

### **174.405 Definitions.**

As used in KRS 174.400 to 174.425:

- (1) "Carrier" means a person engaged in the commercial transportation of passengers or property, except for pipelines and railways, by:
  - (a) Land, as a common, contract, or private carrier; or
  - (b) Civil aircraft.
- (2) "Hazardous material" means a substance designated hazardous by the Federal Hazardous Materials Transportation Law (49 U.S.C. sec. 5101 et seq.) and regulations issued pursuant thereto, including but not limited to hazardous and radioactive waste, but shall not include agricultural wastes, coal mining wastes, utility waste (fly ash, bottom ash, scrubber sludge), sludge from water treatment and sewage treatment facilities, cement kiln dust, gas and oil drilling muds, oil production brines or waste oil.
- (3) "Hazardous waste" means a substance or material defined as hazardous waste by KRS Chapter 224 and regulations issued pursuant thereto.
- (4) "Radioactive material" means any material or combination of material, which spontaneously emits ionizing radiation. Materials in which the estimated specific activity is not greater than 0.002 microcuries per gram of material, and in which the radioactivity is essentially uniformly distributed, are not considered to be radioactive materials.
- (5) "Radioactive waste" means any waste substance or combination of substances, in any form which because of its radioactive material content may create a threat to public health or to animal, plant, and aquatic life forms.
- (6) "Vehicle" means any device or contrivance for carrying or conveying persons, property, or substances, including conveyance by highways or by airway.

**Effective:** June 20, 2005

**History:** Amended 2005 Ky. Acts ch. 165, sec. 10, effective June 20, 2005. -- Amended 1994 Ky. Acts ch. 99, sec. 3, effective July 15, 1994. -- Created 1980 Ky. Acts ch. 384, sec. 2, effective July 15, 1980.