

CHAPTER 453 (HB 100)

AN ACT relating to special military-related license plates.

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

SECTION 1. KRS 186.041 IS REPEALED AND REENACTED TO READ AS FOLLOWS:

- (1) *The provisions of this section shall govern the issuance of all special military-related license plates. A person who wants to purchase a special military-related license plate shall apply to the county clerk in the county where the person lives on a form prescribed by the Transportation Cabinet. Each initial and renewal application shall be accompanied by proof that the person is associated with the United States Army, United States Navy, United States Air Force, United States Marine Corps, United States Coast Guard, United States Coast Guard Auxiliary, Kentucky National Guard, Merchant Marines with service between December 7, 1941, and August 15, 1945, or Civil Air Patrol in one (1) of the following ways:*
- (a) *An active component member;*
 - (b) *A retired member; or*
 - (c) *A veteran who received a discharge under honorable conditions, or the veteran's widow and:*
 - 1. *Performed twenty-four (24) months of active-duty service;*
 - 2. *Received an early release due to injuries or other medical condition, or at the convenience of the service;*
 - 3. *Received a hardship discharge;*
 - 4. *Was separated or retired due to a disability; or*
 - 5. *Was determined to have a service-connected disability incurred during the enlistment.*
- (2) *Initial registration and renewal registration fees for special military-related license plates shall be charged as provided in this subsection:*
- (a) *Disabled veterans and recipients of the Congressional Medal of Honor licensed under subsection (5) of this section shall not be charged an initial registration fee and shall not be charged a renewal registration fee. The license plate and certificate of registration shall be issued free of charge;*
 - (b) *The initial registration fee shall be a seventeen dollar (\$17) state fee that shall be divided under the provisions of subsection (3) of this section and that includes the cost to reflectorize the plate under KRS 186.240(2)(c) and a three dollar (\$3) county clerk fee, and the renewal registration fee shall be a three dollar (\$3) county clerk fee for:*
 - 1. *Former prisoners of war licensed under subsection (10) of this section;*
 - 2. *Survivors of Pearl Harbor licensed under subsection (11) of this section; and*
 - 3. *Members of the National Guard licensed under subsection (12) of this section.*

- (c) *The initial registration fee shall be a seventeen dollar (\$17) state fee that shall be divided under the provisions of subsection (3) of this section, and the renewal registration fee shall be a twelve dollar (\$12) state fee that includes the cost to reflectorize the plate under KRS 186.240(2)(c) and a three dollar (\$3) county clerk fee for:*
1. *Disabled veterans licensed under subsection (6) of this section;*
 2. *Purple Heart recipients licensed under subsection (9) of this section, except that if a Purple Heart recipient also qualifies as a disabled veteran under subsection (5) of this section, the Purple Heart recipient may receive either a Purple Heart or a disabled veteran's license plate, both initial and renewal, and the certificate of registration free of charge;*
 3. *Members of the Civil Air Patrol licensed under subsection (13) of this section; and*
 4. *Other active, retired, veteran, reserve, or auxiliary members of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, or Merchant Marines licensed under subsection (14) of this section.*
- (3) *The initial state fee collected under subsections (2)(b) and (2)(c) of this section shall be divided between the Transportation Cabinet and the Department of Veterans Affairs. The Transportation Cabinet shall receive twelve dollars (\$12) of the initial state fee and the Department of Veterans Affairs shall receive five dollars (\$5) of the initial state fee. The county clerk shall forward money collected under subsections (2)(b) and (2)(c) of this section to the Department of Veterans Affairs on a quarterly basis and the department shall deposit the money into the veteran's program trust fund established by KRS 40.460(2)(b). A person renewing a special military license plate issued under this section may donate five dollars (\$5) to support the veteran's program trust fund. Money donated under this subsection shall be paid to the county clerk who shall forward the money on a quarterly basis to the Department of Veterans Affairs and the department shall deposit the money into the veteran's program trust fund established by KRS 40.460(2)(b).*
- (4) *A special military-related license plate may be issued for use on a passenger car registered under KRS 186.050(1) or for a commercial vehicle registered under KRS 186.050(3)(a) that has a gross laden weight of six thousand (6,000) pounds or less. Except as provided in subsection (7) of this section, a license plate issued under this section shall have the renewal registration decal issued annually during the applicant's birth month. License plates issued under this section shall be a five (5) year license plate. The member, retired member, veteran, or reservist may purchase two (2) special military-related license plates annually for vehicles they own or lease.*
- (5) *A recipient of the Congressional Medal of Honor or a disabled veteran who has been or shall be given financial assistance toward the purchase or lease of a motor vehicle by the United States Department of Veterans Affairs under the provisions of 38 U.S.C. sec. 1901, or any other public law that may be passed by the Congress of the United States shall initially and annually be issued a certificate of registration and a special military-related license plate free of charge.*

- (6) *A veteran who has been declared to be at least seventy percent (70%) disabled by the United States Department of Veterans Affairs and has not received financial assistance from the United States Department of Veterans Affairs toward the purchase or lease of a motor vehicle shall be eligible for a disabled veterans license plate upon payment of the initial registration fee required in subsection (2)(c) of this section.*
- (7) *A disabled veterans license plate shall be printed in red, white, and blue colors. Half of the license plate shall be in one (1) color, the other half a second color, and the figures and lettering in the third color. Each plate shall contain the international symbol of access adopted by Rehabilitation International in 1969, the name of the state, the year, the registration number, and the words "Disabled Vet." A disabled veterans license plate shall have the renewal registration decal issued annually on July 31.*
- (8) *A recipient of the Congressional Medal of Honor shall be eligible for a Congressional Medal of Honor license plate that shall be printed in blue and white colors and shall follow the color scheme for all figures and letters as prescribed for passenger cars. Each plate shall contain the name or an abbreviation of the state and the words "Medal of Honor" and a number uniquely identifying each recipient, in lieu of registration numbers.*
- (9) *A recipient of a Purple Heart medal shall be eligible for a Purple Heart license plate upon payment of the initial registration fee required in subsection (2)(c) of this section. A Purple Heart license plate shall bear the name "Purple Heart," a registration number, and an appropriate logo to be determined by the Transportation Cabinet.*
- (10) *A person who is a former prisoner of the enemy during World War I, World War II, the Korean War, or the Vietnam War, or the spouse of a deceased former prisoner of war, shall be eligible for a former prisoners of war license plate upon payment of the initial registration fee required in subsection (2)(b) of this section. The application shall be accompanied by written proof from the United States Department of Veterans Affairs or other appropriate federal agency stating the period of time the person or person's spouse was a prisoner of war. A former prisoner of war license plate shall be printed in red, white, and blue colors. Each plate shall contain the name of the state, the year, the registration number, and the words "Former P.O.W." If a former prisoner of war dies with a vehicle licensed as authorized under this section, the person's surviving spouse may retain the license plate for use on the same vehicle or on another vehicle that complies with the provisions of subsection (4) of this section.*
- (11) *A person who is certified by the Kentucky chapter of the Pearl Harbor Survivors Association as being a survivor of the attack on Pearl Harbor shall be eligible for a Pearl Harbor license plate upon payment of the initial registration fee required in subsection (2)(b) of this section. The Transportation Cabinet shall issue an applicant an appropriately designed plate identifying the vehicle as registered to a Pearl Harbor survivor. The person shall be required to attach to the special military-related license plate application written evidence from the Kentucky chapter of the Pearl Harbor Survivors Association that the person:*
 - (a) *Was a member of the United States Armed Forces on December 7, 1941;*
 - (b) *Was on station on December 7, 1941, during the hours of 7:55 a.m. to 9:45 a.m., Hawaii time, at Pearl Harbor, the island of Oahu, or offshore at a distance not to exceed three (3) miles;*

- (c) Was discharged honorably from the United States Armed Forces; and*
 - (d) Is certified by the Kentucky chapter of the Pearl Harbor Survivors Association.*
- (12) A person who is a member of the Kentucky National Guard, or a retired member, shall be eligible for a National Guard license plate upon payment of the initial registration fee required in subsection (2)(b) of this section. A National Guard license plate shall bear the name "Kentucky National Guard," a registration number, and the logo of the National Guard. Upon termination of membership in the Kentucky National Guard, except for those who remain eligible through retirement, a person shall comply with the provisions of subsection (15) of this section.*
- (13) A person who is a member of the Civil Air Patrol shall be eligible for a Civil Air Patrol license plate upon payment of the initial registration fee required in subsection (2)(c) of this section. A Civil Air Patrol license plate shall bear the name "Civil Air Patrol," a registration number, and an appropriate logo to be determined by the Transportation Cabinet. Upon termination of membership in the Civil Air Patrol, a person shall comply with the provisions of subsection (15) of this section.*
- (14) (a) A person who meets the requirements of subsection (1) of this section shall be eligible for a military license plate upon payment of the initial registration fee required in subsection (2)(c) of this section. The plate shall bear:*
 - 1. A seal indicating Army, Navy, Air Force, Marine Corps, or Coast Guard, or, in the case of the Merchant Marines, a seal indicating the branch of service issuing a discharge;*
 - 2. A decal indicating whether the person's status is active duty, reserve duty, veteran, retired veteran, or widow; and, if applicable, a decal for auxiliary in the case of the Coast Guard or a decal for the Merchant Marines;*
 - 3. A veteran's decal may further indicate a veteran's service in a wartime era; and*
 - 4. A registration number.*
- (b) Upon termination of membership in the active component or reserves of the United States Armed Forces or the United States Coast Guard, a person shall comply with the provisions of subsection (15) of this section.*
- (c) The Transportation Cabinet, in coordination with the Department of Veterans' Affairs, shall promulgate an administrative regulation under KRS Chapter 13A defining criteria for the issuance of specific decals for veterans' wartime service.*
- (15) Except for persons changing their status to retired, within thirty (30) days of termination of membership or reserve status in a group eligible for a special military-related license plate, a person issued a military plate under this section shall return the plate to the county clerk of the county of his residence. Upon payment of a three dollar (\$3) county clerk fee, the county clerk shall issue the person a regular license plate to replace the special military-related license plate being surrendered.*
- (16) Upon the sale, transfer, or termination of a lease of a motor vehicle for which a special military-related license plate has been issued, the owner shall return the military plate and the certificate of registration to the county clerk. The county clerk shall issue a regular license plate and certificate of registration upon payment of a twelve dollar (\$12) state fee*

which includes the fifty cent (\$0.50) fee to reflectorize the plate under KRS 186.240(2)(c) and a three dollar (\$3) county clerk fee. The twelve dollar (\$12) state fee shall be forwarded to the Transportation Cabinet. Upon request and payment of a three dollar (\$3) fee, the county clerk shall reissue the special military-related license plate for use on any other vehicle owned by the same person who purchased the special plate for the current licensing period.

- (17) The cabinet shall promulgate administrative regulations to set forth the documentation required in order to establish a person's qualifications to receive any license plate issued under this section.*
- (18) A person seeking a special military-related license plate for a vehicle provided to that person pursuant to an occupation shall conform to the requirements of KRS 186.050(14).*
- (19) If a special military-related license plate is lost, stolen, mutilated, or deteriorates to the point where the inscriptions or decals are not discernible, the person to whom the plate was issued may obtain a replacement plate free of charge.*

SECTION 2. A NEW SECTION OF KRS CHAPTER 189 IS CREATED TO READ AS FOLLOWS:

- (1) Any other provision of law to the contrary notwithstanding, a city, county, town, or other political subdivision of this state shall not require any license or fee from a disabled veteran or recipient of the Congressional Medal of Honor who has been issued a special military-related license plate under Section 1 of this Act, for the privilege of operating a motor vehicle upon any street or alley.*
- (2) When a motor vehicle bearing a special military-related license plate for disabled veterans or recipients of the Congressional Medal of Honor is being operated by or for the benefit of the person, the motor vehicle may be parked for a period of two (2) hours in excess of the legal parking period permitted by local authorities unless a local ordinance or police regulation:

 - (a) Prohibits parking on a highway for the purpose of creating a fire lane:*
 - (b) Provides for the accommodation of heavy traffic during morning, afternoon, or evening hours; or*
 - (c) Prohibits parking a motor vehicle in a manner as to clearly be a traffic hazard.**

Section 3. The following KRS sections are repealed:

- 186.044 License plates for recipients of a Purple Heart medal.
 - 186.1701 Special license plate for former prisoner of war.
 - 186.1702 Special license plate for survivors of the attack on Pearl Harbor.
- 186.173 Special license plates for active or retired members of the National Guard.
 - 186.1731 License plate for members of the Civil Air Patrol.
 - 186.1732 Special license plate for active, reserve, retired, and veteran members of the UnitedStates Armed Forces.
- 186.182 Special license plates for recipients of Congressional Medal of Honor.

186.1861 Special license plates for United States Veterans.

Section 4. Any funds the Transportation Cabinet has received with applications for a United States Veterans license plate under KRS 186.1861 shall be refunded to each applicant within thirty (30) days of the effective date of this Act. Any trust and agency account established by the Transportation Cabinet for funds received under KRS 186.1861 is terminated.

Approved April 21, 2000