

601 KAR 9:045. Proportional registration of rental vehicle fleets.

RELATES TO: KRS Chapter 186

STATUTORY AUTHORITY: KRS 186.020, 186.050

NECESSITY, FUNCTION, AND CONFORMITY: This administrative regulation sets out procedures to follow in registering rental vehicle fleets in the Commonwealth that qualify for proportional registration by virtue of engaging in interstate commerce, or in a combination of interstate and intrastate commerce, and operating into, through or within the Commonwealth.

Section 1. (1) Proportional registration of fleets of rental vehicles. An owner or operator of a fleet or fleets of vehicles which are used exclusively for rental purposes for a period of less than thirty (30) days, may elect to proportionally register its fleet in the Commonwealth of Kentucky. The owner or operator who makes this election shall file an application with the Department of Vehicle Regulation on or before sixty (60) days prior to the registration period.

(2) The application shall be upon forms furnished by the department except, that for good cause, the commissioner may approve the use of and receive an application on a form furnished by the fleet owner. The approval for the substitute form shall be secured at least thirty (30) days prior to its use. Also, the request for the use of such forms shall be in writing, setting forth circumstances to show why the standard forms would pose a hardship.

(3) The proportional registrant shall maintain complete records, which shall be subject to inspection by an authorized agent of the Department of Vehicle Regulation. The mileage and financial records and all other records supporting the sworn application and not filed with the application, shall be maintained for a period not less than three (3) years.

Section 2. Commercial Vehicles (Trucks and Truck Tractors). (1) The application for registration of rental trucks and truck tractors shall be supported by a listing of all units in the rental fleet. These units shall be arranged in ascending sequential order by the identifying fleet unit number and reflect the following data for each unit: year, make, manufacturer's vehicle identification number, and declared gross weight. The applicant shall compute the number of units in each weight class in the fleet that shall be registered in the Commonwealth of Kentucky by dividing the total miles traveled in Kentucky by all units in each weight class for the year ending on the preceding August 31, by the total miles traveled in all jurisdictions by the same units for the same period of time, the resulting quotient, rounded to the nearest ten-thousandths (10/1000), shall be multiplied by the total number of units in each weight class; provided, however, any fractional part shall be rounded and reported as one (1) unit. The weight classes shall be in accordance with the schedule of weight classes set forth in KRS 186.050(3).

(2) The department shall have thirty (30) days in which to examine, approve, or reject and return the application. During the period commencing March 1 and ending at midnight on April 1, the owner shall apply for registration pursuant to the provisions of KRS 186.020 for the number of units reflected on the approved application.

Section 3. Passenger Cars. (1) The application for registration of a fleet of rental passenger cars shall show:

- (a) Total number of units in the rental fleet;
- (b) Total amount of revenue arising from rental transaction from the total fleet for the previous year ending August 31;
- (c) Total amount of revenue arising from rental transaction in this jurisdiction for the previous year ending August 31; and
- (d) The percentage of revenue arising in this jurisdiction to total revenue shall be multiplied by the

number of vehicles in such fleet. The result establishes the number of units which shall be licensed in Kentucky and shall be included on the application.

(2) The department shall have thirty (30) days in which to examine, approve, or reject and return such application.

(3) During the period commencing on the first day of the owner's birth month and ending at the close of business on the last day of the owner's birth month, the owner shall apply for registration pursuant to the provisions of KRS 186.020 for the number of units reflected on the approved application. For corporations, the month of incorporation shall be considered the birth month.

Section 4. Registration of Additional Fleet Vehicles. Vehicles acquired by the registrant after the commencement of the registration year and added to the proportionally registered fleet shall be registered by applying the same percentage used in the original application for such fleet, for such registration period, the regular registration fees due with respect to such vehicles for the remainder of the registration year.

Section 5. An owner of a fleet of rental vehicles as defined in the Articles of the International Registration Plan shall be deemed to have complied with the provisions of this administrative regulation if the owner has registered the fleet of vehicles under the applicable portion of the Articles of the International Registration Plan. This compliance shall be determined and stated in writing by the commissioner of the Department of Vehicle Regulation or his designee. The designee shall be appointed in writing. (DMT-25; 1 Ky.R. 797; eff. 5-14-75; Am. 16 Ky.R. 1244; 1586; eff. 2-3-90.)