

281.635 Cities may authorize operation of buses -- Certificates -- City's authority over buses -- Appeal -- Concurrent power of certain local governments over certified carriers -- Exemption for human service transportation delivery vehicles.

Notwithstanding anything contained in this chapter:

- (1) All cities of the Commonwealth are vested with the power to grant authorization for the operation of buses over their streets and highways. Upon acquiring authorization, the holder of the authorization shall apply to the Department of Vehicle Regulation for a bus certificate.
- (2) The governing body of any city in the Commonwealth in which city buses operate shall have supervisory and regulatory power over such buses, while operating in the city, and shall have authority to enforce all ordinances or regulations pertaining to routes, services, time schedules, and operation of the buses and the drivers thereof, but any interested party may appeal to the department from any action, finding, or order of any city within thirty (30) days after the entry of the action, finding, or order, and a hearing shall be held in accordance with KRS 281.640; however, any action, finding, or order of any city shall be sustained if there is substantial evidence or reason to support it; otherwise the department shall make the orders as it deems necessary and proper. However, where a carrier's entire operation is confined to intracity transportation within the corporate limits of a single city, there shall be no appeal to the department from the actions, findings, or orders of the city. Provided further, that where any city bus is subject to the regulatory powers of more than one (1) city and the regulations are in conflict or such as to impede the transportation facilities serving the cities, or the carrier is failing to furnish safe, adequate and convenient service to the public, the department may, upon complaint or on its own initiative, call a hearing and enter orders as are necessary and proper.
- (3) The governing body of any city of the first class, a city with a population equal to or greater than twenty thousand (20,000) based upon the most recent federal decennial census, and the city's suburban area, or the corporate limits of any city and its suburban area located in a county which contains a city of the first class, a city with a population equal to or greater than twenty thousand (20,000) based upon the most recent federal decennial census, or an urban-county government, in the Commonwealth in which taxicabs, limousines, or disabled persons vehicles operate shall have concurrent supervisory and regulatory power over those certified carriers operating from the city, and shall have authority to enforce all ordinances or regulations pertaining to their operation, but any interested party may appeal to the department from any action, finding, or order of any city within thirty (30) days after the entry of the action, finding, or order, and a hearing shall be held in accordance with KRS 281.640; however, any action, finding, or order of any city shall be sustained if there is substantial evidence or reason to support it; otherwise, the department shall make any orders that it deems necessary and proper. Where any taxicab, limousine, or disabled persons vehicle carrier is subject to the regulatory powers of more than one (1) city and the regulations of those cities are in conflict or impede serving the transportation needs of the Commonwealth, the department

may, upon complaint or on its own initiative, call a hearing and enter orders as are necessary and proper, including establishing or requiring the establishment of uniform regulations.

- (4) The governing body of any city of the first class, a city with a population equal to or greater than twenty thousand (20,000) based upon the most recent federal decennial census, and the city's suburban area, or the corporate limits of any city and its suburban area located in a county which contains a city of the first class, a city with a population equal to or greater than twenty thousand (20,000) based upon the most recent federal decennial census, or an urban-county government, in the Commonwealth is hereby vested with the concurrent power to prescribe the qualifications with respect to the health, vision, sobriety, intelligence, ability, moral character, and experience of the drivers of taxicabs, limousines, or disabled persons vehicles operating from the city, and while operating in the city, and may issue permits for qualified drivers. However, any taxicab, limousine, disabled persons vehicle, or TNC vehicle driver must also possess a valid operator's license from Kentucky or another jurisdiction.
- (5) The governing body of a city shall not have authority over a motor vehicle that is being operated as a human service transportation delivery vehicle under a contract with the Transportation Cabinet in accordance with KRS 96A.095(4).

Effective: June 24, 2015

History: Amended 2015 Ky. Acts ch. 19, sec. 13, effective June 24, 2015. -- Amended 2014 Ky. Acts ch. 92, sec. 285, effective January 1, 2015. -- Amended 1998 Ky. Acts ch. 607, sec. 6, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 318, sec. 197, effective July 15, 1996. -- Amended 1978 Ky. Acts ch. 232, sec. 11, effective June 17, 1978. -- Amended 1974 Ky. Acts ch. 74, Art. IV, sec. 20(2); and ch. 307, sec. 1. -
- Created 1950 Ky. Acts ch. 63, sec. 14, effective June 15, 1950.