

351.990 Penalties.

- (1) Any person who violates any of the provisions of KRS 351.315 to 351.375 or any administrative regulation, determination, or order promulgated in accordance with KRS 351.315 to 351.375 shall be subject to a civil fine not less than two hundred fifty dollars (\$250) nor more than five thousand dollars (\$5,000) for each violation.
- (2) Any person who willfully violates any of the provisions of KRS 351.315 to 351.375 or any administrative regulation, determination, or order promulgated in accordance with KRS 351.315 to 351.375 which has become final shall be guilty of a Class A misdemeanor.
- (3) Any person who violates any of the provisions of KRS 351.330(16) shall be guilty of a Class B misdemeanor.
- (4) Any person who violates any of the provisions of KRS 351.345(2) shall be guilty of a Class D felony.
- (5) Any operator who fails to obtain his license as required by KRS 351.175 shall be guilty of a Class A misdemeanor as defined in KRS 532.090. Each day the mine is operated without a license constitutes a separate offense. Venue for the offenses shall lie in the county in which the offense occurred.
- (6) Any operator operating a mine with knowledge that the mine has been placed under a valid closure order pursuant to KRS 351.175 shall be guilty of a Class D felony. Jurisdiction shall lie in the Circuit Court of the county in which the offense occurred.
- (7) Any blasting operation that results in the death or serious physical injury of a person may be subject to a civil fine not more than twenty thousand dollars (\$20,000). For the purposes of this subsection, "serious physical injury" means an injury which has a reasonable potential to cause death.

Effective: July 12, 2006

History: Amended 2006 Ky. Acts ch. 39, sec. 1, effective July 12, 2006. -- Amended 1996 Ky. Acts ch. 308, sec. 19, effective April 9, 1996; and ch. 318, sec. 334, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 161, sec. 2, effective July 15, 1994. -- Amended 1992 Ky. Acts ch. 463, sec. 39, effective July 14, 1992. -- Amended 1980 Ky. Acts ch. 188, sec. 278, effective July 1, 1980. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 8, secs. 11(7),(29). -- Amended 1976 Ky. Acts ch. 143, sec. 13. -- Amended 1972 Ky. Acts ch. 280, sec. 5; and ch. 298, sec. 18. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2739-49, 3766b-18.

Legislative Research Commission Note (4/9/96). The action taken with respect to this statute by 1996 Ky. Acts ch. 308 was to have become effective April 8, 1996, under Section 51 of that Act. The Act, however, did not become effective until April 9, 1996, when the Governor's signed copy of the Act was filed with the Secretary of State.