

INTERIM JOINT COMMITTEE ON TRANSPORTATION

Minutes of the 5th Meeting of the 2024 Interim

November 8, 2024

Call to Order and Roll Call

The fifth meeting of the Interim Joint Committee on Transportation was held on November 8, 2024, at 1:00 PM in Room 149 of the Capitol Annex. Representative John Blanton, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Representative John Blanton, Co-Chair; Senator Jimmy Higdon, Co-Chair; Senators Karen Berg, Robby Mills, Phillip Wheeler, Gex Williams, Mike Wilson, and David Yates; Representatives Randy Bridges, Adrielle Camuel, Ken Fleming, Peyton Griffiee, Samara Heavrin, Keturah Herron, Thomas Huff, Mary Beth Imes, Derek Lewis, Bobby McCool, Amy Neighbors, Ruth Ann Palumbo, Rachel Roberts, Tom Smith, Ashley Tackett Laferty, Walker Thomas, Ken Upchurch, and Bill Wesley.

Guests: John Moore, Deputy State Highway Engineer, Kentucky Transportation Cabinet (KYTC); Tracy Nowaczyk, Assistant State Highway Engineer, KYTC; Heather Stout, Executive Director, Office of Information Technology, KYTC; Tabatha Clemons, Grant County Clerk, President, Kentucky County Clerks Association; Chris Baker, Captain, Kentucky State Police; and Jon Johnson, Staff Attorney/Assistant General Counsel, KYTC.

LRC Staff: John Snyder, Dana Fugazzi, Ashley Nash, and Christina Williams.

Approval of September 17, 2024 Minutes

The minutes for the September 17, 2024, meeting were approved.

Remembrance of Senator Johnnie Turner

The committee recognized former Senator and Committee member Johnnie Turner, who passed away following a tragic accident in September. After comments from Chairman Blanton and Co-Chair Higdon, several committee members offered memorials to Senator Turner. A moment of silence was observed in his memory.

Consideration of Referred Administrative Regulations

Jon Johnson, Staff Attorney/Assistant General Counsel, Kentucky Transportation Cabinet (KYTC), gave a brief explanation of the administrative regulation 601 KAR 009:220, regarding motor vehicle dealer plates. The regulation was not found to be deficient nor deferred and will become effective upon adjournment of the committee meeting.

Committee meeting materials may be accessed online at <https://apps.legislature.ky.gov/CommitteeDocuments/34>

KYTC Asset Management

John Moore, Deputy State Highway Engineer, KYTC, and Tracy Nowaczyk, Assistant State Highway Engineer, KYTC, updated the committee on KYTC's asset management investments, strategies, and challenges. Ms. Nowaczyk stated KYTC owns and maintains the 7th largest bridge network and the 8th largest pavement network in the country, of which the assets are valued at \$96 billion. That figure includes 9,069 bridges and 63,983 lane miles of pavement. The average annual bridge investment is \$280 million, and the average annual pavement investment is \$532 million. These figures include spending on reconstruction, rehabilitation, preservation, and maintenance.

Ms. Nowaczyk highlighted a six-year approach that includes budget stewardship, investment strategies, and planning projects that ensures safety. Some bridge challenges include travel pattern disruptions, unplanned higher costs, increased safety risks, and decreased economic benefits. So far this year, there have been 17 unscheduled bridge repairs on state owned structures, approximately 100 state owned structures reduced posted for load, and 11 state owned structures closed.

Asset management evaluates poor and fair conditions of pavement and bridges and applies fixes. Those fixes are applied by limiting interstate reduced load postings keeping freight moving, keeping access open for buses and emergency vehicles, protecting workers' safety, maximizing budgets by prolonging life of assets and preserving networks, and utilizing a combination of fixes. Ms. Nowaczyk stressed the importance of proactive versus reactive management of assets, comparing it to the regular maintenance of a vehicle, as daily maintenance impacts the lifespan of assets. In conclusion, she stated pavement and bridges are some of the greatest sources of wealth for the cabinet, essential for the Commonwealth, so they must be taken care of responsibly.

In response to Senator Williams concerning an incident with the I-471 bridge across the Ohio River, Mr. Moore stated because the incident is on the Ohio approach, it is not expected that Kentucky will be responsible for repairs. However, traffic control is being set up in Kentucky to support that effort, but it is anticipated that those funds will be reimbursed through the Federal Highway Administration (FHWA).

In response to Co-Chair Higdon, Mr. Moore stated there are three pavement systems in Kentucky: the MP system, the rural secondary system, and the local road system. He stated for the state pavement system, which includes MP and partial rural secondary systems, Kentucky is in good shape but it is difficult to monitor how much progress is being made. Ms. Nowaczyk added pavement through the state system is being completed approximately every 13 years. Co-Chair Higdon said other than the federal dollars received with the state match, the transportation system is funded primarily by the gas tax, which

has not increased since 2012 despite rising costs.

In response to Chairman Blanton, Ms. Nowaczyk stated she is unaware of any lettings that are being completed as solely a micro surfacing project, adding that there are micro surfacing projects that are completed, but the vast majority of them are resurfacing projects. She added current projects are being let with regular asphalt.

KYTC KAVIS Update, Update on Centralized Liens

Heather Stout, Executive Director, Office of Information Technology, KYTC, provided an update on the Kentucky Automated Vehicle Information System (KAVIS) and compared the performance from Automated Vehicle Information System (AVIS) in 2023 to KAVIS in 2024, including total collection, ad-valorem collection, and checkouts. She also provided collection figures for the top ten counties, ranked in order of amount collected.

Ms. Stout briefed the committee on centralized lien management with the electronic lien and titling system (KYELT). The KYELT system allows dealerships to submit vehicle transactions, supporting documents, and fees electronically to the county clerk. It allows county clerks to review, reject electronically, and request corrections. The system allows liens to be electronically requested in the driver's county of residence. Dealerships must be approved by Motor Vehicle Licensing to participate. There is an integration between KAVIS and KYELT that is being developed, which will increase speed and accuracy of vehicle transactions. The KYELT system rolled out a pilot project with eight counties and dealerships in April 2024. By the end of October 2024, a statewide rollout had been completed, and it is expected that direct KAVIS integration and a full lien management system will be completed in 2025.

Ms. Stout briefly touched on future KAVIS related implementations such as fleets with un-expiring plates, issues involving Property Valuation Administrators or Department of Revenue Valuation, electric vehicles, web renewal enhancements, on demand printing of temporary tags, electronic sheriff inspection, improved verifications, and insurance system modernization.

In response to Chairman Blanton, Ms. Stout stated she does not believe a statewide lien system will be ready to be implemented by January 2025. However, she believes it will be available for utilization by the first quarter of 2025.

In response to Representative Tackett Laferty, Tabatha Clemons, Grant County Clerk, President, Kentucky County Clerks Association, stated in the first several months of the implementation of KAVIS there were some hiccups with leases, but those issues have been resolved. She added a few changes had to be made in KYELT to get information in KYELT copied over to KAVIS. If there are issues involving leased vehicles through KYELT, she

encouraged people to contact Carlos Luna with Tyler Technologies. If the issues are KAVIS related, it is best to contact [KAVIS.ky.gov](https://kavis.ky.gov).

Ms. Clemons briefed the committee on the Kentucky County Clerks Association's perspective on the implementation of KAVIS, the modernization of vehicle registration, KYELT, and ongoing issues. She also spoke to the county clerk's legislative priorities for the upcoming 2025 Regular Session.

In response to Chairman Blanton concerning All-Terrain Vehicle (ATV) titles, Ms. Clemons stated with the implementation of KAVIS, they cannot dealer assign ATVs.

In response to Representative Smith, Ms. Clemons stated excess fees will be turned over by March 15, 2025, for clerks who do not fee pull. For clerks who do fee pull, they turn over excess fees at the end of every month to the fiscal court. She added county clerks throughout the Commonwealth are down in revenue. While there is data that supports similar collections to those received in AVIS, higher expenses are being incurred, such as a rise in health insurance costs. The excess fees vary year to year. She does not consider the decline in excess fees to be because of the new system, rather, Kentucky families are having to make the difficult choice on which bills to pay each month.

In response to Co-Chair Higdon concerning voter registration not being up to date, Ms. Clemons stated that information comes from driver's licenses into the voter registration system housed by the State Board of Elections, and then county clerks update. As they come in based on address, they are supposed to go to the county of record for that individual and sometimes have to be transferred from county to county. Co-Chair Higdon touched on the issue of the misuse of temporary tags.

Kentucky State Police (KSP) Driver Testing

Chris Baker, Captain, KSP, briefed the committee on driver testing in the Commonwealth. Captain Baker stated Senate Bill 107 of the 2024 Regular Session of the Kentucky General Assembly mandated the KSP Driver Testing Branch operate a new pilot program in five counties, which began on September 1, 2024 and will continue until June 30, 2026. The program requires driver test administrators to travel to five counties that do not have a regional office to administer road tests only. The testing is only open to residents of that particular county and is for intermediate driver's license testing only. Once an intermediate license is obtained, a sticker is placed on the permit, so the driver does not have to visit a KYTC location to obtain a new intermediate license.

The appointments for the pilot program are scheduled using the KSP online scheduler. Captain Baker stated the five pilot counties are Oldham, Barren, Marion, Grant, and Perry counties.

Co-Chair Higdon expressed his appreciation to KSP for their continued efforts with the driver testing program and urged members if they have legislation involving KSP to contact them, keep them informed, and gather their input on the matter.

Adjournment

With no further business to come before the committee, Chairman Blanton adjourned the meeting at 2:09 PM.