

1 AN ACT relating to temporary tags for motor vehicles.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 → Section 1. KRS 186A.100 is amended to read as follows:

- 4 (1) A motor vehicle dealer licensed under KRS 186.070 who sells a vehicle for use
 5 upon the highways of this state shall equip the vehicle with a temporary tag
 6 executed in the manner prescribed below, which shall be valid for sixty (60)~~thirty~~
 7 ~~(30)~~ days from the date the vehicle is delivered to the purchaser. The cost of the tag
 8 shall be two dollars (\$2), of which the clerk shall retain one dollar (\$1). A motor
 9 vehicle dealer licensed under KRS 186.070 shall apply to the county clerk of the
 10 county in which the dealer maintains his principal place of business for issuance of
 11 temporary tags. Application shall be made for such tags on forms supplied to the
 12 county clerk by the Transportation Cabinet.~~[If the purchaser has not received his~~
 13 ~~certificate of registration within thirty (30) days from the date of delivery, the~~
 14 ~~purchaser may obtain another temporary tag from the dealer.]~~
- 15 (2) The county clerk of any county who receives a proper application for issuance of
 16 temporary tags shall record the number of each tag issued upon the application of
 17 the dealer for such tags, or if a group of consecutively numbered temporary tags are
 18 issued to a dealer in connection with a single application, record the beginning and
 19 ending numbers of the group on the application.
- 20 (3) The clerk shall retain, for a period of two (2) years, one (1) copy of the dealer's
 21 temporary tag application, and ensure that it reflects the numbers appearing on the
 22 tags issued with respect to such application.
- 23 (4) If the owner of a motor vehicle submits to the county clerk a properly completed
 24 application for Kentucky certificate of title and registration pursuant to KRS
 25 186A.120, any motor vehicle required to be registered and titled in Kentucky, that is
 26 not currently registered and titled in Kentucky, may be equipped with a temporary
 27 tag, which shall be valid for sixty (60)~~thirty (30)~~ days from the date of issuance,

1 issued by the county clerk for the purpose of operating the vehicle in Kentucky
 2 while assembling the necessary documents in order to title and register the vehicle
 3 in Kentucky. The Transportation Cabinet may establish administrative regulations
 4 governing this section.

- 5 (5) The county clerk may issue a temporary tag to the owner of a motor vehicle that is
 6 currently registered and titled in Kentucky. A temporary tag authorized by this
 7 subsection shall be used for emergency or unusual purposes as determined by the
 8 clerk for the purpose of maintaining the owner's current registration. A temporary
 9 tag authorized by this subsection may only be issued by the county clerk and shall
 10 be valid for a period of between twenty-four (24) hours and seven (7) days, as
 11 determined is necessary by the clerk. A county clerk shall not issue a temporary tag
 12 authorized by this subsection unless the owner of the motor vehicle applying for the
 13 tag presents proof of motor vehicle insurance pursuant to KRS 304.39-080. On and
 14 after January 1, 2006, if the motor vehicle is a personal motor vehicle as defined in
 15 KRS 304.39-087, proof of insurance shall be determined by the county clerk as
 16 provided in KRS 186A.042. A temporary tag issued pursuant to this subsection
 17 shall not be reissued by the county clerk for the same owner and same motor vehicle
 18 within one (1) year of issuance of a temporary tag.

19 → Section 2. KRS 186A.105 is amended to read as follows:

- 20 (1) Motor vehicle dealers, their agents and county clerks, before equipping a vehicle
 21 with a temporary tag, shall print or stamp in waterproof ink, legibly, in the spaces
 22 provided on such tag:
- 23 (a) The month, day and year the vehicle was delivered to the purchaser;
 - 24 (b) The month, day and year of expiration of the tag which shall be no more than
 25 sixty (60)~~thirty (30)~~ days following the date of delivery of the vehicle to the
 26 purchaser;
 - 27 (c) The purchaser's or owner's name;

1 (d) The year model, make and vehicle identification number of the vehicle sold;
2 and

3 (e) Either the dealer's name, city of principal place of business and the telephone
4 number, including telephone area code, or the clerk's name, county and
5 telephone number, including area code.

6 (2) The dealer's employee who executes the temporary tag shall place his signature in
7 the space provided. A dealer who issues, or whose agents issue, temporary tags shall
8 keep a log of each temporary tag obtained and each tag issued, showing all
9 information entered by the dealer or dealer's agent on forms supplied by the cabinet,
10 and shall make such log available for inspection by any law enforcement officer
11 upon request. The log shall be retained by the dealer for a period of at least two (2)
12 years following the date of issuance of the last dated tags whose issuance is
13 indicated on any individual temporary tag log sheet.

14 (3) The county clerk who executes the temporary tag shall place his signature in the
15 space provided. A county clerk who issues temporary tags shall keep a log of each
16 temporary tag obtained and each tag issued, showing all information entered by the
17 county clerk on forms supplied by the cabinet, and shall make the log available for
18 inspection by any law enforcement officer upon request. The log shall be retained
19 by the county clerk for a period of at least two (2) years following the date of
20 issuance of the last dated tags whose issuance is indicated on any individual
21 temporary tag log sheet.

22 → Section 3. KRS 186A.297 is amended to read as follows:

23 (1) When a manufactured home is or is to be permanently affixed to real estate, the
24 owner may execute and file an affidavit of conversion to real estate with the county
25 clerk of the county in which the real estate is located. The affidavit shall attest to the
26 fact that the home has been or will be permanently affixed to the real estate and be
27 accompanied by a surrender of the Kentucky certificate of title. The county clerk

1 shall file the affidavit of conversion to real estate in the miscellaneous record book.

2 (2) A county clerk shall not accept a surrender of a Kentucky certificate of title which
3 displays an unreleased lien unless it is accompanied by:

4 (a) A release of the lien; or

5 (b) An affidavit, signed under oath by the attorney who satisfied the liens noted
6 on the Kentucky certificate of title, attesting that all liens noted on the
7 Kentucky certificate of title have been paid. An affidavit filed by an attorney
8 under this paragraph may only be signed by an attorney licensed to practice
9 law in the Commonwealth.

10 (3) The provisions of subsection (2) of this section shall not excuse a lender who
11 placed a lien on the certificate of title from filing a release of the lien.

12 (4) Upon receipt of the information identified in subsection (2) of this section, the
13 county clerk shall accept the affidavit of conversion and the surrender of the
14 Kentucky certificate of title.

15 (5) In the event of an inaccurate or fraudulent affidavit, the title surrender becomes
16 null and void.

17 (6) When the county clerk files the affidavit of conversion to real estate, the county
18 clerk shall furnish a copy to the property valuation administrator for inclusion in the
19 real property tax rolls of the county. A filing of an affidavit of conversion to real
20 estate and a surrender of a Kentucky certificate of title shall be deemed a conversion
21 of the property as an improvement to the real estate upon which it is located.