

**68.200 Definitions for section -- License fee on gross rental charges from peer-to-peer car sharing program in counties containing a designated city, consolidated local government, or urban-county government -- Use of proceeds.**

- (1) As used in this section, unless the context clearly indicates otherwise:
  - (a) "Designated city" means a city on the registry maintained by the Department for Local Government under subsection (9) of this section;
  - (b) "Gross receipts" means the total consideration received for the charges made to provide transportation network company services to a user, including any charges for time or mileage, fees for using the services, and any charges for any services necessary to complete the transaction made by a transportation network company;
  - (c) "Gross rental charge" has the same meaning as in KRS 138.462;
  - (d) "Motor vehicle" has the same meaning as "vehicle" as defined in KRS 186.010(8)(a);
  - (e) "Peer-to-peer car sharing" has the same meaning as in KRS 281.010;
  - (f) "Peer-to-peer car sharing program" has the same meaning as in KRS 281.010;
  - (g) "Peer-to-peer car sharing program agreement":
    1. Means the terms and conditions applicable to a shared vehicle owner and a shared vehicle driver that govern the use of a shared vehicle through a peer-to-peer car sharing program; and
    2. Does not include rental or lease agreements entered into with persons operating under a U-Drive-It certificate as defined in KRS 281.010;
  - (h) "Shared vehicle driver" has the same meaning as in KRS 281.010;
  - (i) "Transportation network company" has the same meaning as in KRS 281.010;
  - (j) "Transportation network company service" has the same meaning as in KRS 281.010; and
  - (k) "U-Drive-It" has the same meaning as in KRS 281.010.
- (2) A county containing a designated city, consolidated local government, or urban-county government may levy a license fee on a:
  - (a) U-Drive-It;
  - (b) Peer-to-peer car sharing program; and
  - (c) Transportation network company.
- (3) The license fee shall not exceed three percent (3%) of the:
  - (a) Gross rental charges from rental agreements for periods of thirty (30) days or less by a:
    1. U-Drive-It; or
    2. Peer-to-peer car sharing program; or
  - (b) Gross receipts derived from the provision of transportation network company services by a transportation network company.
- (4) The license fee shall not apply to a U-Drive-It who receives less than seventy-five

percent (75%) of its gross revenues generated in the county from gross rental charges.

- (5) Any license fee levied pursuant to this subsection shall be collected by a:
  - (a) U-Drive-It from the renters of the motor vehicles;
  - (b) Peer-to-peer car sharing program from the shared vehicle driver; and
  - (c) Transportation network company from the purchaser of the transportation network company services.
- (6) Revenues from rental of motor vehicles shall not be included in the gross rental charges on which the license fee is based if:
  - (a) The declared gross weight of the motor vehicle exceeds eleven thousand (11,000) pounds; or
  - (b) The rental is part of the services provided by a funeral director for a funeral.
- (7) A fiscal court or the legislative body of an urban-county government shall provide for collection of the license fee in the ordinance by which the license fee is levied. The revenues shall be deposited in an account to be known as the motor vehicle license fee account. The revenues may be shared among local governments pursuant to KRS 65.210 to 65.300.
- (8) The county shall use the proceeds of the license fee for economic development activities. It shall distribute semiannually, by June 30 and December 31, all revenues not shared pursuant to KRS 65.210 to 65.300, to one (1) or more of the following entities if it has established, or contracted with, the entity for the purposes of economic development and is satisfied that the entity is promoting satisfactorily the county's economic development activities:
  - (a) A riverport authority established by the county pursuant to KRS 65.520; or
  - (b) An industrial development authority established by the county pursuant to KRS 154.50-316; or
  - (c) A nonprofit corporation as defined in KRS 273.161(4) which has been organized for the purpose of promoting economic development.

The entity shall make a written request for funds from the motor vehicle license fee account by May 31 and November 30, respectively.

- (9) The Department for Local Government shall create and maintain a registry of cities that, as of August 1, 2014, were classified as cities of the first, second, and third class. The Department for Local Government shall make the information included on the registry available to the public by publishing it on its website.

**Effective:** July 15, 2024

**History:** Amended 2024 Ky. Acts ch. 166, sec. 31, effective July 15, 2024. -- Amended 2022 Ky. Acts ch. 212, sec. 40, effective July 14, 2022. -- Amended 2020 Ky. Acts ch. 98, sec. 13, effective July 15, 2020. -- Amended 2014 Ky. Acts ch. 92, sec. 40, effective January 1, 2015. -- Amended 2013 Ky. Acts ch. 113, sec. 3, effective June 25, 2013. -- Amended 2008 Ky. Acts ch. 95, sec. 17, effective August 1, 2008. -- Created 1994 Ky. Acts ch. 426, sec. 1, effective July 15, 1994.