

## CHAPTER 32

## (HB 254)

AN ACT relating to special license plates.

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

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

(1) *As used in this section:*

(a) *"PTA" means an organized parent-teacher association or a parent-teacher organization that has been formally recognized by a school council in a public school where the PTA is located, or recognized by the principal of the public school if the school does not have a school council; and*

(b) *"Public education foundation" means a corporation that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and that is incorporated to support public education and PTAs in the county where the foundation is located.*

(2) *The owner or lessee of a motor vehicle registered under the provisions of KRS 186.050(1) or (3)(a) may apply for a special PTA license plate in the office of the county clerk in the county where the person lives. At the time the owner or lessee applies for a special PTA license plate, the person shall include with the application the initial state fee of fifty dollars (\$50). The county clerk shall inform the owner or lessee that the person's application and state fee shall be sent to Frankfort to the Transportation Cabinet where it may be held for a period not to exceed one (1) year while the cabinet is waiting to receive sufficient applications subject to the provisions of subsection (3) of this section. The person shall designate on the application form the specific school and PTA where the proceeds from the person's purchase shall be credited for distribution under subsection (10) of this section.*

(3) *The Transportation Cabinet shall be required to begin designing and printing special PTA license plates after the cabinet has received nine hundred (900) applications accompanied by a fifty dollar (\$50) state fee within a one (1) year period. The purpose of the fifty dollar (\$50) state fee is to offset computer programming costs incurred by the cabinet. Unless the cabinet is requested in writing to the contrary, if the cabinet has not received nine hundred (900) applications within one (1) year from the date the cabinet receives the first application for a special PTA license plate, the cabinet shall refund the fifty dollar (\$50) state fee to the appropriate applicants.*

(4) *Subject to the provisions of subsection (3) of this section, the total initial application fee for the first nine hundred (900) special PTA license plates printed by the Transportation Cabinet shall be sixty-eight dollars (\$68). The sixty-eight dollar (\$68) fee shall be divided as follows:*

(a) *The Transportation Cabinet shall receive a fee of fifty dollars (\$50) that includes the state fee to reflectorize the license plate under KRS 186.240;*

(b) *The county clerk shall receive a fee of three dollars (\$3); and*

- (c) *The remaining fifteen dollar (\$15) fee collected from the applicant shall be remitted to the Transportation Cabinet to be used as provided in subsection (10) of this section.*
- (5) *The initial application fee for each special PTA license plate printed by the Transportation Cabinet in excess of nine hundred (900) shall be thirty dollars (\$30). The thirty dollar (\$30) fee shall be divided as follows:*
- (a) *The Transportation Cabinet shall receive a fee of twelve dollars (\$12) that includes the state fee to reflectorize the license plate under KRS 186.240;*
- (b) *The county clerk shall receive a fee of three dollars (\$3); and*
- (c) *The remaining fifteen dollar (\$15) fee collected from the applicant shall be remitted to the Transportation Cabinet to be used as provided in subsection (10) of this section.*
- (6) *A special PTA license plate shall annually be issued a renewal registration decal during the owner's or lessee's birth month. The annual renewal fee shall be twenty dollars (\$20) and shall be divided as follows:*
- (a) *The Transportation Cabinet shall receive a fee of twelve dollars (\$12) that includes the state fee to reflectorize the license plate under KRS 186.240;*
- (b) *The county clerk shall receive a fee of three dollars (\$3); and*
- (c) *The remaining five dollar (\$5) fee collected from an applicant renewing an annual registration shall be remitted to the Transportation Cabinet to be used as provided in subsection (10) of this section.*
- (7) *Except as provided in this subsection, the special PTA license plate shall be replaced on the same schedule that regular license plates are replaced by the Transportation Cabinet under KRS 186.240. A special PTA license plate shall be replaced free of charge if the metal plate is destroyed in an accident, the plate deteriorates to a point that the lettering, numbering, or images on the face of the plate are not legible, or the plate is stolen, if the owner or lessee has not transferred the vehicle issued the plate during the current licensing period.*
- (8) *A person seeking a special PTA license plate for a vehicle provided as part of the person's occupation shall conform to the requirements of KRS 186.050.*
- (9) *Upon the sale, transfer, or termination of a lease of a vehicle licensed under this section, the owner or lessee shall remove the special PTA license plate and return it and the certificate of registration to the county clerk. The county clerk shall reissue the owner or lessee a regular license plate and certificate of registration upon payment of a twelve dollar (\$12) state fee that includes the state fee to reflectorize the license plate under KRS 186.240 and a three dollar (\$3) county clerk fee. If the owner or lessee requests, the county clerk shall reissue the special PTA license plate free of charge for use on any other vehicle of the same classification and category owned by the person during the current licensing period. If the owner or lessee has the special PTA license plate reissued to another vehicle, the regular license plate that is being replaced shall be returned to the county clerk who shall forward the plate to Frankfort.*
- (10) *All funds received by the Transportation Cabinet under subsections (4)(c), (5)(c), and (6)(c) of this section shall be deposited into a PTA program fund that is established in the state road fund. Money in the PTA program fund shall be used as provided in this*

*subsection. If at the end of a fiscal year money remains in the PTA program fund, it shall be retained in the fund and used as provided in this subsection and shall not revert to the road fund. All interest and income earned on money in the PTA program fund shall be retained by the Transportation Cabinet to help offset the costs associated with administering this subsection.*

- (a) At the end of each fiscal year the cabinet shall, after deducting interest and income earned during the year, disburse all funds remaining in the PTA program fund to the public education foundation in a county containing a city of the first class. The public education foundation shall be responsible for distributing funds under this subsection among all schools and PTAs throughout the Commonwealth.*
  - (b) The amount of money each PTA shall receive under this subsection shall be proportionate to the amount of money contributed to the PTA program fund from sales of the special PTA license plates in the county where the PTA is located.*
  - (c) A person wishing to purchase a special PTA license plate who lives in a county that does not have a public education foundation shall be permitted on the application form to designate the specific school and PTA where the proceeds from the person's purchase shall be credited for purposes of distribution under this subsection. The plate issued under this paragraph shall designate the county where the person's motor vehicle is registered, not the county where the school and PTA designated on the application form is located.*
- (11) Subject to limitations imposed by the cabinet, special PTA license plates shall be the color and design selected by the public education foundation located in a county containing a city of the first class. The public education foundation may select up to three (3) designs of three (3) colors each. The name "Kentucky" shall appear on the PTA license plate. The cabinet may use any combination of letters or numerals as needed in the design.*

**Approved March 07, 2002**