

281.755 Inspection of motor vehicles.

- (1) The Department of Kentucky State Police or any other peace officer designated by the department may at any time or place make an inspection of any motor vehicle operating under the provisions of this chapter. They may enter into and upon any such motor vehicle for the purpose of ascertaining whether or not any provision of this chapter or any order or rule or regulation of the department relating to such motor vehicles has been violated. Willful refusal to stop any such motor vehicle, when ordered to do so by any representative of the Department of Kentucky State Police, or to permit the representative to enter into or upon the motor vehicle for the purpose of inspection, shall be sufficient ground for the revocation or suspension of the certificate or permit of the motor carrier.
- (2) In the event that a peace officer orders a commercial motor vehicle to be taken to a storage or impoundment facility as a result of a violation which requires the vehicle to be moved, the driver of the commercial motor vehicle shall be granted the ability to drive the commercial motor vehicle to the storage or impoundment facility. If the driver elects to drive to the storage or impoundment facility, a peace officer shall escort the vehicle to the facility. This subsection shall not apply if the commercial motor vehicle is required to be impounded as a result of a violation of KRS 281A.210, an out-of-service order as defined in KRS 281A.010(26), or a serious traffic violation as defined in KRS 281A.010(29).

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 93, sec. 2, effective July 15, 2010. -- Amended 2009 Ky. Acts ch. 75, sec. 17, effective June 25, 2009. -- Amended 2007 Ky. Acts ch. 85, sec. 279, effective June 26, 2007. -- Amended 2005 Ky. Acts ch. 165, sec. 12, effective June 20, 2005. -- Amended 1980 Ky. Acts ch. 295, sec. 96, effective July 15, 1980. -- Created 1950 Ky. Acts ch. 63, sec. 38, effective June 15, 1950.

Legislative Research Commission Note (7/15/2010). 2010 Ky. Acts ch. 93, sec. 3, provides: "Section 2 of this Act (this statute) shall apply retroactively, but shall not be construed to permit the prosecution of a person whose vehicle was inspected by a peace officer who did not, prior to the effective date of this Act (July 15, 2010), have the authority to perform inspections under KRS Chapter 281."