GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY

2014 REGULAR SESSION

HOUSE BILL NO. 90

TUESDAY, MARCH 4, 2014

The following bill was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED
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ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY K. Adler

1 AN ACT relating to the operation of a motor vehicle by persons under the age of
2 18.
3 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***
4 ➔Section 1. KRS 189.999 is amended to read as follows:
5 (1) All offenses under this chapter classified as violations shall be prepayable except
6 for:
7 (a) Any offense that could result in license suspension or revocation by the court
8 or the Transportation Cabinet;
9 (b) Any offense relating to KRS 189.393, 189.520, or 189.580;
10 (c) When the defendant is speeding in a restricted zone;
11 (d) When the defendant is speeding more than twenty-five (25) miles per hour
12 over the posted speed limit under KRS 189.394;
13 (e) An offense where evidence of the offense or of commission of another offense
14 is seized by the officer and the citation is so marked and a court date set;
15 (f) The offense is cited with another offense that is not prepayable;
16 ***(g) When the defendant is under the age of eighteen (18);*** or
17 ***(h)***[~~(g)~~] An arrest is made under KRS 431.015.
18 (2) In the event that a prepayable offense is cited with another offense that is not
19 prepayable, a court appearance shall be required on all of the offenses as required by
20 KRS 431.452.
21 ➔Section 2. KRS 24A.175 is amended to read as follows:
22 (1) Court costs for a criminal case in the District Court shall be one hundred dollars
23 ($100), regardless of whether the offense is one for which prepayment is permitted.
24 (2) There shall be no court costs for a parking citation when:
25 (a) The fine is paid to the clerk before the trial date in the same manner as
26 provided for speeding citations under KRS 189.394(3); and
27 (b) The citation does not involve parking in a fire lane or blocking the traveled

1 portion of the highway.

2 (3) The taxation of court costs against a defendant, upon conviction in a case, including
3 persons sentenced to state traffic school as provided under KRS 186.574, shall be
4 mandatory and shall not be subject to probation, suspension, proration, deduction,
5 or other form of nonimposition in the terms of a plea bargain or otherwise, unless
6 the court finds that the defendant is a poor person as defined by KRS 453.190(2)
7 and that he or she is unable to pay court costs and will be unable to pay the court
8 costs in the foreseeable future.

9 (4) If the court finds that the defendant does not meet the standard articulated in
10 subsection (3) of this section and that the defendant is nonetheless unable to pay the
11 full amount of the court costs, fees, and fines at the time of sentencing, then the
12 court shall establish a show cause date by which time court costs, fees, and fines
13 shall be paid and may establish an installment payment plan whereby the defendant
14 pays the full amount of the court costs, fees, and fines to the circuit clerk in
15 installments as established by the court. The court costs, fees, and fines under the
16 installment plan shall be paid within one (1) year of the date of sentencing
17 notwithstanding any remaining restitution or other monetary penalty owed by the
18 defendant and arising out of the conviction. Installment payments will be applied
19 first to court costs, then to restitution, then to fees, and then to fines.

20 ***(5) Notwithstanding any other provision to the contrary, the court shall not***
21 ***adjudicate a traffic violation involving a defendant who is under the age of***
22 ***eighteen (18), unless the person that assumed liability of the minor under the***
23 ***provisions of KRS 186.590 is present. This subsection shall not apply to***
24 ***emancipated minors.***

25 ➔Section 3. This Act shall be known as the "Denzel Steward Act of 2014."

Speaker-House of Representatives

President of Senate

Attest: Sean E. Burgin
Chief Clerk of House of Representatives

Approved
Governor

Date 4/10/14