281.912 Safety inspection -- Proof -- Safety and out-of-service criteria -- Revocation for fraudulent inspection record.

(1) As used in this section, "taxicab" means a vehicle operating under:

(a) A local taxicab permit issued by a local government in accordance with KRS 281.910;

(b) A city taxicab certificate issued by the department under this chapter; or

(c) A county taxicab certificate issued by the department under this chapter.

(2) All taxicabs operating under a permit issued by a local government in accordance with KRS 281.910 or a certificate issued by the department under this chapter shall undergo an annual safety inspection. The inspection shall be performed by an automotive technician who holds a valid automotive service excellence (a.s.e.) certification recognized by the department.

(3) All taxicab operators shall, when applying for or renewing a taxicab permit or certificate, file proof with the department or local government that each taxicab to be operated under the permit or certificate has successfully passed a safety inspection. The inspection shall be performed by an automotive technician who holds a valid automotive service excellence (a.s.e.) certification recognized by the department.

(4) A local government with regulatory authority under KRS 281.910 shall enact an ordinance and the department shall promulgate administrative regulations under KRS Chapter 13A to establish safety and out-of-service criteria for a taxicab that it regulates that fails to successfully pass the annual safety inspection required by subsection (2) of this section. The department or local government shall immediately reinstate a taxicab taken out of service under this subsection upon receipt of written proof documenting that the deficiencies causing the taxicab to fail the annual safety inspection have been corrected.

(5) The department or local government shall have the authority to revoke the taxicab certificate or permit of, and to permanently deny a taxicab certificate or permit to, any person who willfully and intentionally files a fraudulent safety inspection record for any taxicab.

Effective: July 15, 2002

History: Created 2002 Ky. Acts ch. 274, sec. 10, effective July 15, 2002.

Legislative Research Commission Note (7/15/2002). Although 2002 Ky. Acts ch. 274, sec. 10, has a reference to "Section 1 of this Act" (KRS 67A.360) in subsection (1)(a) of this statute, that reference has been codified as KRS 281.910 (which was sec. 9 of ch. 274) because amendments to the introduced version of the bill in the House inadvertently did not make the necessary adjustment to this internal reference. This failure was a manifest typographical or clerical error and has been corrected in codification under KRS 7.136(1)(h).