

**189.212 Authority of fiscal court to issue special permits for certain haulers.**

- (1) As used in this section, "materials" shall mean cargo, whether divisible or nondivisible, that a motor vehicle transports in the usual and ordinary course of business and shall specifically include, but not be limited to, agricultural products, minerals, or natural resources transported by a motor vehicle.
- (2) A fiscal court may issue special permits to the owners, operators, or lessees of motor vehicles for the purpose of hauling materials whose gross weight or dimensions, including vehicle and load, exceeds the limits prescribed by KRS 189.210 but that do not exceed the maximum weight limits established in KRS 189.222. A permit shall be issued for specified materials only and shall designate the portions of the fiscal court-owned road over which the vehicle may operate under the permit. The permit shall be issued for a stated period of time not to exceed one (1) year and shall be upon the terms and conditions as the fiscal court may, in its discretion, require. The fiscal court shall require, as a condition to issuing the permit, that the applicant pay a reasonable fee to be fixed by the fiscal court and enter into a cooperative agreement under the provisions of KRS 189.230. The operation of any motor vehicle in accordance with the terms of the permit shall not constitute a violation of this chapter, if the operator has a valid permit, or a copy of a valid permit, in his or her possession.
- (3) The fiscal court shall not issue a permit under this section for a vehicle whose dimensions, including vehicle and load, exceed the maximum dimension limits established in KRS 189.222.
- (4) A person shall not operate a motor vehicle in violation of the terms and conditions of any permit issued by the fiscal court under this section.
- (5) A fiscal court may:
  - (a) Exercise general supervision for administering and enforcing the provisions of this section.
  - (b) Adopt ordinances regulating the issuance of a permit, including but not limited to matters concerning the duration of permits and weight limits for various types of vehicles, materials, and highways.
  - (c) Adopt rules and regulations governing the amount, terms, and conditions of a bond and the sufficiency of the surety of any bond required by this section.
  - (d) Issue, continue in effect, revoke, modify, or deny a permit issued under this section.

**Effective:** July 15, 1998

**History:** Created 1998 Ky. Acts ch. 484, sec. 2, effective July 15, 1998.