercial driver's
16 license with an "S" endorsement.
- 17 (4) All fees remitted to the cabinet shall be nonrefundable regardless of whether the
18 applicant completes the requirements for a commercial driver's license or is tested.
- 19 (5) All fees collected for the issuance of a commercial driver's license or a commercial
20 learner's ~~driver's instruction~~ permit shall be deposited into trust and agency
21 accounts to be used exclusively for the administration and implementation of this
22 chapter, except as prescribed in subsection (6) of this section. The accounts shall
23 not lapse but shall be continuing from year to year.
- 24 (6) All fees collected pursuant to this section~~[-]~~ shall be allocated between the
25 Transportation Cabinet and Department of Kentucky State Police, except a fifty
26 cent (\$0.50) issuance fee shall be allocated to the general fund from issuance of a
27 commercial driver's license permit and~~[-]~~ a three dollar (\$3) issuance fee shall be

1 allocated to the general fund from issuance of a commercial driver's license.

2 (7) Any applicant who seeks reinstatement of his or her commercial driving privilege
3 after a suspension, withdrawal, revocation, or disqualification shall pay a
4 reinstatement fee of fifty dollars (\$50) in addition to those fees required by
5 subsection (2) of this section and shall satisfy the requirements of KRS 281A.160.
6 This fee shall not be required if his or her commercial driving privilege was
7 withdrawn only as a result of the withdrawal of his or her privilege to drive a
8 noncommercial motor vehicle.

9 (8) ~~[Beginning July 1, 2020,]~~As payment for any fee identified in this section, the
10 cabinet:

11 (a) Shall accept cash and personal checks; and

12 (b) May accept other methods of payment in accordance with KRS 45.345.

13 ➔Section 13. KRS 281A.240 is amended to read as follows:

14 (1) Notwithstanding any law to the contrary, a person may drive a commercial motor
15 vehicle in this state if the person has a valid commercial driver's license or
16 commercial learner's~~[driver's license instruction]~~ permit issued by any state,
17 Canada, or Mexico in accordance with the minimum federal standards for the
18 issuance of commercial motor vehicle driver's licenses~~[license]~~, if:

19 (a) The person's driving privilege is not suspended, revoked, or canceled; and

20 (b) ~~[if]~~The person is not disqualified from driving a commercial motor vehicle or
21 subject to an out-of-service order.

22 (2) The Commonwealth of Kentucky shall give all out-of-state convictions full faith
23 and credit and treat them for sanctioning purposes under this chapter as if they
24 occurred in this state. Except as otherwise provided, when in this chapter reference
25 is made to an offense which is a violation of a provision of this chapter or other
26 Kentucky state law, the reference shall be deemed to include offenses under any
27 local ordinance, any federal law, any law, or local ordinance of another state

1 substantially similar to any provision of the Kentucky Revised Statutes.

2 ➔Section 14. KRS 281A.300 is amended to read as follows:

- 3 (1) **(a)** Any person initially applying for, or ~~initially~~ renewing, a Kentucky CDL
4 ~~[instruction permit] or **CLP**[operator's license]~~ shall be required to undergo a
5 state and national criminal history background check of state and federal
6 wanted or "hot file" records conducted by the State Police.
- 7 **(b)** All initial and renewal application forms for a Kentucky CDL **or**
8 ~~**CLP**[instruction permit or operator's license]~~ shall conspicuously state the
9 following: "STATE LAW REQUIRES A STATE AND NATIONAL
10 CRIMINAL HISTORY BACKGROUND CHECK AS A CONDITION OF
11 APPLYING FOR A KENTUCKY CDL. ANY PERSON WHO REFUSES
12 TO SUBMIT TO A CRIMINAL HISTORY BACKGROUND CHECK
13 SHALL NOT BE ELIGIBLE TO APPLY FOR, OR BE ISSUED, A
14 KENTUCKY CDL."
- 15 (2) The results of the state and national criminal history background checks shall be
16 sent to the cabinet for review within seventy-two (72) hours. An applicant for a
17 ~~**CLP**[CDL instruction permit]~~ may enroll in a commercial driver training program
18 under the Kentucky Community and Technical College System or a proprietary
19 school licensed under KRS Chapter 165A, and may be issued a ~~**CLP**[CDL~~
20 ~~instruction permit]~~ upon enrollment, however the status of the applicant retaining
21 the ~~**CLP**[CDL instruction permit]~~ shall not be determined until the results of the
22 background checks are made available to the cabinet. The cabinet shall inform an
23 applicant, based upon the criminal history background check, of the applicant's
24 eligibility to be issued a ~~**CLP**[CDL instruction permit]~~ or CDL. The cabinet shall
25 promulgate administrative regulations **in accordance with** ~~under~~ KRS Chapter
26 13A to specify conditions that will cause a person to be denied a ~~**CLP**[CDL~~
27 ~~instruction permit]~~ or CDL based upon the person's criminal history background

1 check.

2 (3) Any fee charged by the State Police to conduct a criminal history background check
3 shall be paid by the applicant and shall not be refundable. Any fee charged to
4 conduct a criminal history background check shall be an amount not greater than
5 the actual cost of processing the request and conducting the search.

6 (4) The criminal history background checks required by this section shall be in addition
7 to any type of background check that may be required by federal statute, rule,
8 regulation, or order.

9 ➔Section 15. KRS 281A.020 is amended to read as follows:

10 (1) It is the purpose of this chapter to implement the Federal Commercial Motor
11 Vehicle Safety Act of 1986 (Title XII of Pub. L. No.~~[Public Law]~~ 99-570) and
12 reduce or prevent commercial vehicle accidents, fatalities and injuries by:

13 (a) Permitting commercial drivers to hold only one (1) license;

14 (b) Disqualifying commercial drivers who have committed certain serious traffic
15 violations, or other specified offenses as herein defined; and

16 (c) Strengthening commercial driver licensing and testing standards.

17 (2) This chapter shall be liberally construed to promote the public health, safety, and
18 welfare. As applied to commercial drivers, to the extent this chapter conflicts with
19 general driver licensing provisions this chapter prevails. If this chapter is silent,
20 general driver licensing provisions shall apply.

21 (3) The issuance of a Class D~~[, E,]~~ or M license as set forth in KRS 281A.170 shall be
22 in accordance with the general driver licensing statutes in KRS Chapter 186 and
23 shall be subject to the fees as set forth in KRS 186.531 in addition to any other fee
24 required by statute.

25 (4) Any administrative action taken pursuant to this chapter against a Class A, B, or C
26 license shall be in addition to any administrative action taken against a Class D~~[, E,]~~
27 or M license imposed under any other applicable statute.

1 ➔Section 16. KRS 186.410 is amended to read as follows:

- 2 (1) Every person except those exempted by KRS 186.420 and 186.430 shall, before
3 operating a motor vehicle, motorcycle, or moped upon a highway, secure an
4 operator's license as provided in this chapter.
- 5 (2) Except as provided in KRS 186.4121, all original, renewal, and duplicate personal
6 identification cards and licenses for the operation of motor vehicles, or
7 motorcycles~~, or mopeds~~ shall be applied for with the Transportation Cabinet, or
8 through alternative technology, and issued by the Transportation Cabinet. Subject to
9 the provisions of KRS 186.4101, applications for renewal licenses and personal
10 identification cards shall be made every eight (8) years within the birth month of the
11 applicant. A license shall not be issued until the application has been certified by
12 the cabinet and the applicant has, if required under KRS 186.635, successfully
13 completed the examinations required under KRS 186.480.
- 14 (3) All personal identification cards shall be issued under the provisions of KRS
15 186.4102, 186.4122, and 186.4123.
- 16 (4) A person under the age of eighteen (18) years who applies for an instruction permit
17 shall, at any time between the age of sixteen (16) and before the person's eighteenth
18 birthday, enroll in one (1) of the following driver training programs:
- 19 (a) A driver's education course administered by a school district;
- 20 (b) A driver training school licensed pursuant to KRS Chapter 332 which offers a
21 course meeting or exceeding the minimum standards established by the
22 Transportation Cabinet; or
- 23 (c) State traffic school. The person may seek to enroll in state traffic school
24 before the person's eighteenth birthday. Persons enrolling in state traffic
25 school pursuant to this paragraph shall not be required to pay a fee.
- 26 (5) Any applicant for any initial or renewal instruction permit, operator's license, or
27 personal identification card under KRS 186.400 to 186.640 may apply for either:

- 1 (a) A voluntary travel ID document; or
- 2 (b) A standard document that does not meet standards for federal identification
- 3 purposes.

4 ➔Section 17. KRS 186.018 is amended to read as follows:

- 5 (1) For purposes of maintaining driving history records of operators of motor vehicles
- 6 of the Commonwealth, the files of the Transportation Cabinet shall be used to
- 7 ascertain the driving history record of each person who is licensed to operate a
- 8 motor vehicle within the Commonwealth.
- 9 **(2)** Except as provided in **subsections (3) and (4)**~~subsection (2)~~ of this section, the
- 10 Transportation Cabinet shall destroy, and shall not maintain, records of moving
- 11 traffic convictions that are more than five (5) years old.
- 12 **(3)** ~~Notwithstanding,~~ For any licensee who now holds, who has applied for, or has
- 13 ever held a **commercial driver's license or commercial learner's permit**~~Class A,~~
- 14 ~~B, or C license~~ issued pursuant to **Section 2 of this Act or** KRS 281A.170, the
- 15 cabinet shall keep conviction records indefinitely.
- 16 **(4)**~~(2)~~ The Transportation Cabinet shall not release information on the driving
- 17 history record of a person under the age of twenty-one (21) whose operator license
- 18 has been suspended pursuant to KRS 189A.010(6). The cabinet shall destroy, and
- 19 shall not maintain, the record of the suspension of a person's operator's license if the
- 20 license was suspended pursuant to KRS 189A.010(6), within five (5) working days
- 21 of the person's operator's license being reinstated. This subsection shall not apply to
- 22 a person who holds, or is required to hold, a commercial driver's license **or**
- 23 **commercial learner's permit.**
- 24 **(5)**~~(3)~~ The cabinet shall charge a fee of three dollars (\$3) for any driving history
- 25 record, ten cents (\$0.10) of which shall be deposited in a special account within the
- 26 road fund to be used exclusively by the Transportation Cabinet for the state driver
- 27 education program as designated in KRS 186.535.

1 ➔Section 18. KRS 186.4122 is amended to read as follows:

- 2 (1) As used in this section, "applicant" means a person who is a citizen or permanent
3 resident of the United States.
- 4 (2) The Transportation Cabinet shall issue a personal identification card to an applicant
5 who:
- 6 (a) Is a Kentucky resident;
- 7 (b) Applies in person to the cabinet or through alternative technology; and
- 8 (c) Complies with the provisions of this section.
- 9 (3) Upon application for a personal identification card under this section, the cabinet
10 shall capture a photograph of the applicant in accordance with KRS 186.4102(1).
- 11 (4) (a) Except as provided in paragraph (b) of this subsection, the cabinet shall
12 electronically scan the documents required for application under this section
13 and shall electronically retain the application, supporting documents, and the
14 photograph of the applicant. The cabinet shall present the applicant with a
15 temporary personal identification card, which shall be valid for thirty (30)
16 days until a permanent personal identification card is mailed to the applicant
17 by the Transportation Cabinet.
- 18 (b) The cabinet shall only electronically scan the birth certificate of an individual
19 applying for a voluntary travel ID personal identification card. If the applicant
20 is not seeking such a document, the cabinet shall not electronically scan the
21 applicant's birth certificate.
- 22 (c) An applicant for a personal identification card shall not be required to
23 surrender the applicant's birth certificate for image capture, image storage, or
24 image transmission to any entity, including the federal government, unless
25 express consent is given by the applicant during the course of obtaining a
26 voluntary travel ID personal identification card.
- 27 (5) (a) An application for a personal identification card shall be accompanied by the

1 same information as is required for an operator's license under KRS 186.412,
2 except if an applicant does not have an established and fixed nighttime
3 residence of regular return, the applicant may:

- 4 1. Until July 1, 2025, use as proof of residency a signed letter from a
5 homeless shelter, health care facility, or social service agency currently
6 providing the applicant treatment or services and attesting that the
7 applicant is a resident of Kentucky; or
- 8 2. On or after July 1, 2025, follow the procedures outlined in KRS
9 186.412(3).

10 (b) An applicant who does not have an established and fixed nighttime residence
11 of regular return shall not be issued a voluntary travel ID personal
12 identification card.

13 (c) An applicant for a personal identification card who is at least sixteen (16)
14 years of age but less than eighteen (18) years of age shall not be required to
15 obtain a signature of a parent or legal guardian on the application if the
16 applicant has been verified as a homeless child or youth, as defined in 42
17 U.S.C. sec. 11434a(2), by at least one (1) of the following:

- 18 1. A director or designee of a governmental or nonprofit agency that
19 receives public or private funding to provide services to homeless
20 people;
- 21 2. A local educational agency liaison for homeless children and youths
22 designated pursuant to 42 U.S.C. sec. 11432(g)(1)(J)(ii), or a school
23 social worker or school counselor;
- 24 3. The director or director's designee of a federal TRIO Program or a
25 Gaining Early Awareness and Readiness for Undergraduate Program; or
- 26 4. A financial aid administrator for an institution of higher education.

27 (d) It shall be permissible for the application form for a personal identification

1 card to include as an applicant's most current resident address a mailing
2 address or an address provided on a voter registration card.

3 (e) If the applicant is not the legal owner or possessor of the address provided on
4 the application form, the applicant shall swear that he or she has permission
5 from the legal owner, authorized agent for the legal owner, or possessor to use
6 the address for purposes of obtaining the personal identification card.

7 (6) (a) Every applicant for a personal identification card under this section shall
8 swear an oath to the cabinet as to the truthfulness of the statements contained
9 on the application form.

10 (b) A personal identification card may be suspended or revoked if the person who
11 was issued the card presents false or misleading information to the cabinet
12 when applying for the card.

13 (7) A personal identification card issued under this section shall be valid for a period of
14 eight (8) years from the date of issuance, except that if the personal identification
15 card is issued to a person who does not have an established and fixed nighttime
16 residence of regular return, then the personal identification card shall be valid for
17 one (1) year from the date of issuance.

18 (8) (a) An applicant **shall not**~~may~~ be issued a personal identification card if the
19 applicant currently holds a valid Kentucky instruction permit or operator's
20 license.~~Except that~~ A person shall not hold more than one (1) license or
21 personal identification card~~that is a voluntary travel ID identity document~~
22 ~~which indicates that it meets the requirements for federal identification under~~
23 ~~Pub. L. No. 109-13, Title II, as referenced in KRS 186.4102(8)].~~

24 (b) If a person's instruction permit or operator's license has been suspended or
25 revoked, the person may be issued a personal identification card.~~Subject to~~
26 ~~the limitations in paragraph (a) of this subsection,~~ A personal identification
27 card **shall**~~may~~ be surrendered when the person applies to have his or her

1 instruction permit or operator's license reinstated.

2 ➔Section 19. KRS 186.4123 is amended to read as follows:

- 3 (1) As used in this section, "applicant" means a person who is not a United States
4 citizen and has not been granted status as a permanent resident of the United States.
- 5 (2) The Transportation Cabinet shall issue a personal identification card to an applicant
6 who:
- 7 (a) Is a Kentucky resident;
- 8 (b) Applies in person to either the Transportation Cabinet in Frankfort or a
9 Transportation Cabinet field office; and
- 10 (c) Complies with the provisions of this section.
- 11 (3) Upon application for a personal identification card under this section, the cabinet
12 shall capture a photograph of the applicant in accordance with KRS 186.4102(1).
- 13 (4) The cabinet shall electronically scan the documents required for application under
14 this section, supporting documents, and the photograph of the applicant into the
15 cabinet's database.
- 16 (5) (a) An application for a personal identification card shall be accompanied by the
17 same information as is required for an operator's license under KRS 186.412,
18 along with other documents required under this section, except if an applicant
19 does not have an established and fixed nighttime residence of regular return,
20 the applicant may:
- 21 1. Until July 1, 2025, use as proof of residency a signed letter from a
22 homeless shelter, health care facility, or social service agency currently
23 providing the applicant treatment or services and attesting that the
24 applicant is a resident of Kentucky; or
- 25 2. On or after July 1, 2025, follow the procedures outlined in KRS
26 186.412(3).
- 27 (b) An applicant who does not have an established and fixed nighttime residence

1 of regular return shall not be issued a voluntary travel ID personal
2 identification card.

3 (c) It shall be permissible for the application form for a personal identification
4 card to include as an applicant's most current resident address a mailing
5 address or an address provided on a voter registration card.

6 (d) If the applicant is not the legal owner or possessor of the address provided on
7 the application form, the applicant shall swear that he or she has permission
8 from the legal owner, authorized agent for the legal owner, or possessor to use
9 the address for purposes of obtaining the personal identification card.

10 (6) The application form under this section shall be accompanied by the applicant's
11 documentation issued by the United States Department of Homeland Security,
12 United States Bureau of Citizenship and Immigration Services, authorizing the
13 applicant to be in the United States. The Transportation Cabinet shall verify the
14 information submitted under this subsection through the Systematic Alien
15 Verification for Entitlements (SAVE) program.

16 (7) The application form of a special status individual with a K-1 status shall be
17 accompanied by an original or certified copy of the applicant's completed marriage
18 license signed by the official who presided over the marriage ceremony and two (2)
19 witnesses. The application form of a special status individual with a K-1 status shall
20 also include the applicant's petition to enter the United States for the purpose of
21 marriage that contains the name of the prospective spouse. If the name of the
22 prospective spouse on the petition does not match the name of the spouse on the
23 marriage license, the Transportation Cabinet shall not be required to issue an
24 operator's license.

25 (8) (a) The Transportation Cabinet shall verify and validate the immigration status
26 and personal identity of an applicant under this section through federal
27 government systems and databases.

- 1 (b) If an applicant's identity and immigration status is validated, the cabinet shall
2 capture a photograph of the applicant, ~~and~~ scan the required documents into
3 the cabinet's database, and ~~shall~~ present the applicant with a temporary
4 personal identification card, which shall be valid for thirty (30) days until a
5 permanent personal identification card is mailed to the applicant.
- 6 (c) An applicant under this section shall only be issued a standard personal
7 identification card.
- 8 (9) (a) An applicant shall apply to renew a personal identification card, or obtain a
9 duplicate personal identification card, at the Transportation Cabinet in
10 Frankfort or a Transportation Cabinet field office.
- 11 (b) If a person has any type of change in his or her immigration status, the person
12 shall apply to update with either the Transportation Cabinet in Frankfort or a
13 Transportation Cabinet field office within ten (10) days.
- 14 (10) (a) Every applicant for a personal identification card under this section shall
15 swear an oath to the Transportation Cabinet as to the truthfulness of the
16 statements contained on the application form.
- 17 (b) A personal identification card may be suspended or revoked if the person who
18 was issued the card presents false or misleading information to the cabinet
19 when applying for the card.
- 20 (11) (a) Except as provided in paragraph (b) of this subsection, an initial or renewal
21 personal identification card issued to an applicant who is not a special status
22 individual shall be valid for a period equal to the length of time the applicant's
23 documentation from the United States Department of Homeland Security,
24 United States Bureau of Citizenship and Immigration Services, is valid, or
25 eight (8) years, whichever time period is shorter.
- 26 (b) ~~A~~ An initial or renewal personal identification card shall be valid for a period
27 of one (1) year if:

- 1 1. The applicant is not a special status individual and the applicant's
2 documentation issued by the United States Department of Homeland
3 Security, United States Bureau of Citizenship and Immigration Services,
4 is issued for an indefinite period of time and does not have an expiration
5 date. The fee shall be the same as for a regular personal identification
6 card; or
- 7 2. The personal identification card is issued to a person who does not have
8 an established and fixed nighttime residence of regular return.

9 ➔Section 20. KRS 186.4125 is amended to read as follows:

10 ~~[(1)]~~In order to apply for a voluntary travel ID identity document under KRS 186.403,
11 the applicant shall present the applicant's certified birth certificate or a valid, unexpired,
12 United States passport or Permanent Resident Card (Form I-551).

13 ~~[(2)] For the purposes of KRS 186.400 to 186.640, an original hospital birth certificate~~
14 ~~signed by the attending physician shall be acceptable as certifying the birth date of~~
15 ~~an applicant for a standard instruction permit, operator's license, or personal~~
16 ~~identification card.~~

17 ~~[(3)] The Transportation Cabinet shall apply to the United States Department of~~
18 ~~Homeland Security for an exception to allow birth certificates described in~~
19 ~~subsection (2) of this section to be used to apply for a voluntary travel ID identity~~
20 ~~document under KRS 186.403.]~~

21 ➔Section 21. KRS 186.060 is amended to read as follows:

22 (1) Applications for registration of motor vehicles leased or owned by a county, city,
23 urban-county, or board of education, or emergency and ambulance vehicles
24 operated by nonprofit corporations organized by units of government in the state or
25 by the state or federal government shall be **submitted to the county clerk, who shall**
26 **enter the application into AVIS and**~~[accompanied by a statement from the head of~~
27 ~~the department of the governmental unit that leases or owns the motor vehicle,~~

1 certifying that the motor vehicle is leased or owned and operated by the
2 governmental unit. The application and statement shall be forwarded by the county
3 clerk to the cabinet, which shall give special authority to the clerk to register it.
4 Upon receiving that authority, the clerk shall issue a registration receipt and the
5 official license[number] plate described in KRS 186.240. **If the cabinet**
6 **subsequently determines the registration should not have processed under this**
7 **section, it may revoke**[(6), and report the registration to the head of the department
8 authorizing] the registration. For **providing the**[his] services, **the entity requesting**
9 **the registration under this section shall pay the fees described in Section 23 of**
10 **this Act**[in issuing such certificate of registration and number plate and reporting
11 the same, the county clerk shall be entitled to a fee of three dollars (\$3) in each
12 instance, to be paid by the department upon whose authorization such license was
13 issued].

14 (2) After **the issuance of a license plate under subsection (1) of this section**[such
15 registration of any vehicle leased or owned by a county, city, urban county, or
16 board of education, or emergency and ambulance vehicles operated by nonprofit
17 corporations organized by units of government in the state, or by the state or federal
18 government and after issuance of such number plate for such vehicle so leased or
19 owned], no subsequent registration or renewal[of same, and no subsequent renewal
20 of a number plate of the vehicle] shall be necessary so long as the vehicle is leased
21 or owned by the governmental unit, except in the case of loss or destruction of the
22 license plate. In the event of loss or destruction **of the license plate**, the
23 license[number] plate shall be replaced in the same manner as if no plate had ever
24 been issued.

25 (3) When a motor vehicle leased or owned by **an entity allowed to use an official plate**
26 **under this section**[a county, city, urban county, or board of education, or
27 emergency and ambulance vehicles operated by nonprofit corporations organized

by units of government in the state, or by the state or federal government] is transferred or sold to another governmental unit, a new license plate shall be issued for the vehicle in the same manner as provided for in subsection (1) of this section and shall have the same effect as given to such license plates in subsection (2) of this section.

(4) ~~A~~~~[No]~~ person shall **not** use **any license plate that has been issued for use on a motor vehicle leased or owned by a governmental unit** on a motor vehicle **that is**~~[-]~~ not leased or owned by **an entity allowed to use an official plate under this section**~~[a county, city, urban county, board of education, or emergency and ambulance vehicles operated by nonprofit corporations organized by units of government in the state, or the state or federal government, any license plate that has been issued for use on a motor vehicle leased or owned by the governmental unit]~~.

(5) Notwithstanding the provisions of KRS 186.020 and 186.050, a governmental entity which leases a motor vehicle may have that vehicle equipped with an official plate under this section. Upon termination of the lease agreement, if ownership of the motor vehicle does not revert to an entity allowed to use an official plate under this section, the owner of the motor vehicle shall surrender the official plates and apply for registration under the provisions of KRS 186.050.

➔ Section 22. KRS 186.1911 is amended to read as follows:

(1) In any instance where a transfer of a motor vehicle ~~is~~~~[shall be]~~ accompanied by a certificate of title or registration and ~~the~~~~[such]~~ vehicle~~[-]~~:

~~(1) —~~ has had the vehicle identification number removed,~~[or~~

~~(2) — Has had the vehicle identification number]~~ altered,~~[or~~

~~(3) — Has had the vehicle identification number]~~ defaced, or~~[~~

~~(4) — Has had the vehicle identification number]~~ covered,

the owner~~[thereof]~~ shall, before delivery of the vehicle to any other person, obtain

1 a replacement vehicle identification number from the manufacturer and affix it to
2 the vehicle at the places specified by the Department of Vehicle Regulation or
3 obtain a Kentucky identification number from the department and affix it to the
4 vehicle at the places specified by the Department of Vehicle Regulation.

5 **(2) Each application for a Kentucky identification number from the department shall**
6 **be assessed a five dollar (\$5) fee, which shall be retained by the department to**
7 **defray the costs of processing, producing, and transmitting the plates to the**
8 **applicant.**

9 ➔Section 23. KRS 186.040 is amended to read as follows:

10 (1) Upon receiving the application and fee, the county clerk shall issue to the owner a
11 certificate of registration containing the information required by subsection (2) of
12 this section and a registration plate. If the cabinet finds that there is a shortage of
13 materials suitable for making plates, or that a substantial saving will result, it may
14 require by **an administrative** regulation **promulgated in accordance with KRS**
15 **Chapter 13A and** with the approval of the Governor that **the** previously issued
16 plates continue to be used for a designated period. Except as provided in subsection
17 (3) of this section and in KRS 186.162, for services performed, the owner shall pay
18 the county clerk the sum of six dollars (\$6) for each registration, or if the
19 registration exceeds a twelve (12) month period, the clerk shall receive a fee of nine
20 dollars (\$9).

21 (2) The certificate of registration shall contain the registration number, the name and
22 post office address of the owner, and such other information as the cabinet may
23 require.

24 (3) An owner who registers a vehicle under KRS 186.050 that has a declared gross
25 vehicle weight with any towed unit of forty-four thousand and one (44,001) pounds
26 or greater shall pay the county clerk thirty dollars (\$30) for each registration. The
27 clerk shall retain the thirty dollar (\$30) fee for services performed under this

1 subsection.

2 (4) Any person requesting a certificate of registration or renewal of registration of any
3 type of motor vehicle shall have the opportunity to donate one dollar (\$1) to the
4 child care assistance account. The one dollar (\$1) donation shall be added to the
5 regular fee for vehicle registration. One (1) donation may be made per issuance or
6 renewal of vehicle registration. Donation to the child care assistance account shall
7 be voluntary and may be refused by the applicant at the time of the issuance or
8 renewal of any vehicle registration.

9 (5) The county clerk may retain five percent (5%) of fees collected for the child care
10 assistance account under subsection (4) of this section. The remaining funds shall
11 be deposited into a trust and agency account in the State Treasury to the credit of
12 the Cabinet for Health and Family Services for the exclusive use as follows:

13 (a) Funds shall be made available to the agencies that administer child care
14 subsidy funds; and

15 (b) Funds shall be used as determined by the cabinet for working families whose
16 income exceeds the state income eligibility limits for child day care
17 assistance.

18 (6) Except as provided in KRS 186.162, in addition to the registration fee provided for
19 county clerks in subsections (1) and (3) of this section, an additional three dollars
20 (\$3) per registration shall be collected by the county clerk at the time of
21 registration. This additional fee shall be distributed as follows:

22 (a) One dollar (\$1) shall be placed in an agency fund to provide additional funds
23 exclusively for technological improvements or replacement of the AVIS
24 system. The operation and maintenance of AVIS shall remain as currently
25 provided for from the operational budget of the Transportation Cabinet and
26 shall not be reduced below the 2005-2006 funding level;

27 (b) One dollar (\$1) shall be placed in an agency trust fund to provide funds

1 exclusively for technological improvements to the hardware and software in
2 county clerk offices related to the collection and administration of road fund
3 taxes. The Transportation Cabinet, in consultation with county clerks, shall
4 allocate funds as necessary from this fund to be used for this exclusive
5 purpose; and

- 6 (c) One dollar (\$1) shall be placed in a trust fund to be maintained by the
7 Transportation Cabinet to provide an unrestricted revenue supplement, for
8 operations of the office related to the collection and administration of road
9 fund taxes, to county clerk offices in counties containing a population of less
10 than twenty thousand (20,000), as determined by the decennial census, and for
11 no other purpose. Annually, by March 1, the Transportation Cabinet shall
12 calculate the amount collected in the previous calendar year and distribute the
13 entire fund proportionate to each county that qualifies under this paragraph
14 based on population. This revenue shall be considered current year revenue
15 when paid to the clerk and shall not be identified as excess fees from the
16 previous year.

17 **(7) Any motor vehicle registration cancelled for nonrenewal shall be subject to the**
18 **provisions of KRS 186.181.**

19 **(8) The owner of a motor vehicle for which the registration has been cancelled under**
20 **this section shall be subject to a reinstatement fee of forty dollars (\$40), payable**
21 **to the county clerk. The county clerk shall retain twenty dollars (\$20) of the**
22 **reinstatement fee and forward the remaining twenty dollars (\$20) to the cabinet.**

23 ➔Section 24. KRS 186.050 is amended to read as follows:

- 24 (1) The annual registration fee shall be eleven dollars fifty cents (\$11.50) for:
25 (a) Motor vehicles, including pickup trucks and passenger vans; and
26 (b) Motor carrier vehicles, as defined in KRS 281.010, primarily designed for
27 carrying passengers or passengers for hire and having been designed or

1 constructed to transport not more than fifteen (15) passengers, including the
2 operator.

3 (2) Except as provided in KRS 186.041 and 186.162, the annual registration fee for
4 each motorcycle shall be nine dollars (\$9).

5 (3) (a) All motor vehicles having a declared gross weight of vehicle and any towed
6 unit of **more than** ten thousand (10,000) pounds~~[or less, except those~~
7 ~~mentioned in subsections (1) and (2) of this section,]~~ are classified as
8 commercial vehicles and the annual registration fee~~[, except as provided in~~
9 ~~subsections (4) to (14) of this section,]~~ shall be **as set forth in paragraph (b)**
10 **of this subsection**~~[eleven dollars and fifty cents (\$11.50)].~~

11 (b) **The registration fee for** all motor vehicles~~[, except those mentioned in~~
12 ~~subsections (1) and (2) of this section, and those]~~ engaged in hauling
13 passengers for hire which are designed or constructed to transport more than
14 fifteen (15) passengers including the operator,~~[whose registration fee]~~ shall
15 be one hundred dollars (\$100). **The registration fee for all other**~~[, are~~
16 ~~classified as]~~ commercial vehicles~~[and the annual registration fee]~~, except as
17 provided in subsections~~[(3)(a) and]~~ (4) to **(10)**~~[(14)]~~ **and (13)** of this section,
18 shall be as follows:

19	Declared Gross Weight of Vehicle	Registration
20	and Any Towed Unit	Fee
21	10,001-14,000	30.00
22	14,001-18,000	50.00
23	18,001-22,000	132.00
24	22,001-26,000	160.00
25	26,001-32,000	216.00
26	32,001-38,000	300.00
27	38,001-44,000	474.00

1	44,001-55,000	669.00
2	55,001-62,000	1,007.00
3	62,001-73,280	1,250.00
4	73,281-80,000	1,410.00

- 5 (4) (a) 1. Any farmer owning a truck having a gross weight of twenty-six
6 thousand (26,000) pounds or less may have it registered as a farmer's
7 truck and obtain a license for eleven dollars and fifty cents (\$11.50). The
8 applicant's signature upon the certificate of registration and ownership
9 shall constitute a certificate that the applicant~~he~~ is a farmer engaged in
10 the production of crops, livestock, or dairy products, that the
11 applicant~~he~~ owns a truck of the gross weight of twenty-six thousand
12 (26,000) pounds or less, and that during the next twelve (12) months the
13 truck shall not be used in for-hire transportation and may be used in
14 transporting persons, food, provender, feed, machinery, livestock,
15 material, and supplies necessary for the applicant's~~his~~ farming
16 operation, and the products grown on the applicant's~~his~~ farm.
- 17 2. Any farmer owning a truck having a gross weight of twenty-six
18 thousand one (26,001) pounds to thirty-eight thousand (38,000) pounds
19 may have it registered as a farmer's truck and obtain a license for eleven
20 dollars and fifty cents (\$11.50). The applicant's signature upon the
21 certificate of registration and ownership shall constitute a certificate that
22 the applicant~~he~~ is a farmer engaged in the production of crops,
23 livestock, or dairy products, that the applicant~~he~~ owns a truck of the
24 gross weight between twenty-six thousand one (26,001) pounds and
25 thirty-eight thousand (38,000) pounds, and that during the next twelve
26 (12) months the truck shall not be used in for-hire transportation and
27 may be used in transporting persons, food, provender, feed, machinery,

1 livestock, material, and supplies necessary for the applicant's~~his~~
2 farming operation and the products grown on the applicant's~~his~~ farm.

3 (b) Any farmer owning a truck having a declared gross weight in excess of thirty-
4 eight thousand (38,000) pounds shall not be required to pay the fee set out in
5 subsection (3) of this section and, in lieu thereof, shall pay forty percent
6 (40%) of the fee set out in subsection (3) of this section and shall be exempt
7 from any fee charged under the provisions of KRS 281.752. The applicant's
8 signature upon the registration receipt shall be considered to be a certification
9 that the applicant~~he~~ is a farmer engaged solely in the production of crops,
10 livestock, or dairy products, and that during the current registration year the
11 truck will be used only in transporting persons, food, provender, feed, and
12 machinery used in operating the applicant's~~his~~ farm and the products grown
13 on the applicant's~~his~~ farm.

14 (c) An initial applicant for, or an applicant renewing, his or her registration
15 pursuant to this subsection, may at the time of application make a voluntary
16 contribution to be deposited into the agricultural program trust fund
17 established in KRS 246.247. The recommended voluntary contribution shall
18 be set at ten dollars (\$10) and automatically added to the cost of registration
19 or renewal unless the individual registering or renewing the vehicle opts out
20 of contributing the recommended amount. The county clerk shall collect and
21 forward the voluntary contribution to the cabinet for distribution to the
22 Department of Agriculture.

23 (5) Any person owning a ~~truck or~~ bus used solely in transporting school children and
24 school employees may have the truck or bus registered as a school bus and obtain a
25 license for eleven dollars fifty cents (\$11.50) by filing with the county clerk, in
26 addition to other information required, an affidavit stating that the ~~truck or~~ bus is
27 used solely in the transportation of school children and persons employed in the

1 schools of the district, that the words "School Bus" are~~he has caused to be~~
2 printed on each side of the~~truck or~~ bus and on the rear door~~the words "School~~
3 ~~Bus"]~~ in letters at least six (6) inches high, and of a conspicuous color, and the~~truck or~~
4 bus will be used during the next twelve (12) months only for the purpose
5 stated.

6 (6) Any church or religious organization owning a~~truck or~~ bus used solely in
7 transporting persons to and from a place of worship or for other religious work may
8 have the~~truck or~~ bus registered as a church bus and obtain a license for eleven
9 dollars and fifty cents (\$11.50) by filing with the county clerk, in addition to other
10 information required, an affidavit stating that the~~truck or~~ bus will be used only
11 for the transporting of persons to and from a place of worship, or for other religious
12 work, and that there has been printed on the~~truck or~~ bus in large letters the words
13 "Church Bus," with the name of the church or religious organization owning and
14 using the~~truck~~ or bus, and that during the next twelve (12) months the~~truck or~~
15 bus will be used only for the purpose stated.

16 (7) Any person owning a motor vehicle with a gross weight of fourteen thousand
17 (14,000) pounds or less on which a wrecker crane or other equipment suitable for
18 wrecker service has been permanently mounted may register the vehicle and obtain
19 a license for eleven dollars fifty cents (\$11.50) by filing with the county clerk, in
20 addition to other information required, an affidavit that a wrecker crane or other
21 equipment suitable for wrecker service has been permanently mounted on the~~such~~
22 vehicle and that during the next twelve (12) months the vehicle will be used only in
23 wrecker service. If the gross weight of the vehicle exceeds fourteen thousand
24 (14,000) pounds, the vehicle shall be registered in accordance with subsection (3) of
25 this section. The gross weight of a vehicle used in wrecker service shall not include
26 the weight of the vehicle being towed by the wrecker.

27 (8) Motor vehicles having a declared gross weight in excess of eighteen thousand

(18,000) pounds, which when operated in this state are used exclusively for the transportation of property within the limits of the city named in the affidavit hereinafter required to be filed, or within ten (10) miles of the city limits of the city if it is a city with a population equal to or greater than three thousand (3,000) based upon the most recent federal decennial census, or within five (5) miles of its limits if it is a city with a population of less than three thousand (3,000) based upon the most recent federal decennial census, or anywhere within a county containing an urban-county government, shall not be required to pay the fee as set out in subsection (3) of this section, and in lieu thereof shall pay seventy-five percent (75%) of the fee set forth in subsection (3) of this section and shall be exempt from any fee charged under the provisions of KRS 281.752. Nothing in this section shall be construed to limit any right of nonresidents to exemption from registration under any other provisions of the laws granting reciprocity to nonresidents. Operations outside of this state shall not be considered in determining whether or not the foregoing mileage limitations have been observed. When claiming the right to the reduced fee, the applicant's signature on the certificate of registration and ownership shall constitute a certification or affidavit stating that the motor vehicle when used within this state is used only for the transportation of property within the city to be named in the affidavit and the area above set out and that the vehicle will not be used outside of a city and the area above set out during the current registration period.

- (9) Motor vehicles having a declared gross weight in excess of eighteen thousand (18,000) pounds, which are used exclusively for the transportation of primary forest products from the harvest area to a mill or other processing facility, where ~~the~~^[such] mill or processing facility is located at a point not more than fifty (50) air miles from the harvest area or which are used exclusively for the transportation of concrete blocks or ready-mixed concrete from the point at which ~~the~~^[such] concrete

1 blocks or ready-mixed concrete is produced to a construction site where ~~the[such]~~
2 concrete blocks or ready-mixed concrete is to be used, where ~~the[such]~~ construction
3 site is located at a point not more than thirty (30) air miles from the point at which
4 ~~the[such]~~ concrete blocks or ready-mixed concrete is produced shall not be required
5 to pay the fee as set out in subsection (3) of this section, and in lieu thereof, shall
6 pay seventy-five percent (75%) of the fee set out in subsection (3) of this section
7 and shall be exempt from any fee charged under the provisions of KRS 281.752.
8 The applicant's signature upon the certificate of registration and ownership shall
9 constitute a certification that the motor vehicle will not be used during the current
10 registration period in any manner other than that for which the reduced fee is
11 provided in this section.

12 (10) Any owner of a commercial vehicle registered for a declared gross weight in excess
13 of eighteen thousand (18,000) pounds, intending to transfer same and desiring to
14 take advantage of the refund provisions of KRS 186.056(2), may reregister
15 ~~the[such]~~ vehicle and obtain a "For Sale" certificate of registration and ownership
16 for one dollar (\$1). Title to a vehicle so registered may be transferred, but ~~the[such]~~
17 registration shall not authorize the operation or use of the vehicle on any public
18 highway. No refund may be made under the provisions of KRS 186.056(2) until
19 ~~such time as~~ the title to such vehicle has been transferred to the purchaser thereof.
20 Provided, however, that nothing herein shall be so construed as to prevent the seller
21 of a commercial vehicle from transferring the registration of ~~the[such]~~ vehicle to
22 any purchaser thereof.

23 (11) The annual registration fee for self-propelled vehicles containing sleeping or eating
24 facilities shall be twenty dollars (\$20) and the multiyear license plate issued shall be
25 designated "Recreational vehicle." The foregoing shall not include any motor
26 vehicle primarily designed for commercial or farm use having temporarily attached
27 thereto any sleeping or eating facilities, or any commercial vehicle having sleeping

1 facilities.

2 (12) The registration fee on any vehicle registered under this section shall be increased
3 fifty percent (50%) when the vehicle is not equipped wholly with pneumatic tires.

4 (13) (a) The Department of Vehicle Regulation is authorized to negotiate and execute
5 an agreement or agreements for the purpose of developing and instituting
6 proportional registration of motor vehicles engaged in interstate commerce, or
7 in a combination of interstate and intrastate commerce, and operating into,
8 through, or within the Commonwealth of Kentucky. The agreement or
9 agreements may be made on a basis commensurate with, and determined by,
10 the miles traveled on, and use made of, the highways of this Commonwealth
11 as compared with the miles traveled on and use made of highways of other
12 states, or upon any other equitable basis of proportional registration.
13 Notwithstanding the provisions of KRS 186.020, the cabinet shall promulgate
14 administrative regulations concerning the registration of motor vehicles under
15 any agreement or agreements made under this section and shall provide for
16 direct issuance by it of evidence of payment of any registration fee required
17 under ~~the[such]~~ agreement or agreements. Any proportional registration fee
18 required to be collected under any proportional registration agreement or
19 agreements shall be in accordance with the taxes established in this section.

20 (b) Any owner of a commercial vehicle who is required to title his or her motor
21 vehicle under this section shall first title ~~the[such]~~ vehicle with the county
22 clerk pursuant to KRS 186.020 for a state fee of one dollar (\$1). Title to
23 ~~the[such]~~ vehicle may be transferred; however title without proper registration
24 shall not authorize the operation or use of the vehicle on any public highway.
25 Any commercial vehicle properly titled in Kentucky may also be registered in
26 Kentucky, and, upon payment of the required fees, the department may issue
27 an apportioned registration plate to ~~the[such]~~ commercial vehicle.

1 (c) Any commercial vehicle that is properly titled in a foreign jurisdiction, which
2 vehicle is subject to apportioned registration, as provided in paragraph (a) of
3 this subsection, may be registered in Kentucky, and, upon proof of proper title
4 and payment of the required fees, the department may issue an apportioned
5 registration plate to the commercial vehicle. The department shall promulgate
6 administrative regulations in accordance with this section.

7 (14) Any person seeking to obtain a special license plate for an automobile that has been
8 provided to him or her pursuant to an occupation shall meet both of the following
9 requirements:

10 (a) The automobile shall be provided for the full-time exclusive use of the
11 applicant; and

12 (b) The applicant shall obtain permission in writing from the vehicle owner or
13 lessee on a form provided by the cabinet to use the vehicle and for the vehicle
14 to bear the special license plate.

15 (15) An applicant for any motor vehicle registration issued pursuant to this section shall
16 have the opportunity to make a donation of two dollars (\$2) to promote a hunger
17 relief program through specific wildlife management and conservation efforts by
18 the Department of Fish and Wildlife Resources in accordance with KRS 150.015. If
19 an applicant elects to make a contribution under this subsection, the two dollar (\$2)
20 donation shall be added to the regular fee for any motor vehicle registration issued
21 pursuant to this section. One (1) donation may be made per issuance of each
22 registration. The fee shall be paid to the county clerk and shall be transmitted by the
23 State Treasurer to the Department of Fish and Wildlife Resources to be used
24 exclusively for the purpose of wildlife management and conservation activities in
25 support of hunger relief. The county clerk may retain up to five percent (5%) of the
26 fees collected under this subsection for administrative costs associated with the
27 collection of this donation. Any donation requested under this subsection shall be

1 voluntary and may be refused by the applicant at the time of issuance or renewal of
2 a license plate.

- 3 (16) In addition to the fees outlined in this section, the county clerk shall collect from the
4 registrants of electric vehicles, electric motorcycles, and hybrid vehicles the electric
5 vehicle ownership fees imposed in KRS 138.475. **The county clerk may retain one**
6 **dollar (\$1) of the fee collected under this subsection.**

7 ➔ Section 25. KRS 186A.035 is amended to read as follows:

- 8 (1) **(a) Except for vehicles described in paragraph (b) of this subsection,** all motor
9 vehicles, including motorcycles, with a gross vehicular weight of **ten**
10 **thousand (10,000)**~~[six thousand (6,000)]~~ pounds or less, first registered, or for
11 which the registration is renewed~~[in this state on or after January 1, 1983]~~,
12 shall be placed in a system of year-round registration based upon the birth
13 **date**~~[month]~~ of the owner, in order to distribute the work of registering motor
14 vehicles as uniformly as practicable throughout the twelve (12) months of the
15 year.

16 **(b) Owners of the following motor vehicles may elect to register these vehicles**
17 **on an annual registration schedule of April 1 to March 31:**

- 18 **1. Farm vehicles registered under subsection (4) of Section 24 of this**
19 **Act; or**
20 **2. Motor vehicles with a gross vehicular weight of ten thousand (10,000)**
21 **pounds or less that are owned by a business.**

- 22 (2) **(a)** If the owner of a motor vehicle is other than an individual, the month in which
23 the owning entity came into being shall be used for purposes of this section.

24 **(b)** If a motor vehicle is jointly owned, the owners shall indicate to the county
25 clerk the birth **date of the designated owner**~~[month of one (1) of them]~~ to be
26 used for purposes of this section.

27 **(c)** ~~[In addition,]~~ If a motor vehicle is jointly owned by a **married**

1 ~~couple~~~~[husband and wife]~~, the ownership shall exist as a joint tenancy with
2 right of survivorship, unless the registration expressly states to the contrary
3 and gives an alternative specific status. **One (1) of the owners shall indicate**
4 **to the county clerk his or her birth date to be used for purposes of this**
5 **section.** Upon the death of one (1) of the spouses, the jointly-owned vehicle
6 shall transfer to the surviving spouse free from payment of any state-required
7 **transfer**~~[transferral]~~ fees.

8 (3) The certificate of registration and license plate issued for a motor vehicle first
9 registered, renewed, or titled in this state~~[on or after January 1, 1983,]~~ shall be
10 valid **until the expiration date on the registration receipt,** unless revoked in
11 accordance with KRS 186A.040 or canceled by the cabinet in accordance with KRS
12 Chapter 186 or this chapter~~[, upon payment of the required fee, for a period~~
13 ~~beginning on the first day of the month of the year in which registration is applied~~
14 ~~for, and expiring on the last day of the next birth month of the owner following the~~
15 ~~month during which registration is applied for. Upon the owner's request, and after~~
16 ~~payment of the proper prorated fee, an owner may obtain a certificate of registration~~
17 ~~and license plate valid through the last day of his second birth month following the~~
18 ~~month and year in which he applied for a certificate of registration]. Any~~
19 transaction relating to registration or registration renewal which would cause an
20 unexpired Kentucky motor vehicle license plate to be surrendered shall have that
21 unexpired fee prorated or credited against any additional fee required by a
22 subsequent registration.

23 (4) **Except for vehicles registered under subsection (1)(b) of this section, KRS**
24 **186.041, 186.042, and 186.162 that have a specified, universal expiration date,**
25 after a motor vehicle has been initially placed in the system of year-round
26 registration, the owner shall renew the registration annually during the owner's birth
27 month, **either** by making application to the county clerk **or on the cabinet's**

1 website, and paying the fee required for twelve (12) consecutive months of
2 registration, which shall take effect on the first day of the month succeeding the
3 owner's birth month and shall expire on the last day of the owner's next birth month.

4 The county clerk shall collect the fees set forth in subsections (1) and (6) of
5 Section 23 of this Act for each renewal ~~be entitled to a registration fee of two~~
6 ~~dollars (\$2) for each registration, or if the registration exceeds a twelve (12) month~~
7 ~~period, the clerk shall receive a fee of three dollars (\$3)].~~

8 (5) At least forty-five (45) days prior to the expiration of the registration of any motor
9 vehicle previously registered in the Commonwealth as provided by subsection (1)
10 of this section, the owner of the vehicle shall be notified by mail or email on the
11 same notice required by KRS 134.805(5) of the date of expiration. Nonreceipt of
12 the notice required by this subsection shall not constitute a defense to any
13 registration-related offense.

14 (6) Any owner who fails to renew the registration of a motor vehicle during the month
15 in which the previous registration expired shall, if he or she applies for renewal of
16 the registration in some later month, pay the same fees that would have been
17 required if the registration had been renewed in the month which the previous
18 registration expired, and, if applicable, the reinstatement fee for a cancelled
19 registration required under Section 23 of this Act.

20 (7) Fees which must be prorated in carrying out the intent of this section shall be
21 prorated on the basis of twelfths of the annual registration fee. Any vehicle which is
22 registered at any time during a month shall pay the fee required for that whole
23 month plus any additional months of registration purchased consistent with the
24 intent of the section.

25 (8) The county clerk shall ensure that the certificate of registration issued to an owner
26 displays the month and year in which the registration period begins and the month
27 and year of its expiration, and shall issue to the owner a decal or decals

1 corresponding to the month and year of expiration shown in the certificate of
2 registration which shall be placed upon the corresponding license plate by the
3 owner in the manner required by administrative regulations of the Department of
4 Vehicle Regulation.

5 ➔Section 26. KRS 281.720 is amended to read as follows:

6 Except for vehicles operating under a TNC, peer-to-peer, household goods, property, or
7 U-Drive-It certificate, the department shall prescribe and furnish a motor carrier license
8 plate, which shall at all times be displayed on each motor carrier vehicle authorized to be
9 operated under a certificate. A person shall not transfer a motor carrier license plate from
10 one (1) motor vehicle to another, except by the authority and with the consent of the
11 department.

12 ➔Section 27. KRS 138.655 is amended to read as follows:

13 As used in KRS 138.660 to 138.7291 and 138.990(13) and (14), unless the context
14 requires otherwise:

15 (1) "Cabinet" means the Transportation Cabinet;

16 (2) "Person" includes every natural person, fiduciary, association, state or political
17 subdivision, or corporation. Whenever used in any clause describing and imposing
18 imprisonment the term "person" as applied to an association means and includes the
19 partners or members thereof, and as applied to a corporation the officers thereof;

20 (3) "Public highway" means every way or place generally open to the use of the public
21 as a matter of right for the purpose of vehicular travel notwithstanding that it may
22 be temporarily closed or travel thereon restricted for the purpose of construction,
23 maintenance, repair, or reconstruction; also including all city streets, alleys, and any
24 way or place on which a toll is charged for using such way or place;

25 (4) "Motor vehicle" means any vehicle, machine, or mechanical contrivance propelled
26 by an internal combustion engine and licensed for operation and operated upon the
27 public highways and any trailer or semitrailer attached to or having its front end

1 supported by such motor vehicle;

2 (5) "Motor carrier" means every person who operates or causes to be operated on any
3 highway in this state, any bus engaged in hauling passengers for hire operating
4 under a certificate of convenience and necessity and any commercial truck or
5 commercial tractor-trailer combination having a total of two (2) or more axles and a
6 declared gross weight above twenty-six thousand (26,000) pounds. The number of
7 axles shall include not only those axles on the power unit but if a tractor-trailer
8 combination is involved, also those axles on the trailer or semitrailer:

9 (a) "Axle" means any two (2) or more load-carrying wheels mounted in a single
10 transverse vertical plane;

11 (b) "Trailers and semitrailers" are those as defined in KRS 186.650(1) and (2),
12 except that it does not include those trailers defined in KRS 186.650(3) and
13 (4) and those exempted from regulation under KRS 186.675. The term "motor
14 carrier" shall not mean or shall not include any person operating or causing to
15 be operated a city bus;

16 (c) "Commercial" refers to any activity for business purposes; and

17 (d) For the purposes of KRS 138.660(3) motor carriers, trailers, and semitrailers
18 shall not mean a farm vehicle as defined in KRS 186.050(4) or under another
19 jurisdiction's law as a farm vehicle;

20 ~~(6) "City bus" means any motor vehicle used for the transportation of persons for hire~~
21 ~~exclusively within the limits of any city or within ten (10) miles of its limits over a~~
22 ~~regular route and exclusively within the boundaries of this state;~~

23 ~~(7)~~ "Heavy equipment motor carrier" means any person who operates on the public
24 highways of this state as a "motor carrier" as defined in subsection (5) of this
25 section, except that it shall not include motor vehicles used to transport persons for
26 hire;

27 ~~(7)(8)~~ "Trip permit" means a permit for the operating during a ten (10) consecutive

1 day period of any motor vehicle of any "heavy equipment motor carrier" not
2 licensed under KRS 138.665;

3 ~~(8)~~~~(9)~~ "Licensee" means for purposes of KRS 138.660 to 138.7291 any person who
4 has been granted a license as a "motor carrier" or a "heavy equipment motor
5 carrier," or any motor vehicle in which a valid trip permit is carried;

6 ~~(9)~~~~(10)~~ "Use" means the consumption of gasoline and special fuels in propelling
7 motor vehicles on the public highways;

8 ~~(10)~~~~(11)~~ "Gasoline" has the same meaning as in KRS 138.210;

9 ~~(11)~~~~(12)~~ "Special fuels" means and includes all combustible gases and liquids used for
10 the generation of power in an internal combustion engine to propel vehicles of any
11 kind upon the public highways, except that it does not include gasoline;

12 ~~(12)~~~~(13)~~ "Quarterly" for the purposes of KRS 138.660 to 138.7291 means a calendar
13 quarter; **and**

14 ~~(13)~~~~(14)~~ "Combined licensed weight" shall mean the greater of:

15 (a) The declared combined maximum gross weight of the vehicle and any towed
16 unit for registration purposes for the current registration period; or

17 (b) The highest actual combined gross weight of the vehicle and any towed unit
18 when operated on the public highways of the state during the current
19 registration period.

20 ➔Section 28. KRS 138.665 is amended to read as follows:

21 (1) (a) **Except as provided in paragraph (b) of this subsection,** a license shall be
22 required of each motor carrier or heavy equipment motor carrier subject to the
23 provisions of KRS 138.660 before he **or she** uses or continues to use the
24 public highways of this state.

25 (b) ~~[Notwithstanding the requirement in subsection (1)(a), the cabinet may issue a~~
26 ~~trip permit for each motor vehicle subject to KRS 138.660(1) for a fee of~~
27 ~~twenty dollars (\$20) for each permit.]~~ If the vehicle is subject to those taxes in

1 KRS 138.660(1) to (3), the cabinet may issue a trip permit for each motor
2 vehicle for a fee of forty dollars (\$40) for each permit.

3 (2) Application for a license or trip permit shall be made to the cabinet **by using the**
4 **motor carrier portal**~~[and shall contain such information as the cabinet deems~~
5 ~~necessary]~~.

6 (3) **(a) Except as provided for in paragraph (b) of this subsection, if an**~~[The]~~
7 application in proper form **has**~~[having]~~ been accepted for filing~~[, the bond, if~~
8 ~~required, having been accepted]~~ and approved, and the other conditions and
9 requirements of this section **have**~~[having]~~ been complied with, the cabinet
10 shall issue a license.

11 **(b) The cabinet may refuse to issue a license:**

12 **1. To**~~[However, If an application for a license is filed by]~~ any person
13 whose license has, at any time previously, been revoked for cause by the
14 cabinet;~~[,]~~ or

15 **2. If the cabinet is of the opinion that:**

16 **a.** The person who **made**~~[makes]~~ the application **did**~~[does]~~ so as a
17 subterfuge for the real party in interest whose license, prior to the
18 time of filing the application, has been revoked for cause;~~[,]~~ or

19 **b.** That the application is not for any other reason filed in good faith
20 or is not sufficient cause~~[, the cabinet may, after a hearing of~~
21 ~~which the applicant shall be given ten (10) days' notice in writing~~
22 ~~and in which he shall have the right to appear in person or by~~
23 ~~counsel and present testimony, refuse to issue a license to that~~
24 ~~person]~~.

25 **(c) Any person who has been denied a license by the cabinet under paragraph**
26 **(b) of this subsection may appeal that decision by requesting an**
27 **administrative hearing, which shall be conducted in accordance with KRS**

1 **Chapter 13B.**

2 (4) All licenses shall be valid and remain in full force and effect until suspended or
3 revoked for cause or otherwise canceled.

4 (5) A license shall not be assignable or transferable and shall be valid only for the
5 person in whose name it is issued.

6 (6) ~~{The cabinet shall keep and file all applications and bonds, with an alphabetical~~
7 ~~index thereof.~~

8 ~~(7) Each holder of a license required by subsection (1) shall display his license number~~
9 ~~or other identification on or in each vehicle subject to the taxes imposed by KRS~~
10 ~~138.655 to 138.7291 in the manner prescribed by the cabinet. }~~ The cabinet may
11 require the license number or other identifier to be displayed so that it can be
12 readily recorded either manually or electronically by cabinet representatives. In
13 addition, the cabinet may require each individual unit in the license holder's fleet of
14 vehicles subject to these taxes to be uniquely identified.

15 ~~(7)(8)~~ The provisions of this section shall not apply to a nonresident motor carrier
16 engaged in transporting passengers for hire in irregular route interstate charter or
17 special operations, provided reciprocal privileges are granted to similar nonresident
18 carriers by the laws and regulations of his **or her** state.

19 ➔Section 29. KRS 138.675 is amended to read as follows:

20 (1) If a licensee at any time files a false quarterly report of the information required or
21 fails or refuses to file the quarterly report or to pay the full amount of the tax or
22 violates any other provisions of KRS 138.655 to 138.725, inclusive, without a
23 showing that such failure was due to reasonable cause, the cabinet may cancel his
24 **or her** license.

25 (2) Upon voluntary surrender of the license certificate or upon receipt of a written
26 request by a licensee, the cabinet may cancel his **or her** license, effective sixty (60)
27 days from the date of the request, but no such license shall be canceled upon

1 surrender or request unless the licensee has, prior to the date of cancellation, paid to
2 this state all taxes, penalties, interest and fines that are due or have accrued, and
3 unless the licensee has surrendered to the cabinet his or her license certificate.

4 (3) ~~[If upon investigation the cabinet ascertains that any motor carrier or heavy~~
5 ~~equipment motor carrier to whom a license has been issued is no longer engaged as~~
6 ~~such and has not been so engaged for a period of six (6) months, the cabinet may~~
7 ~~cancel such license by giving the motor carrier or heavy equipment motor carrier~~
8 ~~sixty (60) days' notice of cancellation mailed to his last known address in which~~
9 ~~event the license certificate shall be surrendered to the cabinet.~~

10 (4) ~~]~~Whenever a licensee ceases to engage in business within this state, he or she shall
11 notify the cabinet in writing within fifteen (15) days after discontinuance. All taxes
12 that have accrued under KRS 138.655 to 138.725, inclusive, whether or not then
13 due, shall become due and payable concurrently with such discontinuance. The
14 licensee shall make a report and pay all such taxes and any interest and penalties
15 thereon, and shall surrender to the cabinet his or her license certificate.

16 (4)(5) If the license of a motor carrier or heavy equipment motor carrier is canceled
17 by the cabinet as provided in this section and if the licensee has paid to this state all
18 of the taxes, interest and penalties due under KRS 138.655 to 138.725 and
19 138.990(13) and (14), the cabinet shall cancel the bond filed by the licensee.

20 ➔Section 30. KRS 138.680 is amended to read as follows:

21 (1) Every licensee shall maintain complete records on all motor vehicles, by type,
22 operating on Kentucky highways, weight and number of axles, mileage records and
23 records of all purchases, use, and other dispositions of gasoline and special fuels.
24 Such records, together with manifests of lading, invoices, and other papers
25 pertaining to gasoline or special fuels consumption, shall be retained for a period of
26 five (5) years~~[,]~~ and shall be made available to the Transportation Cabinet upon
27 request for examination.

1 (2) If any licensee fails or refuses upon ~~written~~ request to furnish any information to
2 the Transportation Cabinet concerning an audit, assessment, or verification of tax
3 information, the cabinet may make an estimate of the licensee's tax due and issue an
4 assessment against the licensee based upon the estimated tax due. Such assessment
5 may be used by the cabinet in any legal proceeding for collection of the tax. The
6 cabinet may, at any subsequent proceeding, require the taxpayer to file any reports
7 or additional information it deems necessary.

8 ➔Section 31. KRS 138.685 is amended to read as follows:

9 (1) Every licensee shall file a quarterly tax return and pay any taxes due using the
10 motor carrier portal ~~[with the cabinet, in the format prescribed by the cabinet, a~~
11 ~~quarterly tax return]~~. The return shall be made under penalty of perjury and shall
12 show such information as the cabinet may require.

13 (2) The licensee shall file the return required under this section on or before the last
14 day of the next succeeding calendar month following the quarterly period to which
15 it relates.

16 ~~[(2) The quarterly tax return shall be accompanied by a remittance covering the tax~~
17 ~~due.]~~

18 ➔Section 32. KRS 138.710 is amended to read as follows:

19 (1) The payments due from returns ~~[reports]~~ required by KRS 138.685 shall be made
20 by credit card, debit card, or ~~[accompanied by a certified,]~~ electronic fund
21 transfer ~~[, or cashier's check payable to the State Treasurer]~~ for the amount of tax
22 due for the preceding calendar quarter computed as provided in KRS 138.690 ~~],~~
23 ~~except that the cabinet may waive this requirement and accept the check of the~~
24 ~~licensee if he is of sound financial condition and has established a good record of~~
25 ~~compliance with the requirements of KRS 138.655 to 138.725, inclusive].~~

26 (2) ~~[The Transportation Cabinet may promulgate administrative regulations providing~~
27 ~~for the payment by credit card of any tax or fee that it collects. The administrative~~

1 ~~regulation may require the~~ A payee **shall be required** to add to his **or her** tax or
2 fee~~[,]~~ the administrative charge of the financial institution.

3 ➔Section 33. KRS 138.715 is amended to read as follows:

- 4 (1) If any licensee neglects or refuses to make the return or pay the tax at the time
5 provided in KRS 138.685, a penalty of twenty percent (20%) of the tax and interest
6 at the tax interest rate as defined in KRS 131.010(6) from the date when due shall
7 be paid on the tax.
- 8 (2) If any licensee subject to the penalty provided in subsection (1) of this section
9 submits to the department in writing the reasons for failure to comply with KRS
10 138.660 to 138.7291 and if the department finds the reasons sufficient evidence or
11 justifiable cause for modifying the penalty provided in subsection (1) of this
12 section, it may modify the penalty enacted therein to five percent (5%) of the
13 amount of the tax due and delinquent, provided the five percent (5%) penalty may
14 be reduced to one percent (1%) if the violation is the first violation by the taxpayer
15 within the twelve (12) months.
- 16 (3) If the penalties provided by this section are collected by proceedings in court, an
17 additional penalty of twenty percent (20%) shall be collected and distributed as is
18 authorized by KRS 134.552. Whenever any licensee neglects or refuses to make
19 and file any report for any calendar quarter as required by KRS 138.685, or files an
20 incorrect or fraudulent report, the department shall determine after an investigation
21 the amount of the liability which the licensee has incurred under KRS 138.660 to
22 138.7291 for any particular quarter and assess and collect the amount of tax and
23 penalties due.
- 24 (4) Any licensee who fails to make any report required under the provisions of KRS
25 138.660 to 138.7291 within the time allowed **shall**~~may~~ be required to pay a
26 penalty of five hundred dollars (\$500) for any offense. The penalty is to be assessed
27 and collected in the manner provided for the assessment and collection of taxes, or

1 the licensee may be proceeded against in a civil action instigated by the department.

2 In addition, such licensee may be compelled to make the required return.

3 (5) In any action for the collection of taxes due under KRS 138.660 to 138.7291 and
4 any penalties or interest imposed in connection therewith, an assessment by the
5 department of the amount of tax due and the interest or penalties due to the state
6 shall constitute prima facie evidence of the claim of the state and the burden of
7 proof shall be on the licensee to show that the assessment was incorrect or contrary
8 to law.

9 ➔Section 34. KRS 281.752 is amended to read as follows:

10 For motor carriers and heavy equipment motor carriers as defined ~~by~~^{under} KRS
11 138.655~~[(5) and (7)]~~ and for the purposes of tax collection, the department may charge a
12 fee of ten dollars (\$10) in each instance for the issuance of such identifying plates, decals,
13 cards, signs, or papers~~[,]~~ for the identification of motor vehicles~~[,]~~ operated within the
14 state.

15 ➔Section 35. KRS 138.513 is amended to read as follows:

16 (1) (a) Beginning August 1, 2014, but before August 1, 2022, an excise tax is
17 imposed on all advance deposit account wagering licensees licensed under
18 KRS 230.260 at a rate of one-half of one percent (0.5%) of all amounts
19 wagered through the licensee by Kentucky residents; and

20 (b) Beginning August 1, 2022, an excise tax is imposed on all advance deposit
21 account wagering licensees licensed under KRS 230.260~~[138.675]~~ at a rate of
22 one and one-half percent (1.5%) of all amounts wagered through the licensee
23 by Kentucky residents.

24 (2) The tax imposed by this section shall be paid, collected, administered, and
25 distributed as provided in KRS 138.530.

26 ➔Section 36. KRS 174.990 is amended to read as follows:

27 ~~[(1)]~~Any person who willfully hauls, transports, or causes to be transported any

1 hazardous material into, out of, within, or through the Commonwealth in violation of the
2 provisions of KRS 174.400 to 174.425, or contrary to an order, or regulation issued or
3 promulgated under KRS 174.400 to 174.425, shall be fined not less than two hundred
4 fifty dollars (\$250) nor more than twenty-five thousand dollars (\$25,000), for each day of
5 violation.

6 ~~[(2) Any person who operates a vehicle which transports municipal solid waste in
7 violation of KRS 174.450 and administrative regulations promulgated by the
8 cabinet pursuant to KRS 174.450 shall be fined not less than one hundred dollars
9 (\$100) nor more than one thousand dollars (\$1,000) for each day of violation.]~~

10 ➔Section 37. KRS 224.43-350 is amended to read as follows:

11 (1) In addition to its other powers, the cabinet may suspend the authority of a municipal
12 solid waste management facility to accept waste streams upon any of the following
13 grounds:

14 (a) The cabinet finds that any shipment of waste contains waste excluded by law
15 from municipal solid waste disposal facilities in the Commonwealth;

16 (b) Any part of the waste streams in question are being transported by
17 transporters **whose vehicles and drivers do not comply with the provisions of**
18 **KRS Chapter 281 or 281A**~~[who are not registered or certified in the~~
19 ~~Commonwealth in accordance with KRS 174.450].~~

20 (2) The suspension described in subsection (1) of this section shall terminate upon the
21 cabinet's determination that the basis for the suspension has been corrected.

22 ➔Section 38. KRS 186A.520 is amended to read as follows:

23 (1) Except as provided in KRS 186A.555, a salvage title shall be obtained by the owner
24 of a motor vehicle that meets the following definition of a salvage vehicle:

25 (a) A vehicle which has been wrecked, destroyed, or damaged, to the extent that
26 the total estimated or actual cost of parts and labor to rebuild or reconstruct
27 the vehicle to its preaccident condition and for legal operation on the roads or

1 highways, not including the cost of parts and labor to reinstall a deployed
2 airbag system, exceeds seventy-five percent (75%) of the retail value of the
3 vehicle, as **prescribed by a nationally accepted used car valuation guide**
4 **identified by the Department of Revenue by administrative regulation**~~[set~~
5 ~~forth in a current edition of the National Automobile Dealer's Association~~
6 ~~price guide]~~.

7 (b) The value of repair parts for purposes of this definition shall be determined by
8 using the current published retail cost of the parts equal in kind and quality to
9 the parts to be replaced or the actual retail cost of the repair parts used in
10 repair.

11 (c) The labor costs of repairs for purposes of this section shall be computed by
12 using the hourly labor rate and time allocations which are reasonable and
13 customary in the automobile repair industry in the community where the
14 repairs are performed.

15 (d) Airbag reinstallation costs which are excluded from the seventy-five percent
16 (75%) computation as set forth in paragraph (a) of this subsection shall be
17 included by an insurer in the computation of the total physical damage
18 estimate according to the terms and conditions of individual policies, provided
19 that the total costs payable by an insurer do not exceed the total retail value of
20 the vehicle.

21 (2) The owner or an authorized agent of a motor vehicle that meets the definition of a
22 salvage vehicle as set forth in subsection (1) of this section shall, within fifteen (15)
23 days from the receipt of all necessary paperwork required by this chapter, submit an
24 application to the county clerk, on a form prescribed by the Department of Vehicle
25 Regulation, for a salvage title, accompanied by a properly endorsed certificate of
26 title and any lien satisfactions, if any appear, as may be required.

27 (3) The county clerk shall retain a copy of each salvage title application received and

1 shall forward the original and its supporting documents to the Department of
2 Vehicle Regulation in a manner similar to that for handling of an application for a
3 title.

4 (4) The county clerk shall rely on the information provided by the owner or authorized
5 agent, including a county of residence designation, on:

6 (a) Any approved, notarized state form utilized in lien titling or the title transfer
7 process signed by the owner or authorized agent; and

8 (b) Any document submitted during the transfer of a salvage vehicle from an
9 owner to an insurer.

10 Reliance on the foregoing by the county clerk shall relieve the office of the county
11 clerk from liability to any third party claiming failure to comply with this section.

12 (5) The Department of Vehicle Regulation shall process the salvage title application in
13 a manner similar to that used in processing a title application and the salvage title
14 shall be delivered in a like manner of a title. Salvage titles shall be construed as
15 proof of ownership of a vehicle in a state as to be unusable upon the highways of
16 the Commonwealth.

17 (6) A vehicle shall not be issued a registration for highway use as long as a salvage title
18 is in force. The only time a vehicle with a salvage title may be operated upon the
19 highways of the Commonwealth is when it is in route to or from an inspection by
20 the certified inspector prior to obtaining a certificate of title after having been
21 rebuilt as per KRS 186.115.

22 (7) Notwithstanding the provisions of KRS 369.103, when a salvage vehicle is
23 transferred from an owner to an insurer, the following shall be exempted from the
24 requirements of notarization, including exemption from the notarization of
25 electronic signature requirements of KRS Chapter 423:

26 (a) The transfer of ownership on the certificate of title;

27 (b) Any power of attorney required in connection with the transfer of ownership

1 to the insurer;

2 (c) Any required odometer disclosure statement;

3 (d) The application for a salvage certificate of title; and

4 (e) The transfer of ownership on the salvage certificate of title issued.

5 (8) Subsections (2) to (5) of this section shall not apply to applications for salvage title
6 using the electronic title application and registration system established under KRS
7 186A.017.

8 ➔Section 39. KRS 186A.555 is amended to read as follows:

9 (1) The provisions of KRS 186A.500 to 186A.550 notwithstanding, the owner of a
10 motor vehicle that has been damaged solely by hail shall have the regular title of the
11 vehicle branded as follows "Hail Damage" if:

12 (a) The vehicle is in a condition that it can be legally operated on the highway;

13 (b) The total estimated or actual cost of parts and labor to rebuild or reconstruct
14 the vehicle to its pre-hail condition exceeds seventy-five percent (75%) of the
15 retail value of the vehicle, as **prescribed by a nationally accepted used car**
16 **valuation guide identified by the Department of Revenue by administrative**
17 **regulation**~~[set forth in a current edition of the National Automobile Dealer's~~
18 ~~Association price guide]; and~~

19 (c) The owner intends to retain ownership of the vehicle.

20 (2) A person seeking to have the title of a vehicle branded for hail damage under
21 subsection (1) of this section shall present the sheriff with a statement from the
22 person's insurance company that the damage exceeds seventy-five percent (75%) of
23 the retail value of the vehicle and is solely the result of hail damage, and shall have
24 the vehicle inspected by the sheriff of the county in which the vehicle is registered.
25 Upon completion of inspection of the vehicle, the sheriff shall indicate on the
26 vehicle transaction record form if he or she has received a statement from the
27 person's insurance company that the damage to the vehicle is the result of hail

1 damage and if the total estimated or actual cost of parts and labor to rebuild or
2 reconstruct the vehicle to its pre-hail condition exceeds seventy-five percent (75%)
3 of the retail value of the vehicle, as **prescribed by a nationally accepted used car**
4 **valuation guide identified by the Department of Revenue by administrative**
5 **regulation**~~[set forth in a current edition of the National Automobile Dealer's~~
6 ~~Association price guide]~~. The sheriff shall be paid a fee of five dollars (\$5) to
7 conduct an inspection under this subsection.

8 (3) Upon completion of the inspection required under subsection (2) of this section, a
9 person shall take the vehicle transaction record form and the title to the vehicle to
10 the office of the county clerk in the county in which the vehicle is registered. If the
11 sheriff has certified on the vehicle transaction record form that the damage to the
12 vehicle is the result of hail damage and if the total estimated or actual cost of parts
13 and labor to rebuild or reconstruct the vehicle to its pre-hail condition exceeds
14 seventy-five percent (75%) of the retail value of the vehicle, as **prescribed by a**
15 **nationally accepted used car valuation guide identified by the Department of**
16 **Revenue by administrative regulation**~~[set forth in a current edition of the National~~
17 ~~Automobile Dealer's Association price guide]~~, the title shall not be surrendered to
18 the clerk, but the clerk shall stamp on the face of the title "Hail Damage". The clerk
19 shall also enter into the Automated Motor Vehicle Registration System (AVIS) the
20 information that the title has been branded in the clerk's office "Hail Damage". The
21 county clerk shall be paid a fee of three dollars (\$3) to carry out the provisions of
22 this subsection.

23 (4) A title branded "Hail Damage" under the provisions of subsection (3) of this section
24 shall retain the brand for as long as the person holds title to the vehicle, and upon
25 the sale or transfer of the vehicle, the new title issued shall continue to carry the
26 brand "Hail Damage".

27 (5) An insurance company shall not render payment on a vehicle damaged solely by

1 hail in excess of seventy-five percent (75%) of the retail value of the vehicle until
2 the title has been branded "Hail Damage".

3 ➔Section 40. KRS 186A.120 is amended to read as follows:

- 4 (1) Except for applications for title or salvage title using the electronic title application
5 and registration system established under KRS 186A.017, application for a first
6 certificate of registration or title and plate shall be made by the owner to the county
7 clerk of the county in which the owner resides, except that, if a vehicle is purchased
8 from:

9 (a) A dealer other than in the county in which the purchaser for use resides, the
10 purchaser, or the dealer on behalf of the purchaser, may make application for
11 registration to the county clerk in either the county in which the purchaser
12 resides, or in the county in which the dealer's principal place of business is
13 located; or

14 (b) An individual who resides in a county in which the purchaser does not
15 reside, application for registration may be made in to the county clerk in
16 either the county where the seller resides or the purchaser resides.

- 17 (2) (a) When purchaser of a vehicle upon which a lien is to be recorded is a resident
18 of a county other than that of the dealer, the application for registration or title
19 may be made to the county clerk in either county. The lien must be recorded
20 in the county of the purchaser's residence.

21 (b) If vehicle application for registration or title is presented to the county clerk of
22 dealer's location rather than purchaser's residence, the clerk shall process
23 documents in a manner similar to that of any application, with the exception
24 that the AVIS system shall be programmed in a manner that the title shall not
25 be issued from Frankfort until the lien information has been entered by the
26 county clerk of the purchaser's residence.

- 27 (3) (a) A new vehicle, when first registered or titled in this state, shall be registered

1 or titled in the name of the first owner for use rather than in the name of a
2 dealer who held the vehicle for sale.

3 (b) Except as otherwise provided in this chapter, a used vehicle not previously
4 registered or titled in this state shall be registered or titled in the name of the
5 first owner for use rather than in the name of a dealer who held the vehicle for
6 resale.

7 (4) If the owner of a vehicle required to be registered or titled in this state does not
8 reside in the Commonwealth, the vehicle shall be registered or titled with the
9 county clerk of the county in which the vehicle is principally operated.

10 (5) The Transportation Cabinet shall not require a member of the Armed Forces who is
11 stationed in the Commonwealth to obtain a Kentucky operator's license in order to
12 register a motor vehicle in the Commonwealth.

13 (6) If the owner of a vehicle is other than an individual and resides in the
14 Commonwealth, the vehicle shall be registered or titled with the county clerk in
15 either the county in which the owner resides or in the county in which the vehicle is
16 principally operated.

17 ➔SECTION 41. A NEW SECTION OF KRS 186.400 TO 186.640 IS CREATED
18 TO READ AS FOLLOWS:

19 **(1) Beginning no later than October 1, 2024, and annually thereafter, the cabinet**
20 **shall report to the Legislative Research Commission for referral to the Interim**
21 **Joint Committee on Transportation on identity document issuance at each**
22 **regional licensing office.**

23 **(2) The report required under subsection (1) of this section shall include the:**

24 **(a) Number of identity documents, by type, issued at each location;**

25 **(b) Total cost to operate the office; and**

26 **(c) Total receipts collected.**

27 ➔Section 42. The following KRS sections are repealed:

- 1 174.450 License to operate a municipal solid waste transportation vehicle -- Application
2 procedures -- Placard for display -- Exemption -- Registration fees.
- 3 281A.310 Commercial driver's licenses and permits for nonresidents enrolled in
4 instruction programs.
- 5 ➔Section 43. Section 24 of this Act takes effect January 1, 2025.

MEMORANDUM

DATE: July 17, 2024

TO: Lieutenant Richard Bolduc
Major Emily Horton

Cc: Shawna V. Kincer

FROM: Matthew L. Bowling, Staff Attorney III—KSP Legal

In Re: HB 7--Potential Incompatibilities with FMCSR'S

I received a request to offer a legal opinion concerning HB 7, which was recently passed into law (over the Governor's veto) and which has an effective date of July 15, 2024. The provisions of HB 7 have now been officially incorporated into KRS Chapter 186.760-779 dealing with Autonomous Vehicles; 281.630 dealing with carriers operating with intrastate authority; and KRS 261.655, dealing with insurance requirements. The concern is the extent to which, if any, these statutory provisions pose incompatibilities with FMCSR's. As HB 7 has now been passed into law, reference will be made to applicable statutory provisions rather than HB 7.

Also, SB199 was also examined but does not appear to pose any compatibility issues.

Under the FMCSR's, a State statute or regulation is "compatible" if it is identical to, or has the same effect, as an FMCSR. If a State statute or regulation is "incompatible" in that it has more stringent requirements, it can nevertheless be "compatible" for regulatory purposes if it has a safety benefit, does not frustrate a Federal goal of uniformity, and does not adversely affect interstate commerce. A State statute or regulation that is less stringent than an FMCSR is considered "incompatible" and cannot be enforced.

Specifically, at least three areas of potential incompatibility have been identified:

- (1) Statutory provisions regarding autonomous vehicles, which by definition have no human operator, which may be in conflict with FMCSR's that presuppose a human operator and require a human operator to perform the required tasks (as examples, 396.11; 392.7; 392.8; 392.9; and 392.22)
- (2) Statutory provisions which impose different (in this case, higher) insurance requirements upon autonomous vehicles in comparison with human-operated vehicles, in apparent conflict with Part 387 insurance requirements

- (3) Statutory provisions regarding intrastate operating authority which potentially will result in regulations that may create different requirements between carriers requiring intrastate operating authority, and those requiring interstate operating authority

STATUTORY PROVISIONS REGARDING AUTONOMOUS COMMERCIAL VEHICLES IN POTENTIAL INCOMPATIBILITY WITH FMCSR'S THAT REQUIRE A HUMAN OPERATOR

There are FCMSR's imposing specific requirements which necessarily require a human operator. (i.e., 396.11 regarding DVIR's; 392.7, regarding driver knowledge of parts and accessories in good working order; 392.8, regarding driver knowledge of emergency equipment in place and ability to use if needed; 392.9, regarding driver's obligations regarding inspection of cargo and cargo securement; and 392.22, regarding driver's activation of hazard warning signals and placement of warning devices.)

However, the above-referenced regulatory requirements pre-date the advent of autonomous commercial vehicles, and the FMCSA presently has no specific regulations addressing the above-referenced requirements in the context of autonomous commercial vehicles. The FMCSA acknowledges the need for such regulations and is presently soliciting input as it prepares to issue regulations in that regard, but those regulations do not exist at this time.

In any event, KRS 186.763 (2) provides that from July 15, 2024 until July 31, 2026, vehicles with a gross weight of over 62,000 pounds shall have a human present in the vehicle, with appropriate credentials, to monitor performance and to intervene if necessary. Therefore, in actual practice, within the time period referenced in KRS 186.763 (2) and at least with respect to vehicles with a gross weight over 62,000 pounds, there will be no incompatibility with the existing FMCSR'S requiring a human operator. It is likely that new FMCSR'S will be issued within the two-year period referenced in KRS 186.763 (2), which will then provide specific guidance and any incompatibilities can be addressed at that time. With respect to other commercial vehicles, it can also be said that there is no incompatibility with FMCSR'S because there are in fact no existing FMCR'S with respect to autonomous commercial vehicles.

Considering the provisions of KRS 186.763 (2), effective through July 31, 2026 and requiring commercial autonomous vehicles exceeding 62,000 pounds to have a human presence, and considering the absence of federal autonomous vehicle regulations, it is not believed that the statutory provisions regarding autonomous vehicles pose a compatibility issue at present. It is likely that the FMCSA will promulgate regulations regarding commercial autonomous vehicles within the two-year period referenced in KRS 186.763 (2), and any compatibility issues can be addressed at that time, as necessary.

STATUTORY PROVISIONS IMPOSING A HIGHER INSURANCE REQUIREMENT UPON AUTONOMOUS VEHICLES AS OPPOSED TO NON-AUTONOMOUS VEHICLES

KRS 281.655 now imposes a liability insurance requirement of One Million Dollars (\$1,000,000.00) upon fully autonomous vehicles, as opposed to the Part 387 requirement of Seven Hundred Fifty Thousand Dollars (\$750,000.00) with respect to non-autonomous vehicles, which is a more stringent requirement.

However, the statute can nevertheless be deemed “compatible” because the more stringent insurance requirement has a safety benefit in that it is directly related to the protection of the public, and implicitly recognizes that the autonomous vehicle industry is still undergoing refinement and that increased liability protection is appropriate.

Also, the insurance requirement does not appear to frustrate the Federal goal of uniformity (\$750,000.00 is a minimum, not a cap), and does not create an unreasonable burden upon interstate commerce. It is doubtful that an insurance requirement of One Million Dollars (\$1,000,000.00) as opposed to Seven Hundred Fifty Thousand Dollars (\$750,000.00) would itself be so cost-prohibitive as to be harmful to interstate commerce, particularly in light of public protection benefits.

STATUTORY PROVISIONS WHICH MAY RESULT IN REGULATIONS IMPOSING DIFFERENT REQUIREMENTS UPON CARRIERS WITH INTRASTATE OPERATING AUTHORITY AS OPPOSED TO INTERSTATE OPERATING AUTHORITY

KRS 281.630 pertains to intrastate carriers, and that statute as amended under 12(a) provides that the department shall have the power to promulgate regulations as it may deem necessary to carry out its provisions. The concern is that with the recent amendments to that statute, regulations promulgated under that statute might treat intrastate carriers differently than interstate carriers, either with regulatory requirements either more stringent or less stringent, and therefore may pose incompatibilities with FMCSR's.

In this particular instance, however, any incompatibilities are potential and theoretical, as presently there have been no regulations promulgated under the newly amended version of KRS 281.630. Accordingly, it is not thought that the recently amended version of KRS 281.630 presents a compatibility issue at this time.

SUMMARY

Although at first glance FMCSR's requiring a human operator are in conflict with Kentucky statutes regarding autonomous vehicles, the provisions of KRS 186.763(2) requiring a human operator until July 31, 2026 would seem to resolve any incompatibility with respect to the class of commercial vehicle referenced in that statute. With regard to other commercial vehicles, it can be said that Kentucky autonomous vehicle statutes are not incompatible, as they cannot be incompatible with federal autonomous vehicle regulations that are absent. In any event, it is likely that the FMCSA will in the interim issue FMCSR's that will provide specific guidance concerning autonomous vehicles, and incompatibilities if any can be addressed at that time.

The insurance requirement for autonomous vehicles under KRS 281.655 is greater than that required under Part 387, but can be considered "compatible" in that it is directed at public safety, does not frustrate federal uniformity, and is not so cost-prohibitive as to adversely affect interstate commerce.

The provisions of KRS 281.630 authorizing the promulgation of regulations with respect to intrastate carriers is a potential compatibility issue, although there are no regulations yet with respect to the newer version of KRS 281.630 and any incompatibility issue is presently theoretical as opposed to actual.

As always, the foregoing statutory provisions should be brought to the attention of FMCSA, and to the extent that FMCSA ultimately determines that any of the statutory or regulatory provisions are incompatible, it appears that any potential compatibility issues would be ones that could be resolved through waiver, variance, or statutory amendment, as applicable.

I am available to discuss at greater length in person at HQ, by Teams call, or at my office number, (502) 782-1832.

/s/ Matthew L. Bowling

MATTHEW L. BOWLING

**KENTUCKY STATE POLICE TITLE VI PROGRAM COMPLIANCE PLAN****Policy Statement**

The Kentucky State Police recognizes its Responsibility to abide by and enforce the provisions of Title VI of the Civil Rights Act of 1964 (Title VI), Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency), related nondiscrimination authorities and the Kentucky Civil Rights Act. Title VI and its implementing regulations require state agencies that receive federal financial assistance to develop and implement plans to ensure no one receiving benefits under a federally funded program engages in discrimination on the basis of race, color or national origin. This procedure establishes processes for providing training, reporting compliance and handling allegations of discrimination. (Note: federal financial assistance may include monetary grants, software grants, contracts, loans, etc.) The KSP further assures that Title VI program measures are implemented, and monitored and will comply with the provisions of this policy including the requirements of 49 CFR Part 21 and 303.

The KSP includes, within its grant package, a CEO-signed Title VI Program Assurance. All parts of the Title VI Compliance Plan, and any supporting documents or attachments, are provided to FMCSA annually as a part of the CVSP and FMCSA grant application process, or at any other time upon request.

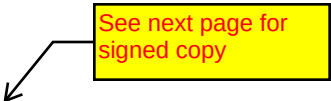
The KSP affords all individuals the opportunity to participate in and benefit from programs and services receiving federal financial assistance. Further, the KSP, its subawardees, and all associated parties shall comply with the provisions of Title VI of the Civil Rights Act of 1964, related nondiscrimination authorities, and KRS 344.015. Furthermore, the KSP commits to comply with FMCSA Memorandum MC-ECE-2016-006 English Language Proficiency Testing and Enforcement Policy effective on June 15th, 2016.

The KSP has Title VI policies and procedures in place to handle Title VI-related complaints. The KSP recognizes the additional protected classes under the FMCSA policies. KSP's Title VI Program ensures no person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance on the grounds of race, color, national origin, sex, age, low income, limited English proficiency, or disability.

The authority to implement this program has been delegated to the KSP Human Resources Branch; which has designated a Program Coordinator to assume the responsibility of developing procedures and coordinating mandated training for all KSP employees. Complaints will be tracked, answered, and investigated by the designated Program Coordinator and referred to the Executive Director, Office of Investigations, Justice and Public Safety Cabinet, or their designee, as required. Authority is granted to all KSP Office, Division, and Branch managers to implement the Title VI policies of the Kentucky State Police.

The Kentucky State Police has identified as its Title VI coordinator:

Brandy Kelly
Human Resources Branch Manager
919 Versailles Road
Frankfort, KY 40601
Phone: (502) 782-1853

A yellow rectangular box with a black border containing the text "See next page for signed copy" in red. A black arrow points from the bottom-left corner of the box towards the signature line of Phillip Burnett, Jr.

See next page for
signed copy

Phillip Burnett, Jr.
Commissioner

Date

**KENTUCKY STATE POLICE TITLE VI PROGRAM COMPLIANCE PLAN****Policy Statement**

The Kentucky State Police recognizes its Responsibility to abide by and enforce the provisions of Title VI of the Civil Rights Act of 1964 (Title VI), Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency), related nondiscrimination authorities and the Kentucky Civil Rights Act. Title VI and its implementing regulations require state agencies that receive federal financial assistance to develop and implement plans to ensure no one receiving benefits under a federally funded program engages in discrimination on the basis of race, color or national origin. This procedure establishes processes for providing training, reporting compliance and handling allegations of discrimination. (Note: federal financial assistance may include monetary grants, software grants, contracts, loans, etc.) The KSP further assures that Title VI program measures are implemented, and monitored and will comply with the provisions of this policy including the requirements of 49 CFR Part 21 and 303.

The KSP includes, within its grant package, a CEO-signed Title VI Program Assurance. All parts of the Title VI Compliance Plan, and any supporting documents or attachments, are provided to FMCSA annually as a part of the CVSP and FMCSA grant application process, or at any other time upon request.

The KSP affords all individuals the opportunity to participate in and benefit from programs and services receiving federal financial assistance. Further, the KSP, its subawardees, and all associated parties shall comply with the provisions of Title VI of the Civil Rights Act of 1964, related nondiscrimination authorities, and KRS 344.015. Furthermore, the KSP commits to comply with FMCSA Memorandum MC-ECE-2016-006 English Language Proficiency Testing and Enforcement Policy effective on June 15th, 2016.

The KSP has Title VI policies and procedures in place to handle Title VI-related complaints. The KSP recognizes the additional protected classes under the FMCSA policies. KSP's Title VI Program ensures no person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance on the grounds of race, color, national origin, sex, age, low income, limited English proficiency, or disability.

The authority to implement this program has been delegated to the KSP Human Resources Branch; which has designated a Program Coordinator to assume the responsibility of developing procedures and coordinating mandated training for all KSP employees. Complaints will be tracked, answered, and investigated by the designated Program Coordinator and referred to the Executive Director, Office of Investigations, Justice and Public Safety Cabinet, or their designee, as required. Authority is granted to all KSP Office, Division, and Branch managers to implement the Title VI policies of the Kentucky State Police.

The Kentucky State Police has identified as its Title VI coordinator:

Brandy Kelly
Human Resources Branch Manager
919 Versailles Road
Frankfort, KY 40601
Phone: (502) 782-1853

A handwritten signature in blue ink, appearing to read "Phillip Burnett, Jr.".

Phillip Burnett, Jr.
Commissioner

8-19-24
Date

The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Kentucky State Police (herein referred to as the “Recipient”), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), through the **Federal Motor Carrier Safety Administration (FMCSA)**, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 Stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Title IX of the Education Amendments of 1972, as amended, (20 U.S.C. § 1681 *et seq.*), (prohibits discrimination on the basis of sex in education programs or activities);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability);
- 49 C.F.R. part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 49 C.F.R. part 27 (entitled *Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance*);
- 49 C.F.R. part 28 (entitled *Enforcement Of Nondiscrimination On The Basis Of Handicap In Programs Or Activities Conducted By The Department Of Transportation*);
- 49 C.F.R. part 37 (entitled *Transportation Services For Individuals With Disabilities (ADA)*);
- 49 C.F.R. part 303 (FMCSA’s Title VI/Nondiscrimination Regulation);
- 28 C.F.R. part 35 (entitled *Discrimination On The Basis Of Disability In State And Local Government Services*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

Although not applicable to Recipients directly, there are certain Executive Orders and relevant guidance that direct action by Federal agencies regarding their federally assisted programs and activities to which compliance is required by Recipients to ensure Federal agencies carry out their responsibilities. Executive Order 12898 (1995), entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” emphasizes that Federal agencies should use existing laws to achieve Environmental Justice, in particular Title VI, to ensure nondiscrimination against minority populations. Recipients should be aware that certain Title VI matters raise Environmental Justice concerns and FMCSA intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations. See the following FHWA website for more information and facts about Environmental Justice: http://www.fhwa.dot.gov/environment/environmental_justice/index.cfm

Additionally, Executive Order 13166 (2001) on Limited English Proficiency, according to the U.S. Department of Justice in its Policy Guidance Document dated August 16, 2000 (65 Fed. Reg. at 50123), clarifies the responsibilities associated with the “*application of Title VI’s prohibition on national origin discrimination when information is provided only in English to persons with limited English proficiency.*” When receiving Federal funds Recipients are expected to conduct a Four-Factor Analysis to prevent discrimination based on National Origin. (See also U.S. DOT’s “*Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons,*” dated December 14, 2005, (70 Fed. Reg. at 74087 to 74100); the Guidance is a useful resource when performing a Four-Factor Analysis).

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

“No person in the United States shall, on the grounds of race, color, national origin, sex, age, disability, low-income, or LEP be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from DOT, including the FMCSA.”

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973) by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally-assisted.

Specific Assurances

More specifically, and without limiting the above general Assurances, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted **FMCSA Program**:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in 49 C.F.R. §§ 21.23 (b) and 21.23 (e) will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations;

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with the FMCSA Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*“The **Kentucky State Police**), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the owner’s race, color, national origin, sex, age, disability, income-level, or LEP in consideration for an award.”;*

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations;
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient;
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith;
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property;
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal

financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Kentucky State Police also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **FMCSA** access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the **FMCSA**. You must keep records, reports, and submit the material for review upon request to **FMCSA**, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Kentucky State Police gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the Department of Transportation under the **FMCSA Program**. This ASSURANCE is binding on Kentucky other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **FMCSA Program**. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Kentucky State Police
Recipient

by _____
(Signature of Authorized Official)

DATED _____



See next page for
signed copy

financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

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The Kentucky State Police gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the Department of Transportation under the **FMCSA Program**. This ASSURANCE is binding on Kentucky other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **FMCSA Program**. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Kentucky State Police

Recipient

by


(Signature of Authorized Official)

DATED

8-19-24

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations as set forth in Appendix E, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 C.F.R. part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FMCSA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FMCSA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor’s noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FMCSA may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FMCSA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

APPENDIX B

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the Department of Transportation as authorized by law and upon the condition that the Kentucky State Police will accept title to the lands and maintain the project constructed thereon in accordance with the Executive Branch of Kentucky, the Regulations for the Administration of **Federal Motor Carrier Safety Administration (FMCSA) Program**, and the policies and procedures prescribed by the **FMCSA** of the Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Kentucky State Police all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto Kentucky State Police and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Kentucky State Police its successors and assigns.

The Kentucky State Police in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Kentucky State Police will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI.)

**CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER
THE ACTIVITY, FACILITY OR PROGRAM**

APPENDIX C

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Kentucky State Police pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Kentucky State Police will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Kentucky State Police will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Kentucky State Police and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI.)

**CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER
THE ACTIVITY, FACILITY OR PROGRAM**

APPENDIX D

The following clauses will be included in deeds, licenses, permits, or similar instruments/ agreements entered into by Kentucky State Police pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, “as a covenant running with the land”) that (1) no person on the ground of race, color, national origin, sex, age, disability, income-level, or LEP will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, national origin, sex, age, disability, income-level, or LEP will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Kentucky State Police will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Kentucky State Police will there upon revert to and vest in and become the absolute property of Kentucky State Police and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

- Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. § 2000d *et seq.*), (prohibits discrimination on the basis of race, color, national origin), as implemented by 49 C.F.R. § 21.1 *et seq.* and 49 C.F.R. part 303;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601) (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973 (23 U.S.C. § 324 *et seq.*) (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794 *et seq.*) (prohibits discrimination on the basis of disability); and 49 C.F.R. part 27;
- The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*) (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982 (Pub. L. 97-248 (1982)), as amended (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987 (102 Stat. 28) (“...which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.”);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189), as implemented by Department of Justice regulations at 28 C.F.R. parts 35 and 36, and Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. § 1681 *et seq.*).

Description of Federal-Aid Programs

Motor Carrier Safety Assistance Program (MCSAP) CFDA 20.218 - U.S. Department of Transportation Federal Motor Carrier Safety Administration (FMCSA)	Funds commercial vehicle (CMV) and driver inspection activities, and CMV related traffic law enforcement	MCSAP funds provided directly to KSP by USDOT, FMSCA	Personnel costs, training, equipment.	Statewide. Activities to promote highway safety
Lexington Police Department MCSAP Program (subawardee)	Funds the Lexington Police to conduct a MCSAP Program	MCSAP funds provided to Lexington through KSP	Personnel costs, training, equipment.	Lexington-Fayette County area. Activities promote highway safety
Louisville Metro Police Department MCSAP Program (subawardee)	Funds the Louisville Metro Police to conduct a MCSAP Program	MCSAP funds provided to Louisville Metro through KSP	Personnel costs, training, equipment.	Louisville- Jefferson County area. Activities promote highway safety
Boone County Sheriff's Office MCSAP Program (subawardee)	Funds the Boone County Sheriff's Office to conduct a MCSAP Program	MCSAP funds provided to Boone County Sheriff's Office through KSP	Personnel costs, training, equipment.	Boone County area. Activities promote highway safety
Kentucky Transportation Cabinet (subawardee)	Funds the Kentucky Transportation Cabinet to provide technology and other services related to the MCSAP Program	MCSAP funds provided to Kentucky Transportation Cabinet through KSP	Personnel costs, training, equipment.	Statewide. Activities promote highway safety

Notification to Beneficiaries/Participants

The KSP has placed a link entitled ‘Title VI Program Rights’ on our website at <https://www.kentuckystatepolice.ky.gov/> (under the resources tab on the website header present on all subpages). The link directs the user to our Public Notice of Title VI Program Rights page (<https://www.kentuckystatepolice.ky.gov/public-notice-of-title-vi-program-rights/>) to inform public beneficiaries of our Title VI assurances and responsibilities. The notification also includes a statement that KSP’s Title VI program ensures no person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity on the grounds of race, color, national origin, sex, age, low income, limited English proficiency, or disability. It also identifies procedures for requesting information, filing a discrimination complaint, and provides the contact information for the Title VI Coordinator. Additionally, the KSP has provided educational brochures and posted its public Title VI notification at each of its publically-accessible facilities.

All bidders, contractors, subcontractors and suppliers of material are notified of the Department’s Title VI program Compliance Plan and policies. All contracts into which the Department enters contain a nondiscrimination clause and other requirements as referenced in applicable Executive Orders and relevant Federal General and Specific Assurances.

An individual who believes that he/she has been discriminated against by the Agency or by a DOT funded subawardee because of race, color, national origin, sex, age, low income, limited English proficiency, or disability, may initially file a complaint with any Agency employee, who will then notify the KSP Human Resources Branch via telephone, email, webpage, or in other written format. The complaint should contain relevant contact information and details of the allegedly discriminatory action(s). Individuals alleging discrimination by a DOT-funded subawardee also have the option of filing a complaint directly with the subawardee.

Subawardee Compliance Reports

The Kentucky State Police (KSP) has identified three subawardees that it utilizes in three large jurisdictions of the state to assist it in its efforts toward commercial vehicle safety. Those three agencies are the Lexington Police Department, The Louisville Metro Police Department and the Boone County Sheriff's Office. These agencies have been selected due to the large quantity of commercial vehicle traffic within their jurisdictions and the difficulty of the State Police policing in these areas.

Additionally, KSP funds one non-enforcement subawardee: the Kentucky Transportation Cabinet (KYTC). The KYTC provides support to the MCSAP Program such as operating and maintaining technological systems, databases, weigh stations, in addition to other functions as specified in Kentucky's CVSP.

Note: KYTC is also a direct applicant for federal funding and has their own Title VI Program Compliance Plan which is reviewed by FMCSA's Office of Civil Rights each Federal Fiscal Year.

KSP requires each subawardee to develop a Title VI Program Compliance Plan or to update their existing Plan annually. Each subawardee Plan is reviewed annually as a part of the CVSP development process. Each plan must be approved annually by KSP in coordination with the FMCSA Office of Civil Rights. No new subaward funding may be released to any subawardee who has not received the prescribed annual approval for their Title VI Plan. Each subawardee is required to submit a CEO-signed Title VI Program Assurance as a part of the Plan. Each Plan must include the subawardee's Policy Statement, and any other documentation in the form and manner prescribed by the FMCSA Office of Civil Rights. KSP monitors each subawardee's efforts as required by Title VI program requirements.

The KSP MCSAP Coordinator communicates at least quarterly with each subawardee and requires quarterly performance and financial reporting for each subaward received. KSP has added a notification requirement for any Title VI based complaints received during each reporting period. If warranted, the MCSAP Coordinator will follow up with KSP's Title VI Coordinator and make site visits or investigations as necessary.

Training

Agency employees have been specifically notified of this policy in employee orientation, via the Agency Policy and Procedure Manual, or through other appropriate means. Each agency employee receives annual training on applicable Title VI requirements beginning with the FFY 2017. Subawardees of FMCSA funds have been informed of the annual training requirement and are required to train applicable employees on all requirements of their Title VI program. KSP provides training materials to employees and subawardees that are approved by FMCSA's Office of Civil Rights. Each subawardee is required to disseminate the training and to maintain a training log.

Beginning in FFY2024, Title VI training will be provided electronically and an electronic signature, acknowledging completion of the training, is required for all agency employees. Employees completing NAS safety inspections are required to complete additional training specific to the inspection function, including policies and best practices for inspection selection and bias-free policing. Training completion will be tracked by appropriate agency supervision to ensure all employees complete the training within the prescribed timeframe.

Access to Records

Upon request, the KSP will provide all records relating to the KSP's Title VI Program to the FMCSA within (2) business days during normal business hours. If the provision of records cannot be accomplished within (2) business days, the KSP will provide an explanation of the delay to FMCSA and will seek to provide the records at the earliest possible opportunity. Furthermore, upon request, the KSP will cooperate with the FMCSA to obtain any requested records from a subawardee. If subawardee records are requested by FMCSA through the KSP, the KSP shall request the applicable records from each subawardee within (2) business days of the request from the FMCSA. Upon the receipt of the records from the subawardee, the KSP will provide those records to the FMCSA within (2) business days of receipt.

The KSP will require each subawardee, as a part of their Title VI plan, to provide access to Title VI-related records to both KSP and FMCSA upon request and within a reasonable timeframe.

Complaint Disposition Process

The Human Resources Branch Manager for the KSP (the designated Title VI Coordinator) is responsible for coordinating receipt, referral, and/or investigations of complaints received pursuant to this policy and referring them to the Executive Director, Office of Investigations, Justice and Public Safety Cabinet, or their designee, as required. The Title VI Coordinator will maintain a complaint log documenting each Title VI complaint and this log will be made available to the FMCSA upon request.

An individual who believes that he/she has been discriminated against by the Agency or by a DOT funded subawardee because of race, color, national origin, sex, age, low income, limited English proficiency, or disability, may initially file a complaint with any Agency employee, who will then notify the KSP Human Resources Branch via telephone, email, webpage, or in other written format. The complaint should contain relevant contact information and details of the allegedly discriminatory action(s). Individuals alleging discrimination by a DOT-funded subawardee also have the option of filing a complaint directly with the subawardee.

A written complaint may be submitted to the following address:

Brandy Kelly
Human Resources Branch Manager
919 Versailles Road
Frankfort, KY 40601
Phone: (502) 695-6361
brandy.kelly@ky.gov

Any Agency employee receiving a discrimination complaint pursuant to this policy must notify the KSP Human Resources Branch within three (3) business days.

All investigations, referrals, and related actions will be performed in compliance with relevant Kentucky Personnel and Justice and Safety Cabinet policies, Kentucky Revised Statutes, Kentucky Administrative Regulations, and other applicable protocols.

Title VI program data is also located at the below internet link -
<https://www.kentuckystatepolice.ky.gov/public-notice-of-title-vi-program-rights/>

Community Participation Process

This section is not applicable to the KSP as the Kentucky Transportation Cabinet is the CDL Program Grantee and conducts motorist licensure/motor vehicle registration activities/services.

Status of Corrective Actions Implemented by Applicant to Address Deficiencies Previously Identified During a Title VI Program Compliance Review

N/A

Commercial Motor Vehicle Inspection Selection & Unbiased Enforcement Policies

The KSP has revised its Unbiased Enforcement Policy (General Order OM-E-8, Professional Traffic Stops) and its General Duties and Responsibilities Policy (General Order OM-B-01) to incorporate all Title VI references and program requirements. These policy revisions have an effective date of August 15, 2024 and are included as attachments to this plan.

Policy revisions were required because several areas for improvement were identified and changes were required to bring policy fully in line with Title VI requirements.

Components of KSP's Title VI Program can be found in the following locations within its policy and procedures manual:

- General Order OM-B-01, General Duties and Responsibilities Policy
- General Order OM-E-8, Professional Traffic Stops

Additional requirements can be found within the Standard Operating Procedures for the Commercial Vehicle Enforcement Division:

- Standard Operating Procedure CVE-01, Commercial Vehicle Enforcement Inspections

Updates to the policy items above ensure that KSP's Title VI Program applies to all agency employees and functions, with additional requirements applying to personnel who complete NAS safety inspections.

	GENERAL ORDER OM-B-1		
	Title / Subject		
	GENERAL DUTIES, RESPONSIBILITIES AND JURISDICTION		EFFECTIVE DATE 12/31/99 REVISION DATE 08/15/24
	REFERENCES		DISTRIBUTION
	KRS 431 KRS 440	OM-D-01 KRS 189.227	All Personnel
	KRS 455	49 CFR Part 21	<i>Last Reviewed:</i>
	Rules of Criminal Procedure: 2 & 3	49 CFR Part 303	08/15/24

POLICY

The Kentucky State Police shall enforce all traffic laws, rules, regulations, and criminal laws of the Commonwealth in a fair and impartial manner and in compliance with agency policies and written directives. Officers shall attempt to comply with, and complete, all duties and responsibilities placed upon them by statute, regulation, or agency directives. Officers shall treat all persons receiving police services in a fair and bias-free manner under the same or similar circumstances regardless of any individual characteristics in observance of Title VI of the Civil Rights Act as well as 49 CFR Part 21 and 49 CFR Part 303.

DEFINITIONS

Police Services: actions and activities that may not directly include enforcement of the law, but that contribute to the overall well-being of the public. These include but are not limited to welfare checks, death notifications, public assistance to persons who may be lost, confused, or affected by mental or physical illness, traffic control, medical emergencies, lifesaving services, crime prevention, public information, and community engagement.

Language Line: a service that provides a method to arrange translation via telephone for individuals who do not speak English as their primary language and have limited ability to read, speak, write, or understand English.

GENERAL DUTIES, RESPONSIBILITIES & PATROL PROCEDURES

- A. All Kentucky State Police sworn officers shall have jurisdiction and perform their duties and responsibilities in accordance with all relevant Kentucky State Revised Statutes, agency policies, procedures, regulations, and other written directives. Sworn officers shall include all ranks and classifications of the following: Troopers, Commercial Vehicle Enforcement Officers, Arson Investigators, Hazardous Devices Investigators, Facilities Security Officers, Legislative Security Specialists, Troopers R Class, and Commercial Vehicle Enforcement Officers R Class.
 1. Commercial Vehicle Enforcement Inspectors employed under KRS Chapter 18A, while not sworn officers, have limited peace officer powers with authority to issue citations relating to motor vehicles in accordance with KRS 189.227.

- B. It shall be the duty of the Commissioner and each officer of the agency to detect and prevent crime, apprehend criminals, maintain law and order throughout the state, and enforce criminal laws as well as motor vehicle and traffic laws of the Commonwealth, according to statutory authority and agency directives.
- C. The agency shall make every reasonable effort to respond to all calls for assistance that require police attention in this state with emphasis on locations where limited or no law enforcement is present.
- D. Agency officers are responsible for the efficient and effective performance of their duties in conformity with Kentucky State Police written directives which shall include, but are not limited to, the following:
 - 1. Protection of life and property, and the prevention and suppression of criminal activity;
 - 2. Recovery and return of stolen and lost property;
 - 3. Apprehension and assistance in the prosecution of offenders;
 - 4. Investigation of and prevention of accidents;
 - 5. Regulation of traffic and commercial vehicles (refer to **OM-E-08 and the CVE SOP** for additional guidance);
 - 6. Preservation of peace and other necessary services requested by the public;
 - 7. Development of rapport with citizens in their area;
 - 8. Familiarization with high crime and accident locations in their assigned areas, and employment of selective enforcement objectives in their patrol efforts;
 - 9. Supervision and inspection of all public places and activities within their assigned areas, and enforcement of all laws and regulations concerning operation of such places;
 - 10. Coordination of efforts with other agency officers and other agencies;
 - 11. Utilization of traffic checks to deter violations of both traffic and criminal law;
 - 12. Offering assistance to stranded motorists when not responding to an emergency incident;
 - 13. Staying alert to community tensions of various types, notifying their supervisors of potentially dangerous or undesirable situations; and
 - 14. Observing conditions indicating the need for additional security measures for residences, business places and other facilities within their patrol area.
- E. Agency officers shall utilize a language line for interpretation services whenever necessary to ensure the effective performance of police services.

LAWS OF ARREST AND CRIMINAL PROCEDURES

- A. Officers shall adhere to the identified Kentucky Revised Statutes and Rules of Criminal Procedures referenced below:
 - 1. **Arrest with or without a Warrant:** Kentucky Revised Statutes 431.005.

2. **Requirements for a warrant:** Rules of Criminal Procedure 2.06; KRS 455.180.
 - a. No Knock warrants shall require approval through channels by the Operations Executive Director and shall only be executed/served by the Special Response Team. Refer to policy **OM-D-01** for no-knock warrant requirements.
 3. **Execution of a warrant:** Rules of Criminal Procedure 2.10; KRS 431.005; 440.280; 455.200.
 4. **Act of Arrest:** KRS 431.025.
 5. **Act of Arrest in another County:** Rules of Criminal Procedure 3.02.
 6. **Summons:** Rules of Criminal Procedure 2.04; 2.06; 2:10; 2:12 & KRS 431.410.
 7. **Citations for Misdemeanor or Violation:** KRS 431.015, KRS 431.410.
 8. **Complaint (i.e., Information for Warrant):** Rules of Criminal Procedure 2.02
 9. **Defective Warrants, Summons or Citations:** Rules of Criminal Procedure 2.08 & 3.13.
- B. Officers shall adhere to the following procedures when determining the right to search:
1. An officer has the right and duty to search the person arrested for dangerous weapons, stolen property and other articles, the possession of which is unlawful in itself, or evidence to be used in a trial of the offense charged.
 2. The right to “*stop and frisk*” exists where the officer conducting the search has reason to believe that he is dealing with an armed and dangerous individual, regardless of whether the officer has probable cause to arrest the individual for a crime. The sole justification of the frisk is the protection of the police officer and others nearby, and it must be confined in scope to an intrusion reasonably designed to discover guns, knives, clubs, or other hidden instruments for the assault of the police officer. The prevention of a possible disappearance or destruction of evidence of a crime does not justify a “*stop and frisk*.”

RADIO COMMUNICATION AND NOTIFICATION

- A. All normal post communications shall be conducted on the post radio channel. Headquarters personnel shall normally operate on the state radio channel.
- B. Commanders shall make certain that the Headquarters Communication Center is notified immediately, by the most effective means, of any ongoing critical incident or unusual event to include the following:
1. Personnel agency-related involvement in physical altercation, assaults, or hospitalization from the performance of their duties or because of their agency position; the hospitalization of personnel shall include the reason or assumed reason and associated information;

2. Death of agency personnel and the deaths of other persons by other than natural causes;
 3. Use of deadly force by agency personnel or against agency personnel;
 4. All fatal traffic accidents, all agency-involved accidents, aircraft accidents, and train accidents;
 5. Road closures of substantial periods, adverse weather/road conditions, weather-related damage, evacuations, and related substantial activities;
 6. Hazardous material or explosive incidents, bomb threats and theft-of-explosive incidents, evacuations and related activities due to these incidents;
 7. Hostage incidents, barricaded suspect incidents, canine utilization, and manhunt incidents;
 8. Violent crime incidents to include: hate crimes, church fires, terrorist or potential terrorist acts, labor-related activities or violence, riots, and major escapes from state penal institutions or jails;
 9. Requests and subsequent information concerning requests for special agency service to include: Special Response Team, Aircraft Support, laboratory personnel, and AFIS personnel;
 10. Crime or threatened crimes against the Governor or the Lieutenant Governor;
 11. Unusual manpower shortages or requirements and any incident resulting or likely to result from such circumstances;
 12. Any incident/situation that will or could focus negative media attention on the agency;
 13. Officers leaving the state for investigative or court-related purposes; and/or
 14. Pursuits involving agency vehicles.
- C. Officers shall promptly notify their post/branch of all arrests made by them and shall submit proper arrest records. When an officer who makes an arrest is assigned to a branch or office not normally directly engaged in enforcement activities, that officer shall immediately report such arrests to the post in which the arrest was made.
- D. Officers entering another post shall monitor that post's frequency. When an officer assigned to a post enters another post area for the purpose of making an investigation or arrest, that officer shall report to and come under the jurisdiction of the commanding officer of the post.
- E. Officers shall report the record of any arrest to the affected post, which shall carry the arrest record.

	GENERAL ORDER OM-E-8		
	Title / Subject		EFFECTIVE DATE
	PROFESSIONAL TRAFFIC STOPS		8/15/01
			REVISION DATE 08/15/24
REFERENCES			DISTRIBUTION
Title VI			All Employees
AM-E-01	AM-E-02	Last Reviewed: 08/15/24	

POLICY

Traffic enforcement is a valuable means of accomplishing the duties inherent in law enforcement. This general order shall inform agency personnel of the procedures for conducting traffic stops, inform personnel of special considerations and guidelines for conducting high-risk felony stops, and address safeguarding individuals’ constitutional and civil rights.

As important a tool as traffic stops can be, the protection and preservation of the constitutional and civil rights of individuals remains the paramount concern of government and law enforcement officers. To honor these rights, agency personnel shall conduct professional traffic stops and shall not engage in any behavior or activities that constitute bias-based profiling as defined within this General Order. It is the policy of the Kentucky State Police to uphold and ensure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 (Title VI) and related nondiscrimination authorities as identified by federal funding requirements including Assurances which prohibit discrimination on the basis of race, color, national origin, sex, age, disability, income level, or limited English proficiency.

DEFINITIONS

- A. **Bias-Based Profiling:** A process that motivates the initiation of a traffic stop, field contact, search, asset seizure, asset forfeiture, detention, commercial vehicle inspection, and/or other enforcement activity based on an individual’s actual or perceived race, color, ethnicity, gender, national origin, age, disability, income level, limited English proficiency, or other characteristic attributed to an individual as a member of such a group, or making discretionary decisions during the course of such law enforcement duties based on the above stated considerations. Nothing in this policy shall preclude an officer from relying on an individual’s actual or perceived race, ethnicity, gender, or other characteristics as an element in the identification of a suspect or in the investigation of a crime, a possible crime or violation of law or statute.

- B. **Search:** Any physical search by a law enforcement officer based either on consent or probable cause for the purpose of determining if evidence of a violation of law is present. Search does not mean a visual inspection or other inspection of the interior, exterior, or contents of the motor vehicle permitted by law but not consistent with the legal definition of a search.

- C. **Traffic Stop:** Including stops for traffic violations; stops based upon a complaint; courtesy stops; and stops based upon a criminal investigation or criminal violation.

TECHNICAL PROCEDURES FOR CONDUCTING TRAFFIC STOPS

- A. As officer safety is a primary concern of the Kentucky State Police, officers shall report by radio the following information when stopping or assisting any vehicle:
1. Location;
 2. Occupants, number of;
 3. Color;
 4. Automobile type, make and model; and
 5. License plate number.
- B. This information shall be reported to telecommunications personnel unless extreme circumstances exist (i.e. heavy radio traffic or 10-3). If radio contact is not made, the officer shall notify telecommunications personnel by pressing the appropriate button on the status messaging system. Also, the license plate number and vehicle description shall be written on a pad and left on the seat of the officer's vehicle or entered through NCIC/CAD system.
- C. The location, license plate number, and any additional necessary information pertaining to the traffic stop shall be noted in the CAD event.
- D. Unless extenuating circumstances exist, emergency equipment shall be used to effect all stops.
- E. Stopping violators in private drives and at business locations shall be avoided whenever possible.
- F. During traffic stops, officers shall normally position their vehicles between three (3) or twenty (20) feet behind the violator's vehicle using a three (3) foot offset either left or right. The vehicle should be positioned to provide the maximum use of the spotlight, takedown, and headlights.
- G. When exiting their vehicles, officers shall be alert for any suspicious actions of the occupants of the stopped vehicle. Officers approaching the vehicle should visually check the trunk, rear seat, and passengers in the vehicle.
- H. At the conclusion of a traffic stop, officers should allow persons stopped to proceed from the scene before the officer pulls back onto the roadway.

TECHNICAL PROCEDURES FOR CONDUCTING FELONY / HIGH-RISK TRAFFIC STOPS

- A. When making a traffic stop on a suspected or known felon, the additional precautions and actions listed below shall normally be followed:
1. The suspect should be stopped on the extreme right side of the road and officers should park their vehicles to provide maximum protection and cover.
 2. Officers should have weapons easily accessible and ready for immediate use.
 3. When the affected vehicle is stopped, officers should assume command of the situation by establishing their identity using the public address system and advising the person stopped of the required actions. At night, the officer's spotlight, takedown, and headlights should be directed at the stopped vehicle.
 4. Occupants in the front seat shall be advised to place their hands on the windshield or extend their hands and arms out the side windows. Those in the rear shall be instructed to place their hands behind their head with fingers interlocked.
 5. If the stopped vehicle contains more than one occupant and the officer makes the stop before back-up arrives, an attempt to search the occupants should not be initiated until another officer is present. The officer shall handcuff the occupants prior to the search, if possible. When two officers are present, if possible, one officer shall search and handcuff suspects; the second officer shall act as the cover officer.

GUIDELINES TO PRESERVE INDIVIDUAL CIVIL AND CONSTITUTIONAL RIGHTS

- A. All investigative detentions, traffic stops, arrests, searches, and seizures of property by officers will be based on a standard of articulable reasonable suspicion, observed violations, or probable cause, and shall comply with accepted constitutional and legal provisions.
- B. An officer's decision to make a traffic stop, conduct a vehicular search subsequent to a traffic stop, complete a commercial vehicle inspection, or seize property as the result of a traffic stop, shall not consider race, color, ethnicity, gender, national origin, age, disability, income level, limited English proficiency, or other characteristic attributed to an individual as a member of such a group, with the following exception:

Officers may take into account the reported race, ethnicity, or gender of a specific suspect or suspects based on reasonably credible, reliable, locally-relevant information that links a person of a specific demographic to a particular criminal incident or links a specific series of crimes in an area to a group of individuals of a particular race, ethnicity, or gender.

- C. In an effort to prevent inappropriate perceptions of biased law enforcement, officers shall utilize the following strategies when conducting field contacts or vehicle stops:

1. Be courteous, polite, and professional.
2. Explain to the citizen the reason for the stop as soon as practical, unless providing this information will compromise the safety of officers or other persons.
 - a. A language line shall be contacted if the subject of the stop demonstrates a limited capacity to speak or understand English. (See **OM-B-1**.)
3. Ensure that the length of the detention is no longer than necessary to take appropriate action for the known or suspected offense.
4. Answer any questions the citizen may have, including explaining options for the disposition of the traffic citation, if relevant.
5. Provide his/her name and badge number when requested.

TRAINING FOR ASSURANCE OF INDIVIDUAL CIVIL AND CONSTITUTIONAL RIGHTS

- A. The Kentucky State Police shall develop and administer training requirements related to bias-based profiling that includes legal updates and complies with federal and state law, applicable case law, regulations, and established protocols for all sworn personnel.
- B. Such training shall include information pertaining to protected classes identified herein, information regarding the translation services available through the AT&T language line, the process for an individual to file a complaint, and information regarding federal agency grantor's Title VI Program compliance.

VIOLATIONS

- A. Any complaint that alleges bias-based profiling against an officer with the Kentucky State Police shall be handled according to normal complaint procedures pursuant to General Order **AM-E-1** and investigated according to General Order **AM-E-2**. Officers determined to have engaged in bias-based profiling shall be in violation of this policy.
- B. All violations of this policy, or portion thereof, shall result in appropriate remedial training and/or appropriate disciplinary action as set forth in General Order **AM-E-1**.

PUBLIC NOTICE

The KSP has placed a notification on our website to inform public beneficiaries of our Title VI Program assurances and responsibilities. The notification includes a statement that KSP's Title VI program ensures no person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance on the grounds of race, color, national origin, sex, age, low income, limited English proficiency, or disability. It will also identify procedures to request information, file a discrimination complaint against KSP, and the contact information for the Title VI Coordinator. In addition, the KSP has provided other educational brochures located at its public facilities.

TITLE VI COMPLAINT AND DISPOSITION PROCESS

The Human Resources Branch Manager for the KSP is responsible for coordinating receipt, referral, and/or investigations of complaints received pursuant to this policy and referring them to the Executive Director, Office of Investigations, Justice and Public Safety Cabinet, or their designee, as required. The KSP Human Resources Branch will maintain a complaint log documenting each Title VI complaint and such log will be available to the federal agency providing finance assistance upon request.

An individual who believes that he/she has been discriminated against by the Agency or by a federally -funded sub-recipient because of race, color, national origin, sex, age, low income, limited English proficiency, or disability, may initially file a complaint with any KSP employee, who will then notify the Human Resources Branch, as applicable via telephone, email, webpage, or in other written format. The complaint should contain relevant contact information and details of the alleged discriminatory action(s). Individuals alleging discrimination by a federal agency-funded sub-recipient also have the option of filing a complaint directly with the sub-recipient.

TITLE VI REVIEW AND REPORTS

The Kentucky State Police Strategic Planning Branch shall conduct an annual analysis of agency activity and responses taken against each race, color, ethnicity, gender, national origin, age, disability, income level, or limited English proficiency. Included in this analysis shall be any specific citizen complaints alleging bias-based profiling by agency employees and the complaint resolution. The Strategic Planning Branch shall report this analysis to the Commissioner for administrative review.



KENTUCKY STATE POLICE COMMERCIAL VEHICLE ENFORCEMENT STANDARD OPERATION PROCEDURES

Effective August 4, 2023

**KENTUCKY STATE POLICE
COMMERCIAL VEHICLE ENFORCEMENT
STANDARD OPERATING PROCEDURES
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	Standard Operating Procedure – CVE-01			
	TITLE/SUBJECT Commercial Vehicle Enforcement Inspections		EFFECTIVE DATE 06/28/22	REVISION DATE 08/04/23
	REFERENCES 49 CFR 390.5; OM-E-08		DISTRIBUTION	
			LAST REVIEWED 08/04/23	

PURPOSE

Commercial Vehicle Inspections are a valuable means of accomplishing the duties inherent in safeguarding roadways by ensuring commercial carriers are in compliance with the Federal Motor Carriers Safety Act. As important as the tool can be, the protection and preservation of the constitutional and civil rights of individuals remains the paramount concern. To protect these rights, commercial vehicle inspectors shall conduct professional inspections and shall not engage in any behavior or activities that constitutes bias based profiling as defined within OM-E-08.

DEFINITIONS

- A. **Bias Based Profiling:** A process that motivates the initiation of a commercial vehicle inspection, and/or other enforcement activity, based on an individual's actual or perceived race, color, ethnicity, gender, national origin, age, disability, income-level, limited English proficiency, or other characteristic attributed to an individual as a member of such a group, or making discretionary decisions during the scope of performance of duties based on the above stated considerations. Nothing in this policy shall preclude an inspector from relying on an individual's actual or perceived race, color, ethnicity, gender, national origin, age, disability, income-level, limited English proficiency, or other characteristics as an element in the identification of a suspected violation of state or federal regulation or statute.

- B. **Commercial Motor Vehicle (CMV):** As set forth in 49 C.F.R. 390.5, commercial motor vehicle means any self-propelled or towed motor vehicle used on a highway in intrastate or interstate commerce to transport passengers or property when the vehicle meets one or more of the following criteria:
 - 1. A single vehicle or combination of vehicles, both private and for-hire, that has a gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating of ten thousand and one (10,001) or more pounds;
 - 2. Is designed or used to transport more than eight (8) passengers, including the driver, for compensation;
 - 3. Is designed or used to transport more than fifteen (15) passengers, including the driver, and is not used to transport passengers for compensation; or

4. Is used in transporting material found by the Secretary of Transportation to be hazardous under 49 USC 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR Subtitle B, Chapter I, Subchapter C.

GUIDELINES

- A. Although commercial vehicle inspections do not require probable cause or reasonable suspicion, it is the agency's practice to identify vehicles for inspection based on factors articulated in this procedure.
- B. KSP complies with Kentucky statutes that grant authority to conduct inspections, as well as all applicable KSP rules of conduct, enforcement activity restrictions, and published policies and procedures regulating commercial vehicle enforcement and professional traffic stops.
- C. It is the practice to concentrate inspection efforts on those CMVs that have a negative impact on traffic safety. Inspections will be conducted only by Commercial Vehicle Safety Alliance (CVSA) certified employees utilizing the North American Standard inspection process set forth by the CVSA. Criteria for selection of CMVs for inspections at weigh stations and during mobile operations are as follows:
 1. Priority for inspections will be given to those situations where there is an observed violation of law or regulations. This could be a violation related to the driver or the vehicle, including equipment or size violations, or weight and load violations.
 2. When available, scale facilities will consistently use standardized electronic vehicle screening systems that utilize carrier safety rating information. Those carriers that are either poorly rated or have insufficient data will take priority in the inspection selection.
 3. On those occasions when CMV traffic patterns are minimal, CMVs with no valid CVSA decal may be selected for inspection.
 4. Vehicles displaying a valid CVSA decal will generally not be subject to re-inspection unless an equipment violation is observed or a driver violation is suspected.
 5. Agency personnel shall not interrupt or otherwise disturb any driver of a CMV in an off duty or sleeper berth status when the CMV is legally parked for the sole purpose of conducting a random inspection.

- D. All commercial vehicle inspections will be documented through the Roadside Inspection Management System ("RIMS") or other software program approved by the Division Director.
 - 1. Inspections shall be uploaded as soon as possible, but no later than the end of the inspecting employee's shift.
 - 2. Inspections containing out-of-service violations shall be uploaded immediately.
 - 3. The Inspection Report number will be automatically assigned by the RIMS software when the report is prepared. The inspection report will include the demographic information of the driver, documentation of all violations and document any citations issued.

- D. It is the policy of the Kentucky State Police to uphold and ensure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 (Title VI) and related non-discrimination authorities as identified in the FMCSA Title VI Program Assurance signed by the Commissioner of the State Police. These authorities require that no person in the United States of America shall be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, national origin, sex, age, disability, income level, or limited English proficiency.

- E. An inspector's decision to complete a commercial vehicle inspection shall not consider race, color, ethnicity, gender, national origin, age, disability, income-level, limited English proficiency, or other characteristic attributed to an individual as a member of such a group, with the following exception:
 - 1. Officers may take into account the reported race, ethnicity or gender of a specific suspect or suspects based on reasonably credible, reliable, locally-relevant information that links a person of a specific demographic to a particular criminal incident or links a specific series of crimes in an area to a group of individuals of a particular race, ethnicity or gender.

- F. In an effort to prevent inappropriate perceptions of biased law enforcement, agency employees performing inspections shall utilize the following strategies when conducting inspections:
 - 1. Be courteous, polite, and professional.
 - 2. Recognize and respect each person's civil rights.
 - 3. Comply with federal and state laws and regulations in all contacts with the public, coworkers, and other business contacts.
 - 4. Explain to the citizen the reason for the stop as soon as practical, unless providing this information will compromise the safety of officers or other persons.
 - 5. Ensure that the length of the inspection is no longer than necessary.
 - 6. Answer any questions the citizen may have, including explaining options for

- the disposition of the infractions, if relevant.
7. Provide his/her name and badge number when requested.

PUBLIC NOTICE

The KSP has placed a public notification on our website to inform public beneficiaries of our Title VI Program assurances and responsibilities. The notification includes a statement that KSP's Title VI program ensures no person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Motor Carrier Safety Administration financial assistance on the grounds of race, color, national origin, sex, age, low income, limited English proficiency, or disability. It will also identify procedures in which to request information, file a discrimination complaint against KSP, and the contact information for the Title VI Coordinator. In addition, the KSP has provided other educational brochures located at its public scale facilities.

COMPLAINTS AND DISPOSITION PROCESS

The Human Resources Branch Manager of the KSP is responsible for coordinating receipt, referral, and/or investigations of complaints received pursuant to this policy and referring them to the Executive Director, Office of Investigations, Justice and Public Safety Cabinet, or their designee, as required. The Office of Administrative Services will maintain a complaint log documenting each Title VI complaint and such log will be available to the FMCSA upon request.

An individual who believes that he/she has been discriminated against by the Agency or by a FMCSA-funded sub-recipient because of race, color, national origin, sex, age, low income, limited English proficiency or disability, may initially file a complaint with any Cabinet employee, who will then notify the Office of Investigations or Grants Management Branch, as applicable via telephone, email, webpage, or in other written format. The complaint should contain relevant contact information and details of the allegedly discriminatory action(s). Individuals alleging discrimination by a FMCSA - funded sub-recipient also have the option of filing a complaint directly with the sub-recipient.

TRAINING

- A. The Kentucky State Police shall develop and administer training requirements related to bias based profiling that includes legal updates and complies with federal and state law, applicable case law, regulations, and established protocols. In addition, the training should include a review of OM-E-08 and information pertaining to protected classes identified therein and in this procedure, the process for an individual to file a complaint, and information from the FMCSA Title VI Program to include safety inspections, compliance review program, and the FMCSA Enforcement Memorandum MC-ECE-2016-006 entitled "English Language Proficiency Testing and Enforcement Policy" annually.

- B. All relevant agency employees have been specifically notified of policy OM-E-08 and this procedure in employee orientation, via the Policy and Procedure Manual, and through other appropriate means. Each division employee receives annual training. Sub-recipients of FMCSA funds have been and are notified of this procedure through applicable grant award condition(s) and through participation in the same training as agency staff receives as part of the annual sub-grant application process. , In addition, sub-grantees are required to advise beneficiaries and employees of the complaint procedures through appropriate means (e.g., program orientation, posters) and be subject to program monitoring of compliance with this condition(s) of award. Further, a copy of this procedure is available upon written request in compliance with the provisions of the Kentucky Open Records Act.

Public Notice of Title VI Program Rights

The Kentucky State Police gives public notice of its policy to uphold and assure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 and related Nondiscrimination authorities. Title VI and related Nondiscrimination authorities stipulate that no person in the United States of America shall on the grounds of race, color, national origin, sex, age, disability, income level or Limited English Proficiency be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.

Any person who desires more information regarding Kentucky State Police's Title VI Program can contact its Title VI Coordinator – Brandy Kelly -- at the address noted below.

Any person who believes they have, individually or as a member of any specific class of persons, been subjected to discrimination on the basis of race, color, national origin, sex, age, disability, income level or Limited English Proficiency has the right to file a formal complaint. Any such complaint must be in writing and submitted within 180 days following the date of the alleged occurrence to:

Brandy Kelly
Human Resources Branch Manager
919 Versailles Road
Frankfort, KY 40601
Phone: (502) 782-1853
brandy.kelly@ky.gov

Title VI program information, including an informational brochure and complaint form, can be found on the Kentucky State Police website on the Commercial Vehicle Enforcement page which can be found at:

<https://kentuckystatepolice.org/commercial-vehicle-enforcement/>

How do I get more information about Title VI or file a complaint?

Information can be obtained from the departmental Title VI compliance coordinator or from the administrative division of the KSP, 919 Versailles Road, Frankfort, KY 40601.

Additionally, for anyone desiring additional information regarding the cabinet's Title VI program they may access the Justice and Public Safety Cabinet Discrimination Policy is published on its website and downloadable in .PDF format.

<https://justice.ky.gov/Departments-Agencies/gmd/pages/default.aspx>

Complaint procedure: Any person who believes he/she, or any special class of individuals, is subject to discrimination under Title VI may file a written complaint through a representative or directly with the department's Title VI Coordinator. The complaint should contain relevant contact information and details of the allegedly discriminatory action(s). Individuals alleging discrimination by a DOT-funded sub recipient also have the option of filing a complaint directly with the sub recipient.

*The Kentucky State Police does not discriminate on the basis of race, color, national origin, sex, age, low income, limited English proficiency, or disability. Upon request, reasonable accommodations are available, including auxiliary aids and services, to afford an individual with a disability an equal opportunity to participate in all programs and activities. To request materials in an alternate format, contact the KSP, Administrative Division, 919 Versailles Road, Frankfort, KY 40601
Phone: (502) 695-6361*

Hearing and speech impaired persons can contact the agency by using the Kentucky Relay Service, a toll-free communication device for the deaf (TDD). For voice to TDD, call 800-648-6057. For TDD to voice, call 800-648-6056.

Kentucky State Police
v3.0

DID YOU KNOW?

TITLE VI And FMCSA Inclusions

**Prohibit
discrimination
by agencies
receiving
Federal Motor
Carrier Safety
Administration
(FMCSA) funds**



**Kentucky State Police
919 Versailles Road
Frankfort, KY 40601**



Title VI of the Civil Rights Act and FMCSA Inclusions

What is Title VI?

Title VI of the Civil Rights Act of 1964 is a national law that protects people from discrimination based on race, color or national origin in connection with programs and activities that receive federal money. The law states:

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance.

What are the cabinet's responsibilities regarding Title VI?

Kentucky Revised Statute 344.015 requires state agencies to develop Title VI implementation plans and submit annual compliance reports to the state Auditor of Public Accounts. *All employees of the Kentucky State Police have a duty to provide program benefits and services in a non-discriminatory manner.* This requirement also applies to businesses and other entities receiving federal money from the cabinet.

The Kentucky State Police is committed to serving all Kentuckians.

What is discrimination?

Discrimination limits equal access to services, opportunities or other benefits. Some examples of illegal discriminatory practices under Title VI include:

- ♦ Denying any individual services, opportunity or other benefits for which he or she is otherwise qualified under a federally-funded program.

- ♦ Providing any service or benefit to a person that is different or provided in a different manner from that which is provided to others.
- ♦ Subjecting a person to segregated or separate treatment in any manner related to receipt of service.
- ♦ Restricting a person in any way in the enjoyment of services and other benefits provided to others.
- ♦ Administering a program in a way that limits participation by any group of recipients or subjects them to discrimination.
- ♦ Permitting discriminatory activity in a facility built, in whole or in part, with federal funds.
- ♦ Failing to advise the population eligible to be served or benefited by a program about the existence of the program.
- ♦ Locating a facility in a way that would limit or impede access to a federally-funded service or benefit.

What are some examples relating to the Justice and Public Safety Cabinet?

Here are some situations that could come under discriminatory practices covered under Title VI:

- ♦ Laws under a federally funded program are enforced differently in minority and non-minority neighborhoods.
- ♦ A board or advisory body is established by an agency receiving federal money. The agency does not seek minority representation on the board or advisory body.

- ♦ The recipient of federal funds discriminates in selection of contractors.
- ♦ An agency receives federal funds to perform corrective/remedial work. The money is only used for projects in non-minority neighborhoods.

FMCSA inclusions:

The Kentucky State Police (KSP) is a recipient of federal funding and is required to be fully compliant with Title VI. KSP's Title VI program ensures no person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity on the grounds of race, color, national origin, sex, age, low income, limited English proficiency, or disability.

Many discrimination issues not covered under Title VI are covered under other laws and regulations. For more information, contact the Affirmative Action Coordinator, 4th Floor, Capital Plaza Tower, Frankfort, Ky. 40601.

Who is responsible for department compliance with Title VI?

The Kentucky State Police has identified as its Title VI coordinator:

Human Resources Branch Manager
Administrative Division
919 Versailles Road
Frankfort, KY 40601
Phone: (502) 695-6361

Title VI program information, including an informational brochure and complaint form, can be found on the Kentucky State Police website on the Commercial Vehicle Enforcement page which can be found at:

<https://kentuckystatepolice.org/commercial-vehicle-enforcement/>

TITLE VI COMPLAINT FORM
FMCSA Programs

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
Section III:				
I believe the discrimination I experienced was based on (check all that apply):				
☐ Race ☐ Color ☐ National Origin ☐ Low Income ☐ Limited English Proficiency ☐ Sex ☐ Age ☐ Disability				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.				

Section IV				
Have you previously filed a Title VI complaint with this agency?			Yes	No

Section V
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?
☐ Yes ☐ No
If yes, check all that apply:
☐ Federal Agency: _____
☐ Federal Court _____ ☐ State Agency _____
☐ State Court _____ ☐ Local Agency _____
Please provide information about a contact person at the agency/court where the complaint was filed.
Name: _____
Title: _____
Agency: _____
Address: _____
Telephone: _____
Section VI
Name of agency complaint is against: _____
Contact person: _____
Title: _____
Telephone number: _____

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

Signature

Date

Please submit this form in person at the address below, or mail this form to:

Kentucky State Police
Human Resource Branch Manager
Administrative Division
919 Versailles Road
Frankfort, KY 40601



Position/Rank	# Staff	FFY2025 Planned Adjustments	Total	Average Annual Salary	Average Annual Fringe	Minimum New Hire Pay	Minimum New Hire Fringe
Compliance Investigator	2	1	3	\$73,488.38	\$35,160.57		
Criminal Intelligence Analyst	1		1	\$44,177.69	\$14,937.06		
CVE Captain	2	1	3	\$123,731.91	\$42,055.33		
CVE Captain - Programs	1		1	\$113,645.50	\$64,737.58		
CVE Lieutenant	4		4	\$99,211.00	\$51,913.27		
CVE Lieutenant - Programs	1		1	\$90,745.64	\$55,967.58		
CVE Major	1		1	\$120,038.84	\$68,771.58		
CVE Officer	19	-1	18	\$75,342.95	\$43,183.80		
CVE Officer-R	8		8	\$74,339.81	\$42,630.09		
CVE Sergeant	9	-1	8	\$89,528.38	\$30,142.59		
CVE Sergeant - Programs	1		1	\$77,514.82	\$28,403.98		
CVE Trooper	6	2	8	\$71,514.92	\$34,270.79		
CVE Trooper-R	2		2	\$75,292.46	\$57,034.04		
DataQs Analyst	1		1	\$75,867.41	\$42,789.22		
Inspector	23	10	33	\$39,396.91	\$17,513.90	\$29,673.36	\$13,191.30
Inspector Specialist Pay	23	10	33	\$5,500.00	\$3,102.00		
Non-CVE Captain	1		1	\$118,779.20	\$92,021.00		
Non-CVE Officer	7		7	\$83,037.46	\$60,941.99		
Non-CVE Officer-R	1		1	\$75,867.41	\$42,789.22		
Non-CVE Sergeant	2		2	\$89,189.97	\$44,362.73		
Non-CVE Trooper	20		20	\$69,604.66	\$32,088.15		
Non-CVE Trooper - OT Only	19	-2	17	\$75,496.51	\$43,663.74		
Non-CVE Trooper Sergeant	1		1	\$79,178.61	\$59,977.80		
Non-CVE Trooper Sergeant - OT Only	6		6	\$83,875.67	\$66,643.82		
Safety Auditor	9		9	\$44,515.67	\$26,874.84		
Support Staff - Financial	1		1	\$53,233.98	\$17,779.83		
Support Staff - Programs	4	2	6	\$46,273.63	\$13,802.08		
Support Staff - Regional	3		3	\$34,489.29	\$19,877.45		
TOTAL	155	12	167	-	-		
GRAND TOTAL		167					

After determining the current total number of employees, adjustments were made based upon anticipated changes during (or just prior to) FFY2025. These changes include the planned hiring of 10 additional civilian

The average annual salary was determined by calculating the average salary for all employees in each Position/Rank category.

The average annual fringe was determined by calculating the average fringe for all employees in each Position/Rank category.

This is a composite figure which represents all of the fringe costs and rates as described in the CVSP (retirement, FICA, Insurance)

Calculations		Planned Staff Adjustments (Salary)			MCSAP Factor			
Sum of Annual Salary	Sum of Annual Fringe	Sum of Salary Planned Adj	Annual Salary + Planned Adj	Adjusted Salary Per Employee	MCSAP %	Prorated MCSAP Portion Annual Salary	Salary MOE Factor	Salary MOE Amount
\$146,976.77	\$70,321.14	\$73,488.38	\$220,465.15	\$73,488.38	1.00	\$220,465.15	0.2725	\$60,076.75
\$44,177.69	\$14,937.06	\$0.00	\$44,177.69	\$44,177.69	0.75	\$33,133.27	0.2725	\$9,028.82
\$247,463.81	\$84,110.65	\$123,731.91	\$371,195.72	\$123,731.91	0.40	\$148,478.29	0.2725	\$40,460.33
\$113,645.50	\$64,737.58	\$0.00	\$113,645.50	\$113,645.50	0.90	\$102,280.95	0.2725	\$27,871.56
\$396,843.98	\$207,653.10	\$0.00	\$396,843.98	\$99,211.00	0.40	\$158,737.59	0.2725	\$43,255.99
\$90,745.64	\$55,967.58	\$0.00	\$90,745.64	\$90,745.64	0.90	\$81,671.08	0.2725	\$22,255.37
\$120,038.84	\$68,771.58	\$0.00	\$120,038.84	\$120,038.84	0.80	\$96,031.07	0.2725	\$26,168.47
\$1,431,515.98	\$820,492.27	-\$75,342.95	\$1,356,173.03	\$75,342.95	0.40	\$542,469.21	0.2725	\$147,822.86
\$594,718.50	\$341,040.74	\$0.00	\$594,718.50	\$74,339.81	0.40	\$237,887.40	0.2725	\$64,824.32
\$805,755.44	\$271,283.27	-\$89,528.38	\$716,227.06	\$89,528.38	0.40	\$286,490.82	0.2725	\$78,068.75
\$77,514.82	\$28,403.98	\$0.00	\$77,514.82	\$77,514.82	1.00	\$77,514.82	0.2725	\$21,122.79
\$429,089.53	\$205,624.77	\$143,029.84	\$572,119.37	\$71,514.92	0.40	\$228,847.75	0.2725	\$62,361.01
\$150,584.92	\$114,068.07	\$0.00	\$150,584.92	\$75,292.46	0.40	\$60,233.97	0.2725	\$16,413.76
\$75,867.41	\$42,789.22	\$0.00	\$75,867.41	\$75,867.41	1.00	\$75,867.41	0.2725	\$20,673.87
\$906,128.86	\$402,819.80	\$296,733.60	\$1,202,862.46	\$36,450.38	0.75	\$902,146.85	0.2725	\$245,835.02
\$126,500.00	\$71,346.00	\$55,000.00	\$181,500.00	\$5,500.00	1.00	\$181,500.00	0.2725	\$49,458.75
\$118,779.20	\$92,021.00	\$0.00	\$118,779.20	\$118,779.20	0.03	\$3,563.38	0.2725	\$971.02
\$581,262.21	\$426,593.93	\$0.00	\$581,262.21	\$83,037.46	0.03	\$17,437.87	0.2725	\$4,751.82
\$75,867.41	\$42,789.22	\$0.00	\$75,867.41	\$75,867.41	0.03	\$2,276.02	0.2725	\$620.22
\$267,569.91	\$133,088.19	\$0.00	\$267,569.91	\$133,784.96	0.03	\$8,027.10	0.2725	\$2,187.38
\$1,392,093.21	\$641,762.91	\$0.00	\$1,392,093.21	\$69,604.66	0.03	\$41,762.80	0.2725	\$11,380.36
\$1,434,433.63	\$829,611.07	-\$150,993.01	\$1,283,440.62	\$75,496.51	0.00	\$0.00		\$0.00
\$79,178.61	\$59,977.80	\$0.00	\$79,178.61	\$79,178.61	0.03	\$2,375.36	0.2725	\$647.29
\$503,254.03	\$399,862.93	\$0.00	\$503,254.03	\$83,875.67	0.00	\$0.00		\$0.00
\$400,640.99	\$241,873.56	\$0.00	\$400,640.99	\$44,515.67	1.00	\$400,640.99	0.2725	\$109,174.67
\$53,233.98	\$17,779.83	\$0.00	\$53,233.98	\$53,233.98	0.75	\$39,925.49	0.2725	\$10,879.69
\$185,094.52	\$55,208.32	\$92,547.26	\$277,641.78	\$46,273.63	1.00	\$277,641.78	0.2725	\$75,657.39
\$103,467.88	\$59,632.36	\$0.00	\$103,467.88	\$34,489.29	0.50	\$51,733.94	0.2725	\$14,097.50
						\$4,279,140.34		\$1,166,065.74

This is the total salary cost for all employees in each Position/Rank category after any adjustments are taken into consideration.

This is the factor representing the average amount of time each Position/Rank category is expected to spend engaged in MCSAP-eligible activities.

This is how the MCSAP eligible portion of expenses is separated from the ineligible portion.

This factor is used for both salary and fringe calculations.

Unified MOE Factor: **27.25%**

MOE Total: \$1,737,576.36
MOE Goal: \$1,751,368.59
Difference \$13,792.23

This is the factor representing the MCSAP-eligible portion of salary which will be covered by MOE instead of MCSAP funds.

The difference between the MOE Total and MOE Goal is spent in another category (Supplies).

This factor is used for both salary and fringe calculations.

Salary					Planned Staff Adjustments (Fringe)		
Prorated MCSAP Portion Annual Salary Reduced by MOE (Total Project Cost for CVSP Comparison)	Ratio	Adjusted Salary Per Employee Reduced by			Sum of Fringe Planned Adj	Annual Fringe + Planned Adj	Prorated MCSAP Portion Annual Fringe
		MOE2	95 if MOE used	5 if MOE used			
\$160,388.40	0.7275	\$53,462.80	\$152,368.98	\$8,019.42	\$35,160.57	\$105,481.71	\$105,481.71
\$24,104.45	0.7275	\$32,139.27	\$22,899.23	\$1,205.22	\$0.00	\$14,937.06	\$11,202.80
\$108,017.95	0.7275	\$90,014.96	\$102,617.05	\$5,400.90	\$42,055.33	\$126,165.98	\$50,466.39
\$74,409.39	0.7275	\$82,677.10	\$70,688.92	\$3,720.47	\$0.00	\$64,737.58	\$58,263.82
\$115,481.60	0.7275	\$72,176.00	\$109,707.52	\$5,774.08	\$0.00	\$207,653.10	\$83,061.24
\$59,415.71	0.7275	\$66,017.45	\$56,444.92	\$2,970.79	\$0.00	\$55,967.58	\$50,370.82
\$69,862.60	0.7275	\$87,328.26	\$66,369.47	\$3,493.13	\$0.00	\$68,771.58	\$55,017.26
\$394,646.35	0.7275	\$54,811.99	\$374,914.03	\$19,732.32	-\$43,183.80	\$777,308.47	\$310,923.39
\$173,063.08	0.7275	\$54,082.21	\$164,409.93	\$8,653.15	\$0.00	\$341,040.74	\$136,416.30
\$208,422.07	0.7275	\$65,131.90	\$198,000.97	\$10,421.10	-\$30,142.59	\$241,140.68	\$96,456.27
\$56,392.03	0.7275	\$56,392.03	\$53,572.43	\$2,819.60	\$0.00	\$28,403.98	\$28,403.98
\$166,486.74	0.7275	\$52,027.11	\$158,162.40	\$8,324.34	\$68,541.59	\$274,166.36	\$109,666.54
\$43,820.21	0.7275	\$54,775.26	\$41,629.20	\$2,191.01	\$0.00	\$114,068.07	\$45,627.23
\$55,193.54	0.7275	\$55,193.54	\$52,433.86	\$2,759.68	\$0.00	\$42,789.22	\$42,789.22
\$656,311.83	0.7275	\$26,517.65	\$623,496.24	\$32,815.59	\$131,913.00	\$534,732.80	\$401,049.60
\$132,041.25	0.7275	\$4,001.25	\$125,439.19	\$6,602.06	\$31,020.00	\$102,366.00	\$102,366.00
\$2,592.36	0.7275	\$86,411.87	\$2,462.74	\$129.62	\$0.00	\$92,021.00	\$2,760.63
\$12,686.05	0.7275	\$60,409.75	\$12,051.75	\$634.30	\$0.00	\$426,593.93	\$12,797.82
\$1,655.81	0.7275	\$55,193.54	\$1,573.02	\$82.79	\$0.00	\$42,789.22	\$1,283.68
\$5,839.71	0.7275	\$97,328.55	\$5,547.72	\$291.99	\$0.00	\$133,088.19	\$3,992.65
\$30,382.43	0.7275	\$50,637.39	\$28,863.31	\$1,519.12	\$0.00	\$641,762.91	\$19,252.89
\$0.00			\$0.00	\$0.00	-\$87,327.48	\$742,283.59	\$0.00
\$1,728.07	0.7275	\$57,602.44	\$1,641.67	\$86.40	\$0.00	\$59,977.80	\$1,799.33
\$0.00			\$0.00	\$0.00	\$0.00	\$399,862.93	\$0.00
\$291,466.32	0.7275	\$32,385.15	\$276,893.00	\$14,573.32	\$0.00	\$241,873.56	\$241,873.56
\$29,045.79	0.7275	\$38,727.72	\$27,593.50	\$1,452.29	\$0.00	\$17,779.83	\$13,334.87
\$201,984.40	0.7275	\$33,664.07	\$191,885.18	\$10,099.22	\$27,604.16	\$82,812.48	\$82,812.48
\$37,636.44	0.7275	\$25,090.96	\$35,754.62	\$1,881.82	\$0.00	\$59,632.36	\$29,816.18
\$3,113,074.60			\$2,957,420.85	\$155,653.73			\$2,097,286.65

This column represents the Total Project Cost for each Position/Rank as reflected in the eCVSP Salary Table. This was calculated by taking the MCSAP eligible salary portion and subtracting the MOE-covered

These three columns represent the figures entered into the eCVSP Salary table with minor variations to account for rounding differences. This is the average salary for each Position/Rank after being MCSAP prorated and after the MOE portion has been deducted.

This is the total fringe cost for all employees in each Position/Rank category after any adjustments are taken into consideration.

This is the factor representing the MCSAP-eligible portion of fringe which will be covered by MOE instead of MCSAP

Fringe							
Fringe MOE Factor	Fringe MOE Amount	Prorated MCSAP Portion Annual Fringe Reduced by MOE (Total Project Cost for CVSP Comparison)	Ratio	Adjusted Fringe Reduced by MOE (CVSP Base Amount)	Check (only)	95 if MOE used	5 if MOE used
0.2725	\$28,743.77	\$76,737.94	0.7275	\$76,737.94	\$76,737.94	\$72,901.04	\$3,836.90
0.2725	\$3,052.76	\$8,150.03	0.7275	\$10,866.71	\$8,150.03	\$7,742.53	\$407.50
0.2725	\$13,752.09	\$36,714.30	0.7275	\$91,785.75	\$36,714.30	\$34,878.59	\$1,835.72
0.2725	\$15,876.89	\$42,386.93	0.7275	\$47,096.59	\$42,386.93	\$40,267.58	\$2,119.35
0.2725	\$22,634.19	\$60,427.05	0.7275	\$151,067.63	\$60,427.05	\$57,405.70	\$3,021.35
0.2725	\$13,726.05	\$36,644.77	0.7275	\$40,716.41	\$36,644.77	\$34,812.53	\$1,832.24
0.2725	\$14,992.20	\$40,025.06	0.7275	\$50,031.32	\$40,025.06	\$38,023.81	\$2,001.25
0.2725	\$84,726.62	\$226,196.76	0.7275	\$565,491.91	\$226,196.76	\$214,886.92	\$11,309.84
0.2725	\$37,173.44	\$99,242.86	0.7275	\$248,107.14	\$99,242.86	\$94,280.72	\$4,962.14
0.2725	\$26,284.33	\$70,171.94	0.7275	\$175,429.85	\$70,171.94	\$66,663.34	\$3,508.60
0.2725	\$7,740.08	\$20,663.90	0.7275	\$20,663.90	\$20,663.90	\$19,630.71	\$1,033.20
0.2725	\$29,884.13	\$79,782.41	0.7275	\$199,456.03	\$79,782.41	\$75,793.29	\$3,989.12
0.2725	\$12,433.42	\$33,193.81	0.7275	\$82,984.52	\$33,193.81	\$31,534.12	\$1,659.69
0.2725	\$11,660.06	\$31,129.16	0.7275	\$31,129.16	\$31,129.16	\$29,572.70	\$1,556.46
0.2725	\$109,286.02	\$291,763.58	0.7275	\$389,018.11	\$291,763.58	\$277,175.40	\$14,588.18
0.2725	\$27,894.74	\$74,471.27	0.7275	\$74,471.27	\$74,471.27	\$70,747.71	\$3,723.56
0.2725	\$752.27	\$2,008.36	0.7275	\$66,945.28	\$2,008.36	\$1,907.94	\$100.42
0.2725	\$3,487.41	\$9,310.41	0.7275	\$310,347.08	\$9,310.41	\$8,844.89	\$465.52
0.2725	\$349.80	\$933.87	0.7275	\$31,129.16	\$933.87	\$887.18	\$46.69
0.2725	\$1,088.00	\$2,904.65	0.7275	\$96,821.66	\$2,904.65	\$2,759.42	\$145.23
0.2725	\$5,246.41	\$14,006.48	0.7275	\$466,882.52	\$14,006.48	\$13,306.16	\$700.32
	\$0.00	\$0.00			\$0.00	\$0.00	\$0.00
0.2725	\$490.32	\$1,309.02	0.7275	\$43,633.85	\$1,309.02	\$1,243.57	\$65.45
	\$0.00	\$0.00			\$0.00	\$0.00	\$0.00
0.2725	\$65,910.55	\$175,963.01	0.7275	\$175,963.01	\$175,963.01	\$167,164.86	\$8,798.15
0.2725	\$3,633.75	\$9,701.12	0.7275	\$12,934.83	\$9,701.12	\$9,216.06	\$485.06
0.2725	\$22,566.40	\$60,246.08	0.7275	\$60,246.08	\$60,246.08	\$57,233.78	\$3,012.30
0.2725	\$8,124.91	\$21,691.27	0.7275	\$43,382.54	\$21,691.27	\$20,606.71	\$1,084.56
	\$571,510.61	\$1,525,776.04				\$1,449,487.24	\$76,288.80

This column represents the Total MOE-covered Cost of Regular Duty Fringe. This is entered as a separate line item on the eCVSP Fringe Table since the Fringe Table isn't able to handle calculations as complex as the ones necessary with KSP.

This column represents the Total Project Cost for each Position/Rank as reflected in the eCVSP Fringe Table. This was calculated by taking the MCSAP eligible fringe portion and subtracting the MOE-covered portion.

This Base amount is entered into the eCVSP Fringe Table so that, when combined with the % of time on MCSAP Grant and Fringe Benefit Rate Columns of the Fringe Table, the product is the Total Project Costs amount. Effectively, this amount is the total cost after MOE before MCSAP pro-ration, so the Fringe Table can pro-rate it.

The Check column to the right is only for verification purposes, verifying that the MCSAP proration will be done correctly in the eCVSP Fringe Table and that it matches the figures in this spreadsheet.

Note: The 95% & 5% columns add up to the Total Project Costs, **NOT** the Base amount.