

### **189.090 Brakes.**

- (1) No owner shall knowingly operate or permit to be operated on a highway a motor vehicle upon which the brakes are defective.
- (2) Every motor vehicle, other than a motorcycle, when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold the vehicle. There shall be two (2) separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two (2) wheels. If the two (2) separate means are connected in any way, they shall be so constructed that failure of any one (1) part of the operating mechanism shall not leave the motor vehicle without brakes on at least two (2) wheels.
- (3)
  - (a) Except for commercial motor vehicles with a declared gross vehicle weight of more than ten thousand (10,000) pounds, the service brakes upon any motor vehicle or combination of vehicles shall be adequate to stop the vehicle when traveling twenty (20) miles per hour within a distance of forty (40) feet when upon dry asphalt or concrete pavement surface free from loose material where the grade does not exceed one percent (1%).
  - (b) Under the conditions described in subsection (3)(a), the hand brake shall be adequate to stop the vehicle within a distance of fifty-five (55) feet and the hand brake shall be adequate to hold the vehicle stationary on any grade upon which it is operated.
  - (c) Under the conditions described in subsection (3)(a), the service brakes upon a motor vehicle equipped with two (2)-wheel brakes only shall be adequate to stop the vehicle within a distance of forty (40) feet and the hand brake adequate to stop the vehicle within a distance of fifty-five (55) feet.
  - (d) All braking distances specified in this section shall apply whether or not the vehicles are loaded to the maximum capacity permitted by law.
  - (e) All brakes shall be maintained in good working order and shall be so adjusted as to operate with equal effect with respect to the wheels on opposite sides of the vehicle.
- (4) A person shall not operate any commercial motor vehicle with a declared gross weight of over ten thousand (10,000) pounds on any highway in this state unless it is equipped with efficient brakes that meet the federal motor carrier safety standards in 49 C.F.R. pt. 393 and may be operated by the operator of the vehicle.

**Effective:** July 12, 2006

**History:** Amended 2006 Ky. Acts ch. 173, sec. 8, effective July 12, 2006. -- Amended 1976 Ky. Acts ch. 173, sec. 2. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2739g-26, 2739g-88.