

1 AN ACT relating to street-legal special purpose vehicles.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Local government" means a city, county, charter county government,*  
7 *urban-county government, consolidated local government, or unified local*  
8 *government;*

9 *(b) 1. "Special purpose vehicle" means an all-terrain vehicle, utility terrain*  
10 *vehicle, minitruck, pneumatic-tired military vehicle, or full-size special*  
11 *purpose-built vehicle, including a vehicle that is self-constructed or*  
12 *built by the original equipment manufacturer and a vehicle that has*  
13 *been modified.*

14 *2. "Special purpose vehicle" does not include a low-speed vehicle as*  
15 *defined in KRS 186.010; and*

16 *(c) 1. "Street-legal special purpose vehicle" means a special purpose vehicle*  
17 *that meets the requirements of this section and is equipped with all of*  
18 *the following:*

19 *a. One (1) or more headlamps;*

20 *b. One (1) or more tail lamps;*

21 *c. One (1) or more brake lamps;*

22 *d. A trail lamp or other lamp constructed and placed to illuminate*  
23 *the registration plate with a white light;*

24 *e. One (1) or more red reflectors on the rear of the vehicle;*

25 *f. An amber electric turn system, one (1) on each side of the front*  
26 *of the vehicle;*

27 *g. Amber or red electric turn signals on the rear of the vehicle;*

- 1            *h. A braking system, other than a parking brake;*
- 2            *i. A horn or other warning device;*
- 3            *j. A working muffler;*
- 4            *k. Rearview mirrors on the right and left side of the driver;*
- 5            *l. A windshield, unless the operator of the vehicle wears eye*
- 6                            *protection while operating the vehicle;*
- 7            *m. A speedometer, illuminated for nighttime operation;*
- 8            *n. A roll bar or roll cage;*
- 9            *o. For multi-passenger vehicles a seatbelt assembly that conforms*
- 10                            *to the federal motor vehicle safety standard provided in 49*
- 11                            *C.F.R. sec. 571.209 for each designated seating position; and*
- 12            *p. Tires that have at least two thirty-seconds (2/32) of an inch or*
- 13                            *greater tire tread.*
- 14            *2. "Street-legal special purpose vehicle" does not include a low-speed*
- 15                            *vehicle as defined in KRS 186.010 or a vehicle primarily used for farm*
- 16                            *or agricultural activities.*
- 17            *(2) A person shall not operate a street-legal special purpose vehicle on a highway if:*
- 18                            *(a) The highway is located within the jurisdictional boundaries of a local*
- 19                            *government where the operation of special purpose vehicles has not been*
- 20                            *allowed by local ordinance;*
- 21                            *(b) The highway is a controlled-access system, including but not limited to an*
- 22                            *interstate or parkway; or*
- 23                            *(c) The United States Department of Agriculture prohibits special purpose*
- 24                            *vehicles where the highway is located.*
- 25            *(3) Nothing in this section authorizes the operation of a street-legal special purpose*
- 26                            *vehicle in an area that is not open to motor vehicle use.*
- 27            *(4) Street-legal special purpose vehicles are prohibited from traveling a distance*

1 greater than twenty (20) miles on a highway displaying centerline pavement  
 2 markings.

3 (5) Minitrucks shall not be operated as street-legal special purpose vehicles on a  
 4 highway that has been constructed pursuant to a federal highway program.

5 (6) Except as otherwise provided in this section, a street-legal special purpose vehicle  
 6 shall:

7 (a) Be registered in accordance with Section 3 of this Act;

8 (b) Be insured in compliance with KRS 304.39-080; and

9 (c) Comply with all other requirements in this chapter.

10 (7) Upon registration of any street-legal special purpose vehicle under Section 3 of  
 11 this Act, the county clerk shall issue the owner a motorcycle registration plate for  
 12 the vehicle.

13 (8) Street-legal special purpose vehicles shall have an inspection completed by a  
 14 certified inspector as required by Section 5 of this Act.

15 (9) An applicant renewing his or her registration for a street-legal special purpose  
 16 vehicle pursuant to Section 3 of this Act shall certify that the street-legal special  
 17 purpose vehicle still meets all of the equipment requirements in subsection  
 18 (1)(c)1. of this section.

19 (10) The Transportation Cabinet shall promulgate administrative regulations in  
 20 accordance with KRS Chapter 13A to implement this section.

21 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO  
 22 READ AS FOLLOWS:

23 (1) The legislative body of a local government may, by ordinance, allow the operation  
 24 of street-legal special purpose vehicles, as defined in Section 1 of this Act, on  
 25 highways within the local government's jurisdictional boundaries.

26 (2) A local government may adopt more stringent local ordinances governing street-  
 27 legal special purpose vehicle safety equipment and operation than specified in

1        **Section 1 of this Act.**

2        ➔ Section 3. KRS 186.020 is amended to read as follows:

- 3        (1) Before the owner of a motor vehicle, **or street-legal special purpose vehicle as**  
4        **defined in Section 1 of this Act,** may operate it or permit its operation upon a  
5        highway, the owner shall apply for registration in accordance with administrative  
6        regulations promulgated by the cabinet, except that a person who purchases a motor  
7        vehicle, or brings a motor vehicle into the Commonwealth from another state shall  
8        make application for registration within fifteen (15) days. The bill of sale or  
9        assigned title must be in the motor vehicle during this fifteen (15) day period. If the  
10       owner of a motor vehicle is an individual and resides in the Commonwealth, the  
11       motor vehicle shall be registered with the county clerk of the county in which he or  
12       she resides. If the owner of a motor vehicle does not reside in the Commonwealth,  
13       the motor vehicle shall be registered with the county clerk of the county in which  
14       the motor vehicle is principally operated. If the owner of a motor vehicle is other  
15       than an individual and resides in the Commonwealth, the motor vehicle shall be  
16       registered with the county clerk of either county. The application when presented to  
17       the county clerk for registration shall be accompanied by:
- 18       (a) A bill of sale and a manufacturer's certificate of origin if the application is for  
19       the registration of a new motor vehicle;
  - 20       (b) The owner's registration receipt, if the motor vehicle was last registered in this  
21       state;
  - 22       (c) A bill of sale and the previous registration receipt, if last registered in another  
23       state where the law of that state does not require the owner of a motor vehicle  
24       to obtain a certificate of title or ownership;
  - 25       (d) A certificate of title, if last registered in another state where the law of that  
26       state requires the owner of a motor vehicle to obtain a certificate of title or  
27       ownership;

- 1 (e) An affidavit from an officer of a local government saying that the motor  
 2 vehicle has been abandoned and that the provisions of KRS 82.630 have been  
 3 complied with, for local governments which elect to use the provisions of  
 4 KRS 82.600 to 82.640;~~and~~
- 5 (f) The application from a person who has brought a motor vehicle into the  
 6 Commonwealth from another state shall be accompanied by proof that the  
 7 motor vehicle is insured in compliance with KRS 304.39-080; and
- 8 **(g) Proof of insurance in compliance with KRS 304.39-080 if the application is**  
 9 **for the registration of a street-legal special purpose vehicle.**
- 10 (2) After that, except as provided in subsection (6) of this section, the owner of any  
 11 motor vehicle registered under KRS 186.050(1) or (2) shall register his or her motor  
 12 vehicle on or before the date on which his or her certificate of registration expires.  
 13 If, before operating the motor vehicle in this state, the owner registers it at some  
 14 later date and pays the fee for the full year, he or she will be deemed to have  
 15 complied with the law. Insofar as the owner is concerned, registration with the clerk  
 16 shall be deemed to be registration with the cabinet.
- 17 (3) After that, the owner of any commercial vehicle registered under KRS 186.050(3)  
 18 to (14) shall register the commercial vehicle on or before April 1 of each year. If,  
 19 before operating a commercial vehicle in this state, the owner registers it at some  
 20 later date and pays the required fee, he or she will be deemed to have complied with  
 21 the law. Insofar as the owner is concerned, registration with the clerk shall be  
 22 deemed to be registration with the cabinet, except the owner of any commercial  
 23 motor vehicle to be registered pursuant to the International Registration Plan under  
 24 KRS 186.050(13) shall register the commercial motor vehicles on or before the last  
 25 day of the month of registration established pursuant to KRS 186.051(3).
- 26 (4) The application and documents presented therewith, including the sheriff's  
 27 certificate of inspection, shall be affixed to the Transportation Cabinet copy of the

- 1 certificate of title or registration and sent to the Transportation Cabinet by the clerk.
- 2 (5) At least forty-five (45) days prior to the expiration of registration of any motor  
3 vehicle previously registered in the Commonwealth as provided by KRS 186A.035,  
4 the owner of the vehicle shall be notified by mail on the same notice required by  
5 KRS 134.805(5) of the date of expiration. In addition, the department shall provide  
6 appropriate forms and information to permit renewal of motor vehicle registration  
7 to be completed by mail. Any registration renewal by mail shall require payment of  
8 an additional two dollar (\$2) fee which shall be received by the county clerk.  
9 Nonreceipt of the notice herein shall not constitute a defense to any registration  
10 related offense.
- 11 (6) (a) If an individual has been serving in the United States military stationed or  
12 assigned to a base or other location outside the boundaries of the United  
13 States, he or she shall renew the registration on the vehicle within thirty (30)  
14 days of his or her return if:
- 15 1. The motor vehicle has been stored on a military base during the time of  
16 deployment and has not been operated on the public highways during  
17 that time; and
  - 18 2. The vehicle's registration expired during the individual's absence.
- 19 (b) An individual who meets the criteria in paragraph (a) of this subsection shall  
20 not be convicted or cited for driving a vehicle with expired registration within  
21 thirty (30) days after the individual's return to the Commonwealth if the  
22 individual can provide proof of meeting the eligibility criteria under paragraph  
23 (a) of this subsection.
- 24 (c) When an individual presents evidence of meeting the criteria under paragraph  
25 (a) of this subsection when applying to renew the registration on the motor  
26 vehicle, the county clerk shall, when applicable, treat the registration as a  
27 prorated renewal under KRS 186.051, and charge the individual a registration

1 fee only for the number of months of the registration year the vehicle will be  
2 used on the public highways.

3 (7) The provisions of this section shall not apply to vehicles for which permanent  
4 registration has been obtained pursuant to KRS 186A.127.

5 → Section 4. KRS 186.050 is amended to read as follows:

6 (1) The annual registration fee shall be eleven dollars and fifty cents (\$11.50) for:

7 (a) Motor vehicles, including pickup trucks and passenger vans; and

8 (b) Motor carrier vehicles, as defined in KRS 281.010, primarily designed for  
9 carrying passengers or passengers for hire and having been designed or  
10 constructed to transport not more than fifteen (15) passengers, including the  
11 operator.

12 (2) (a) Except as provided in KRS 186.041 and 186.162, the annual registration fee  
13 for each motorcycle shall be nine dollars (\$9).

14 (b) The annual registration fee for a street-legal special purpose vehicle shall  
15 be ten dollars (\$10).

16 (3) (a) All motor vehicles having a declared gross weight of vehicle and any towed  
17 unit of more than ten thousand (10,000) pounds are classified as commercial  
18 vehicles and the annual registration fee shall be as set forth in paragraph (b) of  
19 this subsection.

20 (b) The registration fee for all motor vehicles engaged in hauling passengers for  
21 hire which are designed or constructed to transport more than fifteen (15)  
22 passengers including the operator shall be one hundred dollars (\$100). The  
23 registration fee for all other commercial vehicles, except as provided in  
24 subsections (4) to (10) and (13) of this section, shall be as follows:

25 Declared Gross Weight of Vehicle	Registration
26 and Any Towed Unit	Fee
27 10,001-14,000	30.00

1	14,001-18,000	50.00
2	18,001-22,000	132.00
3	22,001-26,000	160.00
4	26,001-32,000	216.00
5	32,001-38,000	300.00
6	38,001-44,000	474.00
7	44,001-55,000	699.00
8	55,001-62,000	1,037.00
9	62,001-73,280	1,280.00
10	73,281-80,000	1,440.00

11 (4) (a) 1. Any farmer owning a truck having a gross weight of twenty-six  
 12 thousand (26,000) pounds or less may have it registered as a farmer's  
 13 truck and obtain a license for eleven dollars and fifty cents (\$11.50). The  
 14 applicant's signature upon the certificate of registration and ownership  
 15 shall constitute a certificate that the applicant is a farmer engaged in the  
 16 production of crops, livestock, or dairy products, that the applicant owns  
 17 a truck of the gross weight of twenty-six thousand (26,000) pounds or  
 18 less, and that during the next twelve (12) months the truck shall not be  
 19 used in for-hire transportation and may be used in transporting persons,  
 20 food, provender, feed, machinery, livestock, material, and supplies  
 21 necessary for the applicant's farming operation, and the products grown  
 22 on the applicant's farm.

23 2. Any farmer owning a truck having a gross weight of twenty-six  
 24 thousand one (26,001) pounds to thirty-eight thousand (38,000) pounds  
 25 may have it registered as a farmer's truck and obtain a license for eleven  
 26 dollars and fifty cents (\$11.50). The applicant's signature upon the  
 27 certificate of registration and ownership shall constitute a certificate that



1           the applicant is a farmer engaged in the production of crops, livestock,  
2           or dairy products, that the applicant owns a truck of the gross weight  
3           between twenty-six thousand one (26,001) pounds and thirty-eight  
4           thousand (38,000) pounds, and that during the next twelve (12) months  
5           the truck shall not be used in for-hire transportation and may be used in  
6           transporting persons, food, provender, feed, machinery, livestock,  
7           material, and supplies necessary for the applicant's farming operation  
8           and the products grown on the applicant's farm.

9           (b) Any farmer owning a truck having a declared gross weight in excess of thirty-  
10          eight thousand (38,000) pounds shall not be required to pay the fee set out in  
11          subsection (3) of this section and, in lieu thereof, shall pay forty percent  
12          (40%) of the fee set out in subsection (3) of this section and shall be exempt  
13          from any fee charged under the provisions of KRS 281.752. The applicant's  
14          signature upon the registration receipt shall be considered to be a certification  
15          that the applicant is a farmer engaged solely in the production of crops,  
16          livestock, or dairy products, and that during the current registration year the  
17          truck will be used only in transporting persons, food, provender, feed, and  
18          machinery used in operating the applicant's farm and the products grown on  
19          the applicant's farm.

20          (c) An initial applicant for, or an applicant renewing, his or her registration  
21          pursuant to this subsection, may at the time of application make a voluntary  
22          contribution to be deposited into the agricultural program trust fund  
23          established in KRS 246.247. The recommended voluntary contribution shall  
24          be set at ten dollars (\$10) and automatically added to the cost of registration  
25          or renewal unless the individual registering or renewing the vehicle opts out  
26          of contributing the recommended amount. The county clerk shall collect and  
27          forward the voluntary contribution to the cabinet for distribution to the

1 Department of Agriculture.

- 2 (5) Any person owning a bus used solely in transporting school children and school  
3 employees may have the bus registered as a school bus and obtain a license for  
4 eleven dollars and fifty cents (\$11.50) by filing with the county clerk, in addition to  
5 other information required, an affidavit stating that the bus is used solely in the  
6 transportation of school children and persons employed in the schools of the  
7 district, that the words "School Bus" are printed on each side of the bus and on the  
8 rear door in letters at least six (6) inches high, and of a conspicuous color, and the  
9 bus will be used during the next twelve (12) months only for the purpose stated.
- 10 (6) Any church or religious organization owning a bus used solely in transporting  
11 persons to and from a place of worship or for other religious work may have the bus  
12 registered as a church bus and obtain a license for eleven dollars and fifty cents  
13 (\$11.50) by filing with the county clerk, in addition to other information required,  
14 an affidavit stating that the bus will be used only for the transporting of persons to  
15 and from a place of worship, or for other religious work, and that there has been  
16 printed on the bus in large letters the words "Church Bus," with the name of the  
17 church or religious organization owning and using the or bus, and that during the  
18 next twelve (12) months the bus will be used only for the purpose stated.
- 19 (7) Any person owning a motor vehicle with a gross weight of fourteen thousand  
20 (14,000) pounds or less on which a wrecker crane or other equipment suitable for  
21 wrecker service has been permanently mounted may register the vehicle and obtain  
22 a license for eleven dollars and fifty cents (\$11.50) by filing with the county clerk,  
23 in addition to other information required, an affidavit that a wrecker crane or other  
24 equipment suitable for wrecker service has been permanently mounted on the  
25 vehicle and that during the next twelve (12) months the vehicle will be used only in  
26 wrecker service. If the gross weight of the vehicle exceeds fourteen thousand  
27 (14,000) pounds, the vehicle shall be registered in accordance with subsection (3) of

1 this section. The gross weight of a vehicle used in wrecker service shall not include  
2 the weight of the vehicle being towed by the wrecker.

3 (8) Motor vehicles having a declared gross weight in excess of eighteen thousand  
4 (18,000) pounds, which when operated in this state are used exclusively for the  
5 transportation of property within the limits of the city named in the affidavit  
6 hereinafter required to be filed, or within ten (10) miles of the city limits of the city  
7 if it is a city with a population equal to or greater than three thousand (3,000) based  
8 upon the most recent federal decennial census, or within five (5) miles of its limits  
9 if it is a city with a population of less than three thousand (3,000) based upon the  
10 most recent federal decennial census, or anywhere within a county containing an  
11 urban-county government, shall not be required to pay the fee as set out in  
12 subsection (3) of this section, and in lieu thereof shall pay seventy-five percent  
13 (75%) of the fee set forth in subsection (3) of this section and shall be exempt from  
14 any fee charged under the provisions of KRS 281.752. Nothing in this section shall  
15 be construed to limit any right of nonresidents to exemption from registration under  
16 any other provisions of the laws granting reciprocity to nonresidents. Operations  
17 outside of this state shall not be considered in determining whether or not the  
18 foregoing mileage limitations have been observed. When claiming the right to the  
19 reduced fee, the applicant's signature on the certificate of registration and  
20 ownership shall constitute a certification or affidavit stating that the motor vehicle  
21 when used within this state is used only for the transportation of property within the  
22 city to be named in the affidavit and the area above set out and that the vehicle will  
23 not be used outside of a city and the area above set out during the current  
24 registration period.

25 (9) Motor vehicles having a declared gross weight in excess of eighteen thousand  
26 (18,000) pounds, which are used exclusively for the transportation of primary forest  
27 products from the harvest area to a mill or other processing facility, where the mill

1 or processing facility is located at a point not more than fifty (50) air miles from the  
2 harvest area or which are used exclusively for the transportation of concrete blocks  
3 or ready-mixed concrete from the point at which the concrete blocks or ready-  
4 mixed concrete is produced to a construction site where the concrete blocks or  
5 ready-mixed concrete is to be used, where the construction site is located at a point  
6 not more than thirty (30) air miles from the point at which the concrete blocks or  
7 ready-mixed concrete is produced shall not be required to pay the fee as set out in  
8 subsection (3) of this section, and in lieu thereof, shall pay seventy-five percent  
9 (75%) of the fee set out in subsection (3) of this section and shall be exempt from  
10 any fee charged under the provisions of KRS 281.752. The applicant's signature  
11 upon the certificate of registration and ownership shall constitute a certification that  
12 the motor vehicle will not be used during the current registration period in any  
13 manner other than that for which the reduced fee is provided in this section.

14 (10) Any owner of a commercial vehicle registered for a declared gross weight in excess  
15 of eighteen thousand (18,000) pounds, intending to transfer same and desiring to  
16 take advantage of the refund provisions of KRS 186.056(2), may reregister the  
17 vehicle and obtain a "For Sale" certificate of registration and ownership for one  
18 dollar (\$1). Title to a vehicle so registered may be transferred, but the registration  
19 shall not authorize the operation or use of the vehicle on any public highway. No  
20 refund may be made under the provisions of KRS 186.056(2) until the title to the  
21 vehicle has been transferred to the purchaser thereof. Provided, however, that  
22 nothing herein shall be so construed as to prevent the seller of a commercial vehicle  
23 from transferring the registration of the vehicle to any purchaser thereof.

24 (11) The annual registration fee for self-propelled vehicles containing sleeping or eating  
25 facilities shall be twenty dollars (\$20) and the multiyear license plate issued shall be  
26 designated "Recreational vehicle." The foregoing shall not include any motor  
27 vehicle primarily designed for commercial or farm use having temporarily attached

1 thereto any sleeping or eating facilities, or any commercial vehicle having sleeping  
2 facilities.

3 (12) The registration fee on any vehicle registered under this section shall be increased  
4 fifty percent (50%) when the vehicle is not equipped wholly with pneumatic tires.

5 (13) (a) The Department of Vehicle Regulation is authorized to negotiate and execute  
6 an agreement or agreements for the purpose of developing and instituting  
7 proportional registration of motor vehicles engaged in interstate commerce, or  
8 in a combination of interstate and intrastate commerce, and operating into,  
9 through, or within the Commonwealth of Kentucky. The agreement or  
10 agreements may be made on a basis commensurate with, and determined by,  
11 the miles traveled on, and use made of, the highways of this Commonwealth  
12 as compared with the miles traveled on and use made of highways of other  
13 states, or upon any other equitable basis of proportional registration.  
14 Notwithstanding the provisions of KRS 186.020, the cabinet shall promulgate  
15 administrative regulations concerning the registration of motor vehicles under  
16 any agreement or agreements made under this section and shall provide for  
17 direct issuance by it of evidence of payment of any registration fee required  
18 under the agreement or agreements. Any proportional registration fee required  
19 to be collected under any proportional registration agreement or agreements  
20 shall be in accordance with the taxes established in this section.

21 (b) Any owner of a commercial vehicle who is required to title his or her motor  
22 vehicle under this section shall first title the vehicle with the county clerk  
23 pursuant to KRS 186.020 for a state fee of one dollar (\$1). Title to the vehicle  
24 may be transferred; however title without proper registration shall not  
25 authorize the operation or use of the vehicle on any public highway. Any  
26 commercial vehicle properly titled in Kentucky may also be registered in  
27 Kentucky, and, upon payment of the required fees, the department may issue

1 an apportioned registration plate to the commercial vehicle.

2 (c) Any commercial vehicle that is properly titled in a foreign jurisdiction, which  
3 vehicle is subject to apportioned registration, as provided in paragraph (a) of  
4 this subsection, may be registered in Kentucky, and, upon proof of proper title  
5 and payment of the required fees, the department may issue an apportioned  
6 registration plate to the commercial vehicle. The department shall promulgate  
7 administrative regulations in accordance with this section.

8 (14) Any person seeking to obtain a special license plate for an automobile that has been  
9 provided to the applicant pursuant to an occupation shall meet both of the following  
10 requirements:

11 (a) The automobile shall be provided for the full-time exclusive use of the  
12 applicant; and

13 (b) The applicant shall obtain permission in writing from the vehicle owner or  
14 lessee on a form provided by the cabinet to use the vehicle and for the vehicle  
15 to bear the special license plate.

16 (15) An applicant for any motor vehicle registration issued pursuant to this section shall  
17 have the opportunity to make a donation of two dollars (\$2) to promote a hunger  
18 relief program through specific wildlife management and conservation efforts by  
19 the Department of Fish and Wildlife Resources in accordance with KRS 150.015. If  
20 an applicant elects to make a contribution under this subsection, the two dollar (\$2)  
21 donation shall be added to the regular fee for any motor vehicle registration issued  
22 pursuant to this section. One (1) donation may be made per issuance of each  
23 registration. The fee shall be paid to the county clerk and shall be transmitted by the  
24 State Treasurer to the Department of Fish and Wildlife Resources to be used  
25 exclusively for the purpose of wildlife management and conservation activities in  
26 support of hunger relief. The county clerk may retain up to five percent (5%) of the  
27 fees collected under this subsection for administrative costs associated with the

1 collection of this donation. Any donation requested under this subsection shall be  
 2 voluntary and may be refused by the applicant at the time of issuance or renewal of  
 3 a license plate.

- 4 (16) In addition to the fees outlined in this section, the county clerk shall collect from the  
 5 registrants of electric vehicles and electric motorcycles the electric vehicle  
 6 ownership fees imposed in KRS 138.475. The county clerk may retain one dollar  
 7 (\$1) of the fee collected under this subsection.

8 → Section 5. KRS 186A.115 is amended to read as follows:

- 9 (1) (a) Except as otherwise provided in this section, the owner of every vehicle  
 10 brought into this state and required to be titled in this state shall, before  
 11 submitting his or her application for title to the county clerk, have the vehicle  
 12 together with his or her application for title and its supporting documents  
 13 inspected by a certified inspector in the county in which the application for  
 14 title is to be submitted to the county clerk.

- 15 (b) An owner of a military surplus vehicle seeking title in this state shall, before  
 16 submitting his or her application for title to the county clerk, have the vehicle  
 17 together with his or her application for title and its supporting documents  
 18 inspected by a certified inspector in the county in which the application for  
 19 title is to be submitted to the county clerk.

20 **(c) An owner of a street-legal special purpose vehicle, as defined in Section 1 of**  
 21 **this Act, seeking to register under Section 3 of this Act shall, before**  
 22 **submitting his or her application for title to the county clerk, have the**  
 23 **special purpose vehicle inspected by a certified inspector. There shall be a**  
 24 **twenty-five dollar (\$25) fee for the certification of a special purpose vehicle,**  
 25 **payable to the sheriff's office.**

- 26 (2) For inspections under this section:

- 27 (a) The certified inspector shall be certified through the Department of Vehicle

1 Regulation following requirements set forth by the department by regulation  
2 and shall be designated by the county sheriff if the inspector is a current  
3 member of his or her office or a special inspector appointed pursuant to KRS  
4 70.030. The certified inspector will be held responsible for all certifications  
5 required pursuant to this chapter and will be liable for any and all penalties  
6 prescribed in this chapter, and shall be available during regular office hours at  
7 any and all offices and branches that issue applications for titles;

8 (b) There shall be a fee for this certification, payable to the sheriff's office, and  
9 the fee shall be retained by the sheriff's office for official expenses of the  
10 office upon completion of certification, in the amount of:

- 11 1. Thirty dollars (\$30) for a motor vehicle dealer that qualifies to have an  
12 employee appointed as a special inspector under paragraph (d) of this  
13 subsection;
- 14 2. Fifteen dollars (\$15) for a motor vehicle dealer that does not qualify to  
15 have an employee appointed as a special inspector under paragraph (d)  
16 of this subsection; or
- 17 3. Fifteen dollars (\$15) for an individual person;

18 (c) There shall be an additional fee of twenty dollars (\$20) per trip when it  
19 becomes necessary for the certified inspector to travel to the site of the vehicle  
20 rather than bringing the vehicle to the sheriff's inspection area;

21 (d) A sheriff may appoint up to two (2) employees of a motor vehicle dealer that  
22 is licensed under KRS Chapter 190 and doing business in the sheriff's county  
23 as special inspectors if the motor vehicle dealer is:

- 24 1. A new motor vehicle dealer; or
- 25 2. A used motor vehicle dealer that has sold an average of one hundred  
26 (100) or more motor vehicles per month in the preceding twelve (12)  
27 months;



- 1 (e) A special inspector appointed under paragraph (d) of this subsection is only  
2 authorized to perform motor vehicle inspections and complete certified  
3 inspection forms under this section for vehicles purchased by that dealership  
4 for resale and shall have his or her special inspector status revoked if he or she  
5 is no longer an active employee of that dealership; and
- 6 (f) An inspection conducted in one (1) county within the Commonwealth of  
7 Kentucky under this subsection, and the fees paid for that inspection under  
8 this subsection, shall be honored by the certified inspector, sheriff, and county  
9 clerk in all other counties within this state. A second inspection shall not be  
10 required and additional fees shall not be required.
- 11 (3) The Transportation Cabinet may require that modifications be made to a military  
12 surplus vehicle. Any modifications required by the cabinet under this section shall  
13 be made to the military surplus vehicle prior to its inspection.
- 14 (4) The Transportation Cabinet shall promulgate administrative regulations pursuant to  
15 KRS Chapter 13A to implement the provisions of subsections (1)(b) and (3) of this  
16 section, including but not limited to vehicle modification requirements and the  
17 creation of a separate electronic inspection form. The Transportation Cabinet shall  
18 note that military vehicles were originally manufactured under the federally  
19 mandated requirements set forth in 49 C.F.R. sec. 571.7 and shall only require these  
20 vehicles to meet applicable federal motor vehicle safety standards.
- 21 (5) The following vehicles are excluded from the requirement of inspection by a  
22 certified inspector prior to titling in this state:
- 23 (a) New motor vehicles sold by a dealer licensed in this state;
- 24 (b) Vehicles required to be registered in this state by reason of lack of a  
25 reciprocity agreement with another state and for which a nonnegotiable  
26 registration document is to be issued;
- 27 (c) Motor vehicles operated by a motor carrier under a nonnegotiable certificate

1 or permit issued by the Department of Vehicle Regulation;

2 (d) Motor vehicles owned by servicemen or servicewomen who are residents of  
3 Kentucky stationed outside of Kentucky may be inspected by the post provost  
4 or similar officer of the camp, post, or station. The post provost or similar  
5 officer shall submit an affidavit stating the name of the owner, the  
6 identification or serial number, the make, body style, current license or title  
7 number, if any, and state in which currently registered or titled, if any, of the  
8 motor vehicle;

9 (e) Motor vehicles purchased in another state by persons who are residents of  
10 Kentucky but are temporarily residing out of state for at least thirty (30) days,  
11 but not longer than nine (9) months, may after the purchase of the vehicle be  
12 inspected by the state police, a local law enforcement agency, or the vehicle  
13 inspection program of another state. If an inspector in another state examines  
14 a vehicle under this paragraph, the purchaser may request the inspector to  
15 complete an affidavit stating the name of the owner, the vehicle identification  
16 number, the vehicle make and body style, the current state of registration, if  
17 any, and the current vehicle license or title number, if any. The Transportation  
18 Cabinet shall create an affidavit form containing at a minimum this  
19 information and shall post the form on the cabinet's internet website. A person  
20 using an inspector in another state under this paragraph shall comply with all  
21 requirements of that state's inspection program, including payment of fees  
22 charged in that state. A person registering a motor vehicle for the first time in  
23 Kentucky under this paragraph shall transmit the application for registration,  
24 all supporting documentation, and payment for registration and usage tax to  
25 the county clerk of the county in which the person resides, and upon receipt of  
26 the appropriate documentation, the county clerk shall register the vehicle; and

27 (f) Motor vehicles no longer located in Kentucky but which require inspection in

1           order to issue a corrected Kentucky title due to error in vehicle identification  
2           or serial number may be inspected by an inspector authorized to inspect  
3           vehicle identification or serial number by the laws of the state or foreign  
4           country where application for a new title has been submitted.

5 (6) When presented to a certified inspector for inspection and to a county clerk for  
6           processing, the owner's application for a first certificate of registration or title in his  
7           or her name shall be accompanied by a current operator's license and one (1) of the  
8           following documents as applicable:

9           (a) If the vehicle is a new vehicle not previously registered in this state, the  
10           properly assigned manufacturer's statement of origin for the vehicle for which  
11           registration or title is sought;

12           (b) If the vehicle was last registered in this state, and is a vehicle for which a title  
13           is not required in this state, a certificate of registration, or if the vehicle is one  
14           for which a certificate of title is required in this state, a properly assigned  
15           certificate of title;

16           (c) If the vehicle was last previously titled in another state, a properly assigned  
17           certificate of title;

18           (d) If the application refers to a vehicle previously registered in another country,  
19           the documents of that country establishing ownership of the vehicle;

20           (e) If the application refers to a vehicle last previously registered in another  
21           country by a person on active duty in the Armed Forces of the United States,  
22           the county clerk may accept on behalf of the Department of Vehicle  
23           Regulation evidence of ownership provided the applicant by the United States  
24           Department of Defense; and

25           (f) Except as provided in KRS 186A.072(2)(c) governing custom-built  
26           motorcycles, if the application relates to a vehicle which has been specially  
27           constructed or reconstructed, that fact shall be stated in the application, and

1           the application shall be accompanied by the documents specified by  
2           administrative regulations of the Department of Vehicle Regulation.

3 (7) When requested to inspect a vehicle pursuant to this section, the certified inspector  
4 shall personally and physically inspect the vehicle, when registration or title is  
5 sought in this state, on the following points:

6 (a) He or she shall compare the vehicle identification number as appearing on  
7 both the vehicle identification number plate, and the federal safety standards  
8 label of the vehicle which is sought to be registered or titled, with the  
9 corresponding number inscribed on the application, and its supporting  
10 documentation, and ensure that the vehicle identification number appearing at  
11 each described location appears legitimate and that they are consistent with  
12 each other;

13 (b) He or she shall examine the primary odometer of the vehicle and  
14 electronically record the reading in the space provided in the inspection  
15 section of the application;

16 (c) After exercising due diligence in inspecting the vehicle and its supporting  
17 documentation, and finding that they appear to be in order, the certified  
18 inspector shall execute the electronic certificate of inspection according to its  
19 terms by electronically inputting in the spaces provided his or her first name,  
20 middle initial, and last name, certified inspector number, his or her title; the  
21 name of the county in which he or she serves; and the telephone number  
22 including the telephone area code of his or her agency, and enter the month,  
23 day, and year in which his or her inspection was made, certifying under  
24 penalty of forgery in the second degree the character, accuracy, and date of  
25 his or her inspection; and

26 (d) A certified inspector number shall not be subject to an open records request  
27 under KRS 61.870 to 61.884 unless otherwise required by a court order.

- 1 (8) The certified inspector shall refrain from executing the certificate of inspection if:
- 2 (a) He or she has not personally and physically inspected the vehicle in  
3 accordance with this section;
- 4 (b) He or she has reason to believe that the vehicle displays an unlawfully altered  
5 vehicle identification number;
- 6 (c) The application and any of its copies are illegible or otherwise improperly  
7 executed, or contain information reasonably believed to be inaccurate or  
8 fraudulent;
- 9 (d) The documentation required in support of any application is not present, or  
10 not consistent with the vehicle and the owner's application or appears  
11 fraudulent; or
- 12 (e) He or she has probable cause to believe the vehicle is stolen.
- 13 (9) (a) Inspections on motor vehicles that meet the definition of a "historic vehicle"  
14 under KRS 186.043(2) and are brought into this state shall be limited to  
15 verification of the vehicle identification number with supporting  
16 documentation for purposes of titling.
- 17 (b) Inspections on motor vehicles that meet the definition of a classic motor  
18 vehicle project as set forth in KRS 186A.510 shall be limited to verification of  
19 the vehicle identification number with supporting documentation for purposes  
20 of issuing a classic motor vehicle project certificate of title under KRS  
21 186A.535(1).
- 22 (10) The electronic certificate of inspection shall not be handled by any person or  
23 persons other than those designated individuals within the offices of the sheriff,  
24 county clerk, or other state office.
- 25 (11) The Transportation Cabinet shall promulgate administrative regulations pursuant to  
26 KRS Chapter 13A to implement the provisions of this section, including but not  
27 limited to special inspectors classified as dealer inspectors only and the creation of

1 an electronic certified vehicle inspection form and receipt.

2 → Section 6. KRS 304.39-020 is amended to read as follows:

3 As used in this subtitle:

- 4 (1) "Added reparation benefits" mean benefits provided by optional added reparation  
5 insurance.
- 6 (2) "Basic reparation benefits" mean benefits providing reimbursement for net loss  
7 suffered through injury arising out of the operation, maintenance, or use of a motor  
8 vehicle, subject, where applicable, to the limits, deductibles, exclusions,  
9 disqualifications, and other conditions provided in this subtitle. The maximum  
10 amount of basic reparation benefits payable for all economic loss resulting from  
11 injury to any one (1) person as the result of one (1) accident shall be ten thousand  
12 dollars (\$10,000), regardless of the number of persons entitled to such benefits or  
13 the number of providers of security obligated to pay such benefits. Basic reparation  
14 benefits consist of one (1) or more of the elements defined as "loss."
- 15 (3) "Basic reparation insured" means:
- 16 (a) A person identified by name as an insured in a contract of basic reparation  
17 insurance complying with this subtitle; and
- 18 (b) While residing in the same household with a named insured, the following  
19 persons not identified by name as an insured in any other contract of basic  
20 reparation insurance complying with this subtitle: a spouse or other relative of  
21 a named insured; and a minor in the custody of a named insured or of a  
22 relative residing in the same household with the named insured if he usually  
23 makes his home in the same family unit, even though he temporarily lives  
24 elsewhere.
- 25 (4) "Injury" and "injury to person" mean bodily harm, sickness, disease, or death.
- 26 (5) "Loss" means accrued economic loss consisting only of medical expense, work  
27 loss, replacement services loss, and, if injury causes death, survivor's economic loss

1 and survivor's replacement services loss. Noneconomic detriment is not loss.  
2 However, economic loss is loss although caused by pain and suffering or physical  
3 impairment.

4 (a) "Medical expense" means reasonable charges incurred for reasonably needed  
5 products, services, and accommodations, including those for medical care,  
6 physical rehabilitation, rehabilitative occupational training, licensed  
7 ambulance services, and other remedial treatment and care. "Medical  
8 expense" may include non-medical remedial treatment rendered in accordance  
9 with a recognized religious method of healing. The term includes a total  
10 charge not in excess of one thousand dollars (\$1,000) per person for expenses  
11 in any way related to funeral, cremation, and burial. It does not include that  
12 portion of a charge for a room in a hospital, clinic, convalescent or nursing  
13 home, or any other institution engaged in providing nursing care and related  
14 services, in excess of a reasonable and customary charge for semi-private  
15 accommodations, unless intensive care is medically required. Medical  
16 expense shall include all healing arts professions licensed by the  
17 Commonwealth of Kentucky. There shall be a presumption that any medical  
18 bill submitted is reasonable.

19 (b) "Work loss" means loss of income from work the injured person would  
20 probably have performed if he had not been injured, and expenses reasonably  
21 incurred by him in obtaining services in lieu of those he would have  
22 performed for income, reduced by any income from substitute work actually  
23 performed by him.

24 (c) "Replacement services loss" means expenses reasonably incurred in obtaining  
25 ordinary and necessary services in lieu of those the injured person would have  
26 performed, not for income but for the benefit of himself or his family, if he  
27 had not been injured.

- 1 (d) "Survivor's economic loss" means loss after decedent's death of contributions  
2 of things of economic value to his survivors, not including services they  
3 would have received from the decedent if he had not suffered the fatal injury,  
4 less expenses of the survivors avoided by reason of decedent's death.
- 5 (e) "Survivor's replacement services loss" means expenses reasonably incurred by  
6 survivors after decedent's death in obtaining ordinary and necessary services  
7 in lieu of those the decedent would have performed for their benefit if he had  
8 not suffered the fatal injury, less expenses of the survivors avoided by reason  
9 of the decedent's death and not subtracted in calculating survivor's economic  
10 loss.
- 11 (6) "Use of a motor vehicle" means any utilization of the motor vehicle as a vehicle  
12 including occupying, entering into, and alighting from it. It does not include:
- 13 (a) Conduct within the course of a business of repairing, servicing, or otherwise  
14 maintaining motor vehicles unless the conduct occurs off the business  
15 premises; or
- 16 (b) Conduct in the course of loading and unloading the vehicle unless the conduct  
17 occurs while occupying, entering into, or alighting from it.
- 18 (7) "Motor vehicle" means any vehicle which transports persons or property upon the  
19 public highways of the Commonwealth, propelled by other than muscular power  
20 except road rollers, road graders, farm tractors, vehicles on which power shovels  
21 are mounted, such other construction equipment customarily used only on the site  
22 of construction and which is not practical for the transportation of persons or  
23 property upon the highways, such vehicles as travel exclusively upon rails, and such  
24 vehicles as are propelled by electrical power obtained from overhead wires while  
25 being operated within any municipality or where said vehicles do not travel more  
26 than five (5) miles beyond the said limits of any municipality. Motor vehicle shall  
27 not mean moped as defined in this section or an electric low-speed scooter as



- 1 defined in KRS 189.010.
- 2 (8) "Moped" means either a motorized bicycle whose frame design may include one (1)  
3 or more horizontal crossbars supporting a fuel tank so long as it also has pedals, or  
4 a motorized bicycle with a step-through type frame which may or may not have  
5 pedals rated no more than two (2) brake horsepower, a cylinder capacity not  
6 exceeding fifty (50) cubic centimeters, an automatic transmission not requiring  
7 clutching or shifting by the operator after the drive system is engaged, and capable  
8 of a maximum speed of not more than thirty (30) miles per hour.
- 9 (9) "Public roadway" means a way open to the use of the public for purposes of motor  
10 vehicle travel.
- 11 (10) "Net loss" means loss less benefits or advantages, from sources other than basic and  
12 added reparation insurance, required to be subtracted from loss in calculating net  
13 loss.
- 14 (11) "Noneconomic detriment" means pain, suffering, inconvenience, physical  
15 impairment, and other nonpecuniary damages recoverable under the tort law of this  
16 Commonwealth. The term does not include punitive or exemplary damages.
- 17 (12) "Owner" means a person, other than a lienholder or secured party, who owns or has  
18 title to a motor vehicle or is entitled to the use and possession of a motor vehicle  
19 subject to a security interest held by another person. The term does not include a  
20 lessee under a lease not intended as security.
- 21 (13) "Reparation obligor" means an insurer, self-insurer, or obligated government  
22 providing basic or added reparation benefits under this subtitle.
- 23 (14) "Survivor" means a person identified in KRS 411.130 as one entitled to receive  
24 benefits by reason of the death of another person.
- 25 (15) A "user" means a person who resides in a household in which any person owns or  
26 maintains a motor vehicle.
- 27 (16) "Maintaining a motor vehicle" means having legal custody, possession or

1 responsibility for a motor vehicle by one other than an owner or operator.

2 (17) "Security" means any continuing undertaking complying with this subtitle, for  
3 payment of tort liabilities, basic reparation benefits, and all other obligations  
4 imposed by this subtitle.

5 **(18) "Motorcycle" includes a street-legal special purpose vehicle as defined in Section**  
6 **1 of this Act.**