

1 AN ACT relating to bus safety.

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

3 ➔Section 1. KRS 186.560 (Effective July 1, 2020) is amended to read as follows:

- 4 (1) The cabinet shall forthwith revoke the license of any operator of a motor vehicle
5 upon receiving record of his or her:
- 6 (a) Conviction of any of the following offenses:
- 7 1. Murder or manslaughter resulting from the operation of a motor vehicle;
 - 8 2. Driving a vehicle which is not a motor vehicle while under the influence
9 of alcohol or any other substance which may impair one's driving ability;
 - 10 3. Perjury or the making of a false affidavit under KRS 186.400 to 186.640
11 or any law requiring the registration of motor vehicles or regulating their
12 operation on highways;
 - 13 4. Any felony in the commission of which a motor vehicle is used;
 - 14 5. Conviction or forfeiture of bail upon three (3) charges of reckless
15 driving within the preceding twelve (12) months;
 - 16 6. Conviction of driving a motor vehicle involved in an accident and
17 failing to stop and disclose his identity at the scene of the accident;
 - 18 7. Conviction of theft of a motor vehicle or any of its parts, including the
19 conviction of any person under the age of eighteen (18) years;
 - 20 8. Failure to have in full force and effect the security required by Subtitle
21 39 of KRS Chapter 304 upon conviction of a second and each
22 subsequent offense within any five (5) year period;
 - 23 9. Conviction for fraudulent use of a driver's license or use of a fraudulent
24 driver's license to purchase or attempt to purchase alcoholic beverages,
25 as defined in KRS 241.010, in violation of KRS 244.085(4); and
 - 26 10. Conviction of operating a motor vehicle, motorcycle, or moped without
27 an operator's license as required by KRS 186.410;

1 **11. Conviction for illegally passing a school or church bus as outlined in**

2 **KRS 189.370**; or

3 (b) Being found incompetent to stand trial under KRS Chapter 504.

4 (2) If the person convicted of any offense named in subsection (1) of this section or
5 who is found incompetent to stand trial is not the holder of a license, the cabinet
6 shall deny the person so convicted a license for the same period of time as though
7 he had possessed a license which had been revoked. If through an inadvertence the
8 defendant should be issued a license, the cabinet shall forthwith cancel it.

9 (3) The cabinet, upon receiving a record of the conviction of any person upon a charge
10 of operating a motor vehicle while the license of that person is denied, or
11 suspended, or revoked, or while his privilege to operate a motor vehicle is
12 withdrawn, shall immediately extend the period of the first denial, suspension,
13 revocation, or withdrawal for an additional like period.

14 (4) The revocation or denial of a license or the withdrawal of the privilege of operating
15 a motor vehicle for a violation of subsection (1)(a)1. of this section shall be for a
16 period of not less than five (5) years. Revocations or denials under this section shall
17 not be subject to any lessening of penalties authorized under any other provision of
18 this section or any other statute.

19 (5) Except as provided in subsections (3), (4), (8), **(9)**, and **(10)**~~[(9)]~~ of this section, in
20 all other cases, the revocation or denial of a license or the withdrawal of the
21 privilege of operating a motor vehicle under this section shall be for a period of six
22 (6) months, except that if the same person has had one (1) previous conviction of
23 any offense enumerated in subsection (1) of this section, regardless of whether the
24 person's license was revoked because of the previous conviction, the period of the
25 revocation, denial, or withdrawal shall be one (1) year. If the person has had more
26 than one (1) previous conviction of the offenses considered collectively as
27 enumerated in subsection (1) of this section, regardless of whether the person's

1 license was revoked for any previous conviction, the period of revocation, denial, or
2 withdrawal shall be for not less than two (2) years. If the cabinet, upon receipt of the
3 written recommendation of the court in which any person has been convicted of
4 violating KRS 189.520(1) or 244.085(4) as relates to instances in which a driver's
5 license or fraudulent driver's license was the identification used or attempted to be
6 used in the commission of the offense, who has had no previous conviction of said
7 offense, the person's operator's license shall not be revoked, but the person's
8 operator's license shall be restricted to any terms and conditions the secretary in his
9 discretion may require, provided the person has enrolled in an alcohol or substance
10 abuse education or treatment program as the cabinet shall require. If the person fails
11 to satisfactorily complete the education or treatment program or violates the
12 restrictions on his operator's license, the cabinet shall immediately revoke his
13 operator's license for a period of six (6) months.

14 (6) In order to secure the reinstatement of a license to operate a motor vehicle or
15 motorcycle restored following a period of suspension pursuant to KRS Chapter
16 189A, the person whose license is suspended shall comply with the fees and other
17 procedures of the Transportation Cabinet with regard to the reinstatement of
18 suspended licenses.

19 (7) The cabinet shall revoke the license of any operator of a motor vehicle upon
20 receiving notification that the person is under age eighteen (18) and has dropped out
21 of school or is academically deficient, as defined in KRS 159.051(1).

22 (8) A person under the age of eighteen (18) who is convicted of the offenses of
23 subsections (1) or (3) of this section, except for subsection (1)(a)8. or 9. of this
24 section, shall have his license revoked until he reaches the age of eighteen (18) or
25 shall have his license revoked as provided in this section, whichever penalty will
26 result in the longer period of revocation.

27 (9) A revocation or denial of a license or the withdrawal of the privilege of operating a

1 motor vehicle under this section due to a person being found incompetent to stand
2 trial shall extend until the person is found competent to stand trial or the criminal
3 case is dismissed.

4 **(10) The revocation or denial of a license, or the withdrawal of the privilege of**
5 **operating a motor vehicle for a conviction outlined in subsection (1)(a)11. of this**
6 **section, shall be for a period of ninety (90) days.**

7 ➔Section 2. KRS 189.370 is amended to read as follows:

8 (1) If any school or church bus used in the transportation of children is stopped upon a
9 highway for the purpose of receiving or discharging passengers, with the stop arm
10 and signal lights activated, the operator of a vehicle approaching from any direction
11 shall bring his vehicle to a stop and shall not proceed until the bus has completed
12 receiving or discharging passengers and has been put into motion. The stop
13 requirement provided for in this section shall not apply to vehicles approaching a
14 stopped bus from the opposite direction upon a highway of four (4) or more lanes.

15 (2) Subsection (1) of this section shall be applicable only when the bus displays the
16 markings and equipment required by Kentucky minimum specifications for school
17 buses.

18 (3) If any vehicle is witnessed to be in violation of subsection (1) of this section and the
19 identity of the operator is not otherwise apparent, it shall be a rebuttable
20 presumption that the person in whose name the vehicle is registered or leased was
21 the operator of the vehicle at the time of the alleged violation and is subject to the
22 penalties as provided for in KRS 189.990(5).

23 **(4) For a conviction under this section, the operator in addition to the penalties**
24 **outlined in KRS 189.990(5), shall be subject to revocation or denial of an**
25 **operator's license, or the withdrawal of the privilege of driving as outlined in**
26 **Section 1 of this Act.**