

# **KENTUCKY STATUTES – REFERENCE “EMERGENCY VEHICLE”**

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**189.011 Additional definitions -- Application of light regulations.**

- (1) As used in this chapter, the following words and phrases shall have the meanings respectively ascribed to them:
  - (a) "Authorized emergency vehicle" shall mean any vehicle designated as such by KRS 189.910.
  - (b) "Wrecker" shall mean a motor vehicle on which a wrecking crane and other equipment suitable for motor vehicle wrecker service has been permanently mounted.
- (2) Provided, however, that the regulations in reference to lights shall not apply to common carrier motor vehicles whose equipment is regulated by the rules of the Interstate Commerce Commission.
- (3) As used in this chapter, a driver's license shall mean an operator's license issued pursuant to KRS 186.412 and a commercial driver's license means a license issued pursuant to KRS Chapter 281A.

**Effective:** July 13, 1990

**History:** Amended 1990 Ky. Acts ch. 455, sec. 31, effective July 13, 1990. -- Amended 1970 Ky. Acts ch. 93, sec. 7. -- Created 1950 Ky. Acts ch. 52, sec. 2.

**189.231 State maintained highways -- Restriction and regulation of traffic.**

- (1) The secretary of transportation may install and maintain traffic control devices upon state-maintained highways in such manner as is reasonably necessary to promote the safety and convenience of the traveling public.
- (2) The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle.
- (3) The secretary of transportation may restrict or regulate traffic upon state-maintained highways in such a manner as is reasonably necessary to promote the safety of the traveling public.

**Effective:** April 10, 1988

**History:** Amended 1988 Ky. Acts ch. 347, sec. 1, effective April 10, 1988. -- Amended 1966 Ky. Acts ch. 255, sec. 178. -- Created 1952 Ky. Acts ch. 206, sec. 1.

**189.378 Funeral processions.**

- (1) "Funeral procession," as used in this section, means two (2) or more vehicles accompanying the body of a deceased person when each vehicle has its headlights on or is displaying a pennant attached in such a manner as to be clearly visible to approaching traffic.
- (2) A vehicle in a funeral procession has the right-of-way at an intersection and may proceed through the intersection if the procession is led by an escort vehicle displaying flashing yellow, red, or blue lights, except:
  - (a) When the right-of-way is required by an emergency vehicle as defined by KRS 189.910;
  - (b) When vehicles in the procession are directed otherwise by a police or safety officer; or
  - (c) When the vehicle is a train or locomotive.
- (3) Before assuming the right-of-way, a person who drives a vehicle in a funeral procession shall exercise due caution with regard to crossing traffic.
- (4) A person who drives a vehicle that is not part of a funeral procession shall not drive the vehicle between the vehicles of the funeral procession or otherwise interfere with the progress of the procession, except when:
  - (a) The person is authorized to do so by a police or safety officer; or
  - (b) The vehicle is an emergency vehicle as defined by KRS 189.910.
- (5) A person who drives a vehicle that is not a part of a funeral procession shall not illuminate the vehicle headlights or engage in any other act for the purpose of securing the right-of-way granted to funeral processions.
- (6) The escort vehicle, hearse, or other vehicles in a procession may be equipped with flashing amber lights for the purpose of notifying the general public of the procession and gaining the right-of-way at intersections, or signaling the end of a procession.
- (7) Persons authorized to use flashing lights as defined in KRS 189.920 may use them while accompanying a funeral procession to warn traffic that a procession is approaching or that it is in progress.
- (8) When a funeral procession is in progress, a person driving a vehicle not in the procession shall not pass or overtake any vehicle in the procession unless:
  - (a) The person is directed to do so by a police or safety officer;
  - (b) The procession is on a street, road, or highway outside the corporate limits of a city, town, or urban-county; or
  - (c) The procession is on an interstate highway or a state parkway.
- (9) Any person who violates this section shall be guilty of a Class B misdemeanor.

**Effective:** July 15, 1996

**History:** Created 1996 Ky. Acts ch. 251, sec. 1, effective July 15, 1996.

### **304.20-430 Twenty percent discount.**

Motor vehicle insurance companies shall give a twenty percent (20%) discount on comprehensive coverage on any motor vehicle equipped with any of the following antitheft devices:

- (1) Passive alarm system which meets the following criteria:
  - (a) Ignition shall be cut off automatically, or starter shall be disabled automatically;
  - (b) Alarm shall be triggered by entry of doors, hood, or trunk;
  - (c) Hood shall not open unless unlocked from inside the vehicle by a key or by an electronic keyless device;
  - (d) Alarm shall sound for no more than eight (8) minutes and shall reset itself;
  - (e) Alarm shall not emit a pulsating, whooping, or yelping sound which could cause it to be mistaken for the police, fire, or other emergency vehicle siren;
  - (f) Alarm shall be installed in the engine compartment so as to be inaccessible without opening the hood; and
  - (g) The system shall be engaged passively by turning the ignition key to the off position. A tubular lock or electronic keyless device shall be used to disarm the system;
- (2) Passive fuel cutoff device which is engaged by turning the ignition key to the off position and which requires that a trip be switched to start the motor vehicle and which meets the following criteria:
  - (a) The fuel line shall be blocked when the power is off;
  - (b) The switch to open the fuel line shall be hidden from view but accessible to the driver from the driver's seat or a tubular key or electronic keyless device may be used;
  - (c) A parking service attendant override switch may be provided which is not accessible from the passenger compartment unless a warning buzzer sounds while the engine is running and the override switch is engaged; and
  - (d) Any under the dash wiring installed with the device shall blend in color with factory-installed wiring;
- (3) Armored ignition cutoff switch which is designed to resist tampering and which meets the following criteria:
  - (a) Armored cable shall run from a separate key to the coil, starter, solenoid, or other engine component;
  - (b) The device shall prevent hot-wiring of the motor vehicle; and
  - (c) A separate lock shall be of tubular type and installed inside the motor vehicle or an electronic keyless device may be used;
- (4) Passive multi-component cutoff switch which is activated when the key is turned to the off position and which meets the following criteria:
  - (a) The primary wire to the ignition coil shall be disconnected;
  - (b) The device shall disconnect the starter;

- (c) One (1) or more wires to the electronic ignition system or to the points and condenser shall be disconnected and grounded to the chassis;
  - (d) The wiring shall blend with factory-installed wiring and the disconnecting/grounding wires shall be routed to random points in the electrical system;
  - (e) The control module, if separate from the electronic locking mechanism, shall be hidden in the engine compartment or other place where it will not be easily detectable; and
  - (f) In order to start the car, a lock or electronic device shall be used to deactivate the system.
- (5) Passive time delay ignition system which requires the operator to wait a prescribed time before moving the ignition key from the on position to the start position;
- (6) Armored cable or electrically operated hood lock and ignition cutoff switch which is a supplemental hood lock operated from within the motor vehicle and which also cuts off the ignition when engaged and meets the following criteria:
- (a) Armored cable hood lock shall have tubing which extends through the firewall. The system shall be engaged by a pushbutton or other device which facilitates use and no portion of the hood lock cable may be accessible from underneath the motor vehicle; and
  - (b) Electrically operated hood lock shall remain locked even if the wiring operating the hood lock is cut. The system shall be engaged by turning the ignition key to the off position. The lock shall be shielded or armored so that it cannot be operated manually.
- (7) Passive, delayed ignition cutoff system which disables the ignition circuit at a preset engine speed and meets the following criteria:
- (a) The ignition shall cut off automatically as soon as the engine reaches a speed in the range of fifteen hundred (1,500) to two thousand (2,000) RPM;
  - (b) The system shall be automatically armed when the ignition key is turned to the off position;
  - (c) A pushbutton or other type of disarm switch shall be well hidden and the wiring shall blend with factory-installed wiring if placed under the dash;
  - (d) An alarm or horn shall be actuated at the same time the ignition is disabled; and
  - (e) If a parking service attendant switch is provided, a buzzer shall sound all the time the engine is running;
- (8) Passive ignition lock protective system that consists of a protective cap which fits over the ignition to prevent extraction of the ignition lock cylinder; or
- (9) High security ignition replacement lock which conforms to federal standards and cannot be removed using a conventional slide hammer or lock puller equipment.

**Effective:** July 15, 1986

**History:** Created 1986 Ky. Acts ch. 352, sec. 5, effective July 15, 1986.

### **189.570 Pedestrians.**

- (1) Pedestrians shall obey the instruction of any official traffic control devices specifically applicable to them, unless otherwise directed by a police officer or other officially designated persons.
- (2) Pedestrians shall be subject to traffic and pedestrian control signals as provided in KRS 189.231 and 189.338.
- (3) At all other places, pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this chapter.
- (4) When traffic control signals are not in place or in operation the operator of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- (5) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection, to permit a pedestrian to cross the roadway, the operator of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.
- (6)
  - (a) Every pedestrian crossing a roadway at a point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.
  - (b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.
  - (c) Between adjacent intersections within the city limits of every city at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.
  - (d) Notwithstanding other provisions of this subsection or the provisions of any local ordinance, every operator of a vehicle shall exercise due care to avoid colliding with any pedestrian and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing a child or an obviously confused or incapacitated person upon a roadway.
- (7) No vehicle shall at any time be driven through or within a safety zone.
- (8) The operator of a vehicle shall yield the right-of-way to any pedestrian on a sidewalk.
- (9) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard.
- (10) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movements.
- (11) Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

- (12) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.
- (13) Where a sidewalk is not available, any pedestrian walking along and upon a highway shall walk only on a shoulder, as far as practicable from the edge of the roadway.
- (14) Where neither a sidewalk nor a shoulder is available, any pedestrian walking on or along a highway shall walk as near as practicable to an outside edge of the roadway, and, if on a two-way roadway shall walk only on the left side of the roadway.
- (15) Except as otherwise provided in this chapter, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.
- (16) A pedestrian who is under the influence of alcohol or any kind of drug to a degree which renders himself a hazard shall not walk or be upon a highway except on a sidewalk.
- (17) No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate, or barrier, after a bridge operation signal indication has been given.
- (18) No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed.
- (19) No person shall stand in a roadway for the purpose of soliciting a ride.
- (20) No person shall stand on a roadway for the purpose of soliciting employment or business from the occupant of any vehicle.
- (21) No person shall stand on a highway for the purpose of soliciting contributions unless such soliciting is designated by the presence of a traffic control device or warning signal or an emergency vehicle or public safety vehicle as defined in KRS 189.910 making use of the flashing, rotating or oscillating red, blue, or yellow lights on such devices or vehicles.
- (22) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.
- (23) Upon the immediate approach of an emergency vehicle equipped with, and operating, one (1) or more flashing, rotating, or oscillating red or blue lights, visible under normal conditions from a distance of 500 feet to the front of such vehicle, and the operator of which is giving audible signal by siren, exhaust whistle, or bell, every pedestrian shall yield the right-of-way to the emergency vehicle.
- (24) This section shall not relieve the operator of an emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway nor from the duty to exercise due care to avoid colliding with any pedestrian.

**Effective:** June 17, 1978

**History:** Amended 1978 Ky. Acts ch. 46, sec. 8, effective June 17, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2739g-69q to 2739g-69v.

**56.850 Regulations for traffic control and parking on state-owned property --  
Enforcement powers.**

Except as may otherwise be provided by law with respect to the control of real property owned by the state, used by and in the custody of any state agency or institution, the Finance and Administration Cabinet may adopt regulations for the control of vehicular and pedestrian traffic and parking of motor vehicles, bicycles or other vehicles, on, over and across the grounds appurtenant to any building or other facility owned by the state or any state agency. Such regulations may include provisions governing the use and operation of motor vehicles upon such state-owned property, including but not limited to, the establishment of speed limits, parking rules, and for the registration of motor vehicles for parking on real property of the state to which such regulations are applicable. Security officers employed by the cabinet, or by any other state agency or instrumentality authorized by the cabinet to enforce the regulations adopted by the cabinet under this section, shall have authority to remove, or cause to be removed, at the owner's expense, any motor vehicle parked on the grounds of any state-owned building covered by such regulations, in a manner impeding or disrupting the orderly flow of traffic on such grounds or the movement thereon of an emergency vehicle, or in violation of any traffic control or parking regulation of the cabinet. Moving violations of any traffic control regulation adopted under this section shall be cited and may be prosecuted in the district court of the county in which such violation occurred. Speed limits and parking restrictions established by regulations adopted under this section shall be conspicuously posted on and around the grounds covered by such regulations.

**Effective:** Januaray 2, 1978

**History:** Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 15, effective January 2, 1978. -- Created 1974 Ky. Acts ch. 166, sec. 1.

**189.910 Definitions for KRS 189.920 to 189.950.**

- (1) As used in KRS 189.920 to 189.950, "emergency vehicle" means any vehicle used for emergency purposes by a fire department; any vehicle used for emergency purposes by the State Police, a public police department, Department of Corrections, or sheriff's office; any vehicle used for emergency purposes by a rescue squad; any publicly owned vehicle used for emergency purposes by an emergency management agency; any vehicle used to respond to emergencies or to transport a patient with a critical medical condition if the vehicle is operated by a Cabinet for Health Services-licensed ambulance provider or medical first-response provider; any vehicle commandeered by a police officer; or any motor vehicle used by a paid or volunteer fireman or paid or volunteer ambulance personnel or a paid or volunteer local emergency management director while responding to an emergency or to a location where an emergency vehicle is on emergency call.
- (2) As used in KRS 189.920 to 189.950, "public safety vehicle" means public utility repair vehicle; wreckers; state, county, or municipal service vehicles and equipment; highway equipment which performs work that requires stopping and standing or moving at slow speeds within the traveled portions of highways; and vehicles which are escorting wide-load or slow-moving trailers or trucks.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 226, sec. 106, effective July 15, 1998; and ch. 426, sec. 124, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 233, sec. 9, effective July 15, 1996. -- Amended 1992 Ky. Acts ch. 211, sec. 16, effective July 14, 1992. -- Amended 1986 Ky. Acts ch. 220, sec. 1, effective July 15, 1986; and ch. 419, sec. 1, effective July 15, 1986. -- Created 1970 Ky. Acts ch. 93, sec. 1.

**Legislative Research Commission Note (7/15/98).** This section was amended by 1998 Ky. Acts chs. 226 and 426 which do not appear to be in conflict and have been codified together.

### **189.920 Flashing lights.**

- (1) All fire department, rescue squad, or publicly owned emergency management agency emergency vehicles and all ambulances shall be equipped with one (1) or more flashing, rotating, or oscillating red lights, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle, and a siren, whistle, or bell, capable of emitting a sound audible under normal conditions from a distance of not less than five hundred (500) feet. This equipment shall be in addition to any other equipment required by the motor vehicle laws.
- (2) All state, county, or municipal police vehicles and all sheriffs' vehicles used as emergency vehicles shall be equipped with one (1) or more flashing, rotating, or oscillating blue lights, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle, and a siren, whistle, or bell, capable of emitting a sound audible under normal conditions from a distance of not less than five hundred (500) feet. This equipment shall be in addition to any other equipment required by the motor vehicle laws.
- (3) By ordinance, the governing body of any city or county may direct that the police or sheriffs' vehicles in that jurisdiction be equipped with a combination of red and blue flashing, rotating, or oscillating lights.
- (4) All public safety vehicles shall be equipped with one (1) or more flashing, rotating, or oscillating yellow lights, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle. Yellow flashing, rotating, or oscillating lights may also be used by vehicles operated by mail carriers while on duty, funeral escort vehicles, and church buses.
- (5) All Department of Corrections vehicles used as emergency vehicles shall be equipped with one (1) or more flashing, rotating, or oscillating blue lights, visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle. The Department of Corrections vehicles shall not be equipped with or use a siren, whistle, or bell. The equipment prescribed by this subsection shall be in addition to any other equipment required by motor vehicle laws.
- (6) Red flashing lights may be used by school buses.
- (7) No emergency vehicle, public safety vehicle, or any other vehicle covered by KRS 189.910 to 189.950 shall use any light of any other color than those specified by KRS 189.910 to 189.950. Sirens, whistles, and bells may not be used by vehicles other than those specified by KRS 189.910 to 189.950, except that any vehicle may be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal.
- (8) Vehicles used as command posts at incidents may be equipped with and use when on scene, a green rotating, oscillating, or flashing light. This light shall be in addition to the lights and sirens required in this section.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 226, sec. 107, effective July 15, 1998. -- Amended 1992 Ky. Acts ch. 211, sec. 17, effective July 14, 1992. -- Amended 1986

Ky. Acts ch. 419, sec. 2, effective July 15, 1986. -- Amended 1984 Ky. Acts ch. 55, sec. 1, effective July 13, 1984. -- Created 1970 Ky. Acts ch. 93, sec. 2.

**189.930 Right-of-way to emergency vehicles -- Blocking or following emergency vehicles -- Driving over unprotected hoses of fire department.**

- (1) Upon the approach of an emergency vehicle equipped with, and operating, one (1) or more flashing, rotating, or oscillating red or blue lights, visible under normal conditions from a distance of five hundred (500) feet to the front of such vehicle; or the driver is given audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right-of-way, immediately drive to a position parallel to, and as close as possible to, the edge or curb of the highway clear of any intersection, and stop and remain in such position until the emergency vehicle has passed, except when otherwise directed by a police officer or firefighter.
- (2) Upon the approach of any emergency vehicle, operated in conformity with the provisions of subsection (1) of this section, the operator of every vehicle shall immediately stop clear of any intersection and shall keep such position until the emergency vehicle has passed, unless directed otherwise by a police officer or firefighter.
- (3) No operator of any vehicle, unless he is on official business, shall follow any emergency vehicle being operated in conformity with the provisions of subsection (1) of this section closer than five hundred (500) feet, nor shall he drive into, or park the vehicle into, or park the vehicle within, the block where the vehicle has stopped in answer to an emergency call or alarm unless he is directed otherwise by a police officer or firefighter.
- (4) No vehicle, train, or other equipment shall be driven over any unprotected hose of a fire department when the hose is laid down on any street, private driveway, or track for use at any fire or fire alarm unless the fire department official in command consents that the hose be driven over.
- (5) Upon approaching a stationary emergency vehicle or public safety vehicle, when the emergency vehicle or public safety vehicle is giving a signal by displaying alternately flashing yellow, red, red and white, red and blue, or blue lights, a person who drives an approaching vehicle shall, while proceeding with due caution:
  - (a) Yield the right-of-way by moving to a lane not adjacent to that of the authorized emergency vehicle, if:
    1. The person is driving on a highway having at least four (4) lanes with not fewer than two (2) lanes proceeding in the same direction as the approaching vehicle; and
    2. If it is possible to make the lane change with due regard to safety and traffic conditions; or
  - (b) Reduce the speed of the vehicle, maintaining a safe speed to road conditions, if changing lanes would be impossible or unsafe.
- (6) This section does not operate to relieve the person who drives an emergency vehicle from the duty to operate the vehicle with due regard for the safety of all persons using the highway.

**Effective:** June 24, 2003

**History:** Amended 2003 Ky. Acts ch. 63, sec. 1, effective June 24, 2003. -- Amended 2000 Ky. Acts ch. 215, sec. 1, effective July 14, 2000. -- Amended 1980 Ky. Acts ch. 371, sec. 2, effective July 15, 1980. -- Created 1970 Ky. Acts ch. 93, sec. 3.

### **189.940 Exemptions from traffic regulations.**

- (1) The speed limitations set forth in the Kentucky Revised Statutes do not apply to emergency vehicles:
  - (a) When responding to emergency calls; or
  - (b) To police vehicles when in pursuit of an actual or suspected violator of the law; or
  - (c) To ambulances when transporting a patient to medical care facilities; and
  - (d) The driver thereof is giving the warning required by subsection (5)(a) and (b) of this section.

No portion of this subsection shall be construed to relieve the driver of the duty to operate the vehicle with due regard for the safety of all persons using the street or highway.

- (2) The driver of an emergency vehicle, when responding to an emergency call, or of a police vehicle in pursuit of an actual or suspected violator of the law, or of an ambulance transporting a patient to a medical care facility and giving the warning required by subsection (5) of this section, upon approaching any red light or stop signal or any stop sign shall slow down as necessary for safety to traffic, but may proceed past such red or stop light or stop sign with due regard for the safety of persons using the street or highway.
- (3) The driver of an emergency vehicle, when responding to an emergency call, or of a police vehicle in pursuit of an actual or suspected violator of the law, or of an ambulance transporting a patient to a medical care facility and giving warning required by subsection (5) of this section, may drive on the left side of any highway or in the opposite direction of a one-way street provided the normal lanes of traffic are blocked and he does so with due regard for the safety of all persons using the street or highway.
- (4) The driver of an emergency or public safety vehicle may stop or park his vehicle upon any street or highway without regard to the provisions of KRS 189.390 and 189.450, provided that, during the time the vehicle is parked at the scene of an emergency, at least one (1) warning light is in operation at all times.
- (5) The driver of an emergency vehicle desiring the use of any option granted by subsections (1) through (3) of this section shall give warning in the following manner:
  - (a) By illuminating the vehicle's warning lights continuously during the period of the emergency; and
  - (b) By continuous sounding of the vehicle's siren, bell, or exhaust whistle; unless
  - (c) The vehicle is an ambulance and the driver is of the opinion that sounding of the siren, bell, or exhaust whistle would be detrimental to the victim's health. In the event the driver of an ambulance elects not to use the siren, bell, or exhaust whistle he shall not proceed past red lights or drive in the opposite direction on a one-way street or in oncoming lanes of traffic unless no other vehicles are within five hundred (500) feet of the front of the ambulance. The

driver shall not extinguish the warning lights during the period of the emergency.

- (6) No driver or operator of any emergency or public safety or other vehicle shall use the warning lights or siren, bell, or exhaust whistle of his vehicle for any purposes or under any circumstances other than those permitted by KRS 189.910 to 189.950.
- (7) KRS 189.910 to 189.950 does not relieve the driver of any emergency or public safety vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway.

**Effective:** July 15, 1980

**History:** Amended 1980 Ky. Acts ch. 371, sec. 1, effective July 15, 1980. -- Amended 1974 Ky. Acts ch. 308, sec. 36. -- Created 1970 Ky. Acts ch. 93, sec. 4.

**189.945 Prohibition against use of mobile infrared electronic transmitter --  
Exceptions -- Penalties.**

- (1) As used in this section, "MIRET" means a mobile infrared electronic transmitter or similar device that emits an infrared beam or electronic signal and may be used to change the lighting cycle of a traffic control signal.
- (2) A person shall not use a MIRET to change the lighting cycle of a traffic control signal, unless the person is an occupant of an emergency vehicle as defined by KRS 189.910 that is responding to or engaged in an emergency situation, or is an authorized employee, contractor, consultant, or vendor of the government agency responsible for the installation, maintenance, and testing of the traffic control signal or emergency vehicle preemption system, operating in the course and scope of his or her employment.
- (3) Except as provided for in subsection (4) of this section, any person who violates subsection (2) of this section shall be fined not more than five hundred dollars (\$500).
- (4)
  - (a) If a person is involved in a motor vehicle collision which involves physical injury as defined by KRS 500.080 while in violation of subsection (2) of this section, the person shall be guilty of a Class B misdemeanor.
  - (b) If a person is involved in a motor vehicle collision which involves serious physical injury as defined by KRS 500.080 while in violation of subsection (2) of this section, the person shall be guilty of a Class A misdemeanor.

**Effective:** June 20, 2005

**History:** Created 2005 Ky. Acts ch. 28, sec. 1, effective June 20, 2005.

### **189.950 Prohibitions -- Exceptions.**

- (1) No motor vehicle, except those designated under KRS 189.910 to 189.950 as emergency vehicles, shall be equipped with, nor shall any person use upon a vehicle, any siren, whistle, or bell. Any vehicle may be equipped with a theft alarm signal device which shall be so arranged that it cannot be used as an ordinary warning signal.
- (2) No motor vehicle, except those designated under KRS 189.910 to 189.950 as emergency vehicles, shall be equipped with, nor shall any person use upon a vehicle any red or blue flashing, revolving, or oscillating light or place a red light on the front thereof. This subsection shall not apply to the use of red flashing lights on school buses or to stop lights or turn signals at the rear of any motor vehicle.
- (3) No motor vehicle, except those designated under KRS 189.910 to 189.950 as public safety vehicles, shall be equipped with, nor shall any person use upon any vehicle any yellow flashing, revolving, or oscillating light. This subsection shall not apply to the use of yellow lights for turn signals; or to emergency flasher lights for use when warning the operators of other vehicles of the presence of a vehicular traffic requiring the exercise of unusual care in approaching, overtaking, or passing; or to vehicles operated by mail carriers while on duty; funeral escort vehicles and church buses.
- (4) Any person who is a regular or voluntary member of any fire department furnishing fire protection for a political subdivision of the state or any person who is a regular or voluntary member of a rescue squad may equip his vehicle with red flashing, rotating, or oscillating lights and a siren, bell, or exhaust whistle if he has first been given permission, in writing, to do so by the chief of the fire department or rescue squad. He may use such lights and equipment only while proceeding to the scene of a fire or other emergency or to a location where another emergency vehicle is on emergency call in the performance of his official duties as a member of a fire department or rescue squad.
- (5) Any constable may, upon approval of the fiscal court in the county of jurisdiction, equip vehicles used by said officer as emergency vehicles with one (1) or more flashing, rotating or oscillating blue lights, visible under normal atmospheric condition from a distance of five hundred (500) feet to the front of such vehicle, and a siren, whistle or bell, capable of emitting a sound audible under normal conditions from a distance of not less than five hundred (500) feet. This equipment shall be in addition to any other equipment required by the motor vehicle laws. Any constable authorized by the fiscal court to utilize blue lights and a siren pursuant to this section shall maintain at least the insurance described by KRS 304.39-110.
- (6) Any person who is a paid or voluntary member of any ambulance service furnishing emergency medical services for a political subdivision of the state may equip his vehicle with red flashing, rotating, or oscillating lights and a siren, bell, or exhaust whistle if he has first been given permission, in writing, to do so by the chief or director of the ambulance service. He may use such lights and equipment only while proceeding to the scene of an emergency, a medical facility, or to a location where

another emergency vehicle is on emergency call in the performance of his official duties as a member of the ambulance service.

**Effective:** July 15, 1986

**History:** Amended 1986 Ky. Acts ch. 220, sec. 2, effective July 15, 1986; and ch. 437, sec. 2, effective July 15, 1986. -- Amended 1984 Ky. Acts ch. 19, sec. 1, effective July 13, 1984. -- Created 1970 Ky. Acts ch. 93, sec. 5.

**Legislative Research Commission Note.** This section was amended by two 1986 Acts which do not appear to be in conflict and have been compiled together.