

CHAPTER 176

(HB 606)

AN ACT relating to the temporary registration of vehicles.

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

➔SECTION 1. A NEW SECTION KRS 186 IS AMENDED TO READ AS FOLLOWS:

- (1) *For the purposes of this section, "motor truck" and "truck tractor" shall have the same meaning as established in KRS 189.010.*
- (2) *Any manufacturer, dealer, or distributor engaged in the business of manufacturing, selling, or customizing truck tractors or motor trucks may obtain a commercial motor vehicle temporary registration placard from the Department of Vehicle Regulation. The fee for each placard shall be one hundred dollars (\$100) per placard and each applicant shall specify the number of placards to be issued. A company may make additional requests for temporary placards at any time it exhausts the placards supplied by the department.*
- (3) *The commissioner shall prescribe the application form for the commercial vehicle temporary registration placard, require each applicant to submit proof of eligibility to receive the placard, and certify that the applicant has need of the placard in the ordinary course of business, and may request other information as part of the application process.*
- (4) *The commercial vehicle temporary registration placard shall be placed on a truck tractor or motor truck in the same manner as a regular license plate. The temporary placard shall be issued if a permanent registration issued pursuant to KRS 186.050 or temporary registration issued pursuant to KRS 186A.100 cannot be obtained.*
- (5) *The use of a commercial vehicle temporary placard shall be limited to the following activities:*
 - (a) *A demonstration of the truck tractor or motor truck to a prospective purchaser;*
 - (b) *The transportation of the truck tractor or motor truck to a facility engaged in the customizing of a motor vehicle for eventual use on the highway;*
 - (c) *The transportation of the truck tractor or motor truck to a trade show or other activity designed to promote the selling of the product; or*
 - (d) *The transportation of the truck tractor or motor truck by a purchaser to a location outside Kentucky, provided that the truck tractor or motor truck is not eligible to be registered in Kentucky.*
- (6) *Each manufacturer, dealer, or distributor receiving the temporary placards shall maintain a record of use for each temporary placard to include the following:*
 - (a) *The make and model of each motor vehicle and the vehicle identification number or other identification number of each vehicle on which a placard is used;*
 - (b) *The date the placard was issued and the registration number of the placard;*
 - (c) *The address of the final destination and reason for movement of the truck tractor or motor truck receiving the temporary placard; and*
 - (d) *A record of insurance coverage or a binder for insurance coverage issued to the recipient of the temporary placard.*
- (7) *A commercial vehicle temporary placard shall not be activated until it is placed upon the truck tractor or motor truck and used in a manner as authorized by subsection (5) of this section. The commercial vehicle temporary placard shall expire thirty (30) days after it is activated and placed in use on a truck tractor or motor truck and shall be designed in a manner that an expiration date shall be noted clearly on the face of the placard.*

➔SECTION 2. A NEW SECTION OF KRS 186 IS AMENDED TO READ AS FOLLOWS:

- (1) *For the purposes of this section, "semitrailer" and "trailer" shall have the same meaning as established in KRS 186.650.*

- (2) *Any manufacturer, dealer, or distributor engaged in the business of manufacturing, selling, or customizing commercial semitrailers or commercial trailers may obtain a commercial trailer temporary registration placard from the Department of Vehicle Regulation. The fee for each placard shall be five dollars (\$5) per placard and each applicant shall specify the number of placards to be issued. A company may make additional requests for temporary placards at any time it exhausts the placards supplied by the department.*
- (3) *The commissioner shall prescribe the application form for the commercial trailer temporary registration placard, require each applicant to submit proof of eligibility to receive the placard, and certify that the applicant has need of the placard in the ordinary course of business, and may request other information as part of the application process.*
- (4) *The commercial trailer temporary registration placard shall be placed on a semitrailer or trailer in the same manner as a regular trailer license plate. The temporary placard shall be issued if a permanent registration issued pursuant to KRS 186.655 cannot be obtained.*
- (5) *The use of a commercial trailer temporary registration placard shall be limited to the following activities:*
 - (a) *A demonstration of the semitrailer or trailer to a prospective purchaser;*
 - (b) *The transportation of the semitrailer or trailer to a facility engaged in the customizing of a motor vehicle for eventual use on the highway;*
 - (c) *The transportation of the semitrailer or trailer to a trade show or other activity designed to promote the selling of the product;*
 - (d) *The transportation of the semitrailer or trailer by a purchaser to a location outside Kentucky, provided that the semitrailer or trailer is not eligible to be registered in Kentucky; or*
 - (e) *Transportation of a trailer or semitrailer from the manufacturer to a place of business in Kentucky in order to obtain a permanent registration issued pursuant to KRS 186.655.*
- (6) *Each manufacturer, dealer, or distributor receiving the temporary placards shall maintain a record of use for each temporary placard to include the following:*
 - (a) *The make and model of each semitrailer or trailer and the vehicle identification number or other identification number of each vehicle on which a placard is used;*
 - (b) *The date the placard was issued and the registration number of the placard; and*
 - (c) *The address of the final destination and reason for movement of the semitrailer or trailer receiving the temporary placard.*
- (7) *A commercial trailer temporary registration placard shall not be activated until it is placed upon the semitrailer or trailer and used in a manner as authorized by subsection (5) of this section. The commercial trailer temporary registration placard shall expire thirty (30) days after it is activated and placed in use on a semitrailer or trailer and shall be designed in a manner that an expiration date shall be noted clearly on the face of the placard.*

➔Section 3. KRS 186.990 is amended to read as follows:

- (1) Any person who violates any of the provisions of KRS 186.020, 186.030, 186.040, 186.045(4), 186.050, 186.056, 186.060, 186.110, 186.130, 186.140, 186.160, 186.170, 186.180(1) to (4)(a), 186.210, 186.230, *Section 2 of this Act*, or KRS 186.655 to 186.680 shall be guilty of a violation.
- (2) Any person who violates any of the provisions of KRS 138.465, 186.190, *Section 1 of this Act*, or 186.200 shall be guilty of a Class A misdemeanor.
- (3) A person who violates the provisions of KRS 186.450(4), (5), or (6) or 186.452(3), (4), or (5) shall be guilty of a violation. A person who violates any of the other provisions of KRS 186.400 to 186.640 shall be guilty of a Class B misdemeanor.
- (4) Any clerk or judge failing to comply with KRS 186.550(1) shall be guilty of a violation.
- (5) If it appears to the satisfaction of the trial court that any offender under KRS 186.400 to 186.640 has a driver's license but in good faith failed to have it on his or her person or misplaced or lost it, the court may, in its discretion, dismiss the charges against the defendant without fine, imprisonment, or cost.

- (6) Any person who steals a motor vehicle registration plate or renewal decal shall be guilty of a Class D felony. Displaying a canceled registration plate on a motor vehicle shall be prima facie evidence of guilt under this section.
- (7) Any person who violates the provisions of KRS 186.1911 shall be guilty of a Class A misdemeanor.
- (8) Any person who makes a false affidavit to secure a license plate under KRS 186.172 shall be guilty of a Class A misdemeanor.
- (9) Any person who violates any provision of KRS 186.070 or 186.150 shall be guilty of a Class A misdemeanor.
- (10) Any person who operates a vehicle bearing a dealer's plate upon the highways of this Commonwealth with intent to evade the motor vehicle usage tax or registration fee shall be guilty of a Class A misdemeanor for the first offense and a Class D felony for each subsequent offense.
- (11) Any person, other than a licensed dealer or manufacturer, who procures a dealer's plate with intent to evade the motor vehicle usage tax or registration fee shall be guilty of a Class D felony.
- (12) Any resident who unlawfully registers, titles, or licenses a motor vehicle in any state other than Kentucky with intent to evade the motor vehicle usage tax or the registration fee shall be guilty of a Class A misdemeanor if the amount of tax due is less than one hundred dollars (\$100), or of a Class D felony if the amount of tax due is more than one hundred dollars (\$100), and in addition shall be liable for all taxes so evaded with applicable interest and penalties.

➔SECTION 4. A NEW SECTION OF KRS CHAPTER 281 IS CREATED TO READ AS FOLLOWS:

The Transportation Cabinet shall assess to applicants the costs involved in reprogramming the automated vehicle information system as a result of Sections 1 and 2 of this Act. The Transportation Cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A to define the assessment process.

Signed by Governor April 24, 2008.