

CHAPTER 74

(SB 92)

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, "Friends of the Zoo" means a corporation that is located in a county containing a consolidated local government organized under KRS Chapter 67C and is:*
 - (a) *Exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code; and*
 - (b) *Incorporated to support the zoological, botanical, and cultural interests, activities, and education that are an integral part of the mission of a zoo located in a county containing a consolidated local government organized under KRS Chapter 67C.*
- (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 Louisville Zoo license plate in the office of the county clerk in the county where the person lives. The first nine hundred (900) persons to apply for a special Louisville Zoo license plate shall include with the application the state fee established in subsection (3) of this section and a three dollar (\$3) county clerk fee. After the first nine hundred (900) persons apply for the special plate, each application shall be accompanied by the fee established in subsection (4) of this section. The county clerk shall inform the first nine hundred (900) applicants that the application and state fee shall be sent to the Transportation Cabinet in Frankfort where they shall 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. Until the Louisville Zoo license plate is actually printed, the cabinet shall issue to each county clerk a monthly status report on the number of persons that have applied for the special plate, to enable the clerk to determine the appropriate application fee.*
- (3) *If the Transportation Cabinet receives a minimum of nine hundred (900) applications accompanied by a fifty dollar (\$50) state fee within one (1) year from the date the cabinet receives the first application for the special plate, the cabinet shall begin designing and printing special Louisville Zoo license plates. The purpose of the fifty dollar (\$50) state fee is to offset computer programming costs incurred by the cabinet. If the cabinet does not receive nine hundred (900) applications within one (1) year from the date the cabinet receives the first application for a special Louisville Zoo license plate, the cabinet shall refund the fifty dollar (\$50) state fee to the appropriate applicant and this section shall expire and be automatically repealed.*
- (4) *After the minimum number of requests required under subsection (3) of this section has been achieved and the cabinet has printed the Louisville Zoo license plate, each initial applicant for the special plate, and each applicant applying to renew the special plate, shall pay a state fee of twelve dollars (\$12) that includes the fee to reflectorize the license plate under KRS 186.240, and a county clerk fee of three dollars (\$3). An applicant may also make a voluntary contribution of twelve dollars (\$12) that the county clerk shall*

remit quarterly to the Friends of the Zoo, or its successor agency, to be used as established in subsection (9) of this section.

- (5) *A special Louisville Zoo license plate shall be a five (5) year plate and shall annually be issued a renewal registration decal during the owner's or lessee's birthmonth.*
- (6) *A special Louisville Zoo license plate shall be replaced free of charge if the metal plate is destroyed in an accident, 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 to which the plate was issued during the current licensing period.*
- (7) *A person seeking a special Louisville Zoo license plate for a vehicle provided as part of the person's occupation shall conform to the requirements of KRS 186.050(14).*
- (8) *Upon the sale, transfer, or termination of a lease of a vehicle licensed under this section, the owner or lessee shall remove the special Louisville Zoo 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 three dollar (\$3) county clerk fee. If the owner or lessee requests, the county clerk shall reissue the special Louisville Zoo 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 Louisville Zoo 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 the Transportation Cabinet.*
- (9) *All funds received by the Friends of the Zoo under subsection (4) of this section shall be deposited into a separate account that shall be audited yearly at the expense of the Friends of the Zoo. The completed audit shall be forwarded to the Transportation Cabinet in Frankfort. Money in the account shall be used for public programs not limited to Friends of the Zoo or Louisville Zoo members that promote zoological, botanical, and cultural interests, activities, and education that are an integral part of the mission of all zoos.*
- (10) *The name "Kentucky" shall appear on the Louisville Zoo license plate and the cabinet may use any combination of letters or numerals as needed in the design. Subject to any other necessary limitations imposed by the Transportation Cabinet, special Louisville Zoo license plates shall be the color and design developed by the Friends of the Zoo.*

Section 2. KRS 186.186 is amended to read as follows:

- (1) Any person may apply for a special license plate authorized in KRS 186.186 to 186.1867 by complying with the provisions of KRS 186.186 to 186.1867 and by complying with the following provisions:
 - (a) A person shall apply for one of the special license plates authorized in KRS 186.186 to 186.1867 in the office of the county clerk in the county where the person lives; and
 - (b) A person shall include with the application for a special license plate a twenty-five dollar (\$25) deposit toward an initial state fee and a county clerk's fee of three dollars (\$3). If, within one (1) year, the cabinet has received less than eighteen hundred (1800) requests for a special license plate then a twenty-five dollar (\$25) balance shall be due on the initial fee deposit. If eighteen hundred (1800) or more requests are received within one (1) year then the initial twenty-five dollar (\$25) deposit shall constitute the initial state fee.

- (2) A special license plate issued pursuant to KRS 186.186 to 186.1867 shall be issued a renewal registration decal annually during the applicant's birthmonth. The annual renewal fee shall be a twelve dollar (\$12) state fee that includes the state fee to reflectorize the license plate pursuant to KRS 186.240(2)(c) and a three dollar (\$3) county clerk fee. The special license plate shall be replaced on the same schedule as regular license plates are replaced by the Transportation Cabinet pursuant to KRS Chapter 186.240.
- (3) A county clerk shall forward all state fee money collected pursuant to this section to the Transportation Cabinet monthly. The cabinet shall establish a separate trust and agency account for each special license plate authorized by KRS 186.186 to 186.1867 and shall deposit fees received for each special license plate into the appropriate trust and agency account or the state road fund according to the provisions of this subsection. The cabinet shall deposit the fifty dollar (\$50) state fee received from the first nine hundred (900) applications or the twenty-five dollar (\$25) state fee received from the first eighteen hundred (1800) applications for each special license plate authorized by KRS 186.186 to 186.1867 into the appropriate trust and agency account and dedicate those funds to off-set the cabinet's administrative costs for computer programming of each special license plate. ~~Except as provided in KRS 186.1863 and 186.1864,~~ The cabinet shall deposit the fifty dollar (\$50) state fee received pursuant to this subsection in excess of nine hundred (900) applications into the state road fund and the twenty-five dollar (\$25) state fee received pursuant to this subsection in excess of eighteen hundred (1800) applications into the state road fund. The cabinet may hold the money in each trust and agency account for a period not to exceed one (1) year from the date of the first deposit received for each category of special license plate. Unless the cabinet is requested in writing to the contrary, if the cabinet has not received nine hundred (900) applications accompanied by the twenty-five dollar (\$25) deposit within one (1) year, the cabinet shall refund all deposit money received for the special license plate to the appropriate applicants. If the cabinet receives a minimum of nine hundred (900) applications with the twenty-five dollar (\$25) deposit for a special license plate within one (1) year, the cabinet shall begin printing the requested special license plate.
- (4) Upon the sale, transfer, or termination of a lease of a vehicle licensed pursuant to KRS 186.186 to 186.1867, the owner or lessee shall remove the special license plate and return it and the certificate of registration to the county clerk. The county clerk shall reissue the person 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 pursuant to KRS 186.240(2)(c) and a three dollar (\$3) county clerk fee. If the person requests, the county clerk shall reissue the special license plate for use on any other vehicle of the same classification and category owned by the person who purchased the special license plate during the current licensing period free of charge. If the county clerk reissues a special license plate pursuant to this subsection, the regular license plate it replaces shall be returned to the county clerk who shall forward the plate to Frankfort.
- (5) If a special license plate deteriorates and if the owner has not transferred the vehicle during the current licensing period, the owner may obtain a new special license plate free of charge.
- (6) A person seeking a special license plate for a vehicle provided pursuant to an occupation shall conform to the requirements of KRS 186.050(14).
- (7) The secretary of the Transportation Cabinet may promulgate administrative regulations pursuant to KRS Chapter 13A to administer the provisions of KRS 186.186 to 186.1867.

Section 3. The following KRS sections are repealed:

- 186.1725 Special license plate for active or retired professional firefighters.
- 186.1726 Special license plate for Knights of Columbus.
- 186.1727 Application for special license plate for active or retired professional firefighters and Knights of Columbus -- Fees -- Disposition of funds received.
- 186.1733 Special license plate for member or veteran of the Marine Corps League.
- 186.1765 Special agricultural license plates.
- 186.1775 Special YMCA license plates.
- 186.1862 Special license plates for nurses.
- 186.1863 Special license plates for United States Olympic Committee.
- 186.1864 Special license plates for youth soccer.
- 186.1866 Special license plates for members or retired members of unions.
- 186.1869 Special license plates for members of National Wild Turkey Federation.

Approved March 18, 2003