

15.620 Eliminating conflicts among standards.

- (1) Effective January 1, 1977, no inspecting agency shall employ in its inspections any standard that conflicts with any other standard it employs in the same inspection or with standards employed by another inspecting agency or by the federal government.
- (2) Inspecting agencies with conflicting standards may enter into agreements among themselves and with the federal government to eliminate conflicts among their standards. All such agreements shall be in writing and shall be filed with the Attorney General.
- (3) If inspecting agencies with conflicting standards cannot agree among themselves or with the federal government on the method for eliminating conflicts among standards, they shall immediately refer the issue to the Attorney General. The Attorney General shall determine the method for resolving the conflict subject to the following requirements:
 - (a) No inspecting agency shall employ a standard that conflicts with a standard employed by the federal government;
 - (b) No local governmental inspecting agency shall employ a standard that conflicts with a standard employed by an inspecting agency of the state government;
 - (c) No city inspecting agency shall employ a standard that conflicts with a standard employed by an inspecting agency of the county in which it is located; and
 - (d) If two (2) or more inspecting agencies of the same level or unit of government have conflicting standards, only the standard of the inspecting agency with primary jurisdiction over the condition governed by the standard, as determined under KRS 15.610, shall be employed, unless the inspecting agency with primary jurisdiction is prohibited from employing the standard by paragraph (a), (b), or (c) of this subsection.
- (4) In determining the method for eliminating conflicts among standards under subsection (3) of this section, the Attorney General shall select the method that he determines will best protect the public health, safety and welfare.

History: Created 1976 Ky. Acts ch. 46, sec. 4.