

TRANSPORTATION CABINET
Department of Vehicle Regulation
(Amendment)

601 KAR 9:085. Procedures for becoming a certified motor vehicle inspector.

RELATES TO: KRS 70.30, 186A.115, 516, 523

STATUTORY AUTHORITY: KRS 70.030, 186A.115(2)(a)~~[(1)(a)]~~

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 70.030, and 186A.115(2)(a)~~[(1)(a)]~~ requires the department to promulgate an administrative regulation establishing the certification requirements for a certified motor vehicle inspector or special inspector. This administrative regulation establishes the requirements necessary to become a certified motor vehicle inspector or special inspector and the process required for a motor vehicle inspector to be recertified.

Section 1. Requirements.

(1) The sheriff of the county for which the individual is to be certified shall submit the information established in paragraphs (a) through (g) of this subsection to the commissioner of the Department of Vehicle Regulation:

- (a) Name of sheriff;
- (b) Designation of sheriff or sheriff elect;
- (c) County in which sheriff was elected;
- (d) County Originating Agency Identifier (ORI) or assigned number from the Kentucky Transportation Cabinet for the county. ~~[Sheriff's Social Security number];~~
- (e) Sheriff's signature;
- (f) Date the document was executed by the sheriff; and
- (g) The proposed inspector's:
 1. Name;
 2. Business mailing address;
 3. County and state of residence;
 4. Business and residence telephone numbers;
 5. Current designation as certified inspector or special inspector including inspector number and county, if applicable;
 6. Prior inspector training and date, if applicable; and
 7. Certification that he or she has attended the training to become a certified motor vehicle inspector.

(2) If a sheriff has vacated his or her office and a certified motor vehicle inspector is not available in the county, the commissioner of the Department of Vehicle Regulation shall designate a temporary certified inspector until a new sheriff takes office.

(3) An applicant for certification as a motor vehicle inspector shall:

- (a) Be eighteen (18) years of age or older;
- (b) Not have a felony criminal record or pending felony charge ~~[Be a resident of the Commonwealth of Kentucky]; and~~
- (c) Not have a misdemeanor conviction or pending charge related to KRS 516 or KRS 523. ~~[Not have a felony criminal record or pending felony charge; and]~~
~~[(d)] [Not have a misdemeanor conviction or pending charge related to KRS Chapter 516 or 523.]~~

(4) A licensed motor vehicle dealer or an employee in his or her dealership may~~[shall not]~~ be eligible to become a certified motor vehicle inspector or special inspector.

(5) An applicant shall attend a training program conducted by the Department of Vehicle Regulation in conjunction with the Kentucky State Police.

(6) An applicant who attends the training program shall receive a certificate from the commissioner of the Department of Vehicle Regulation certifying the applicant as a certified motor vehicle inspector or special inspector.

(7) A certificate shall be valid for four (4) years.

(8) Six (6) months prior to the expiration of the four (4) year certificate, ~~a~~an certified motor vehicle inspector or special inspector may be recertified. Recertification shall require attending a training program pursuant to subsection five (5) of this section.

Section 2. Revocation.

(1) If a notification of withdrawal of designation is received by the Department of Vehicle Regulation from the county sheriff, the commissioner shall revoke the individual's certification.

(2) A certified motor vehicle inspector or special inspector whose certification has been suspended or revoked shall not be eligible to inspect a motor vehicle.

(3) The commissioner of the Department of Vehicle Regulation shall revoke or suspend the certification of a certified motor vehicle inspector or special inspector if the inspector:

(a) Is convicted of a felony or has a pending felony charge;

(b) Is convicted of a misdemeanor or has a pending misdemeanor charge relating to perjury or forgery as established in Section 1(3) of this administrative regulation; or

(c) Fails to satisfactorily complete the training required in Section 1(5) of this administrative regulation.

Section 3. Appeal.

(1) At least thirty (30) days prior to revoking or suspending a certificate, the department shall notify the certified motor vehicle inspector or special inspector in writing of the action the department proposes to take and the reasons.

(2) A certified motor vehicle inspector or special inspector may appeal the action. Appeal shall be within forty-five (45) days.

(3) The notice of appeal shall be in writing to the Commissioner of Vehicle Regulation and shall state the basis for the appeal.

(4) An appeal shall be conducted in accordance with KRS Chapter 13B.

APPROVED BY TRANSPORTATION CABINET:

REBECCA GOODMAN, Secretary

MATT COLE, Commissioner

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on August 24, 2026, at 10:30 a.m. EST, at the Kentucky Transportation Cabinet, 200 Mero Street, Frankfort, Kentucky 40622. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) working days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 PM on August 31, 2026. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

CONTACT PERSON: Jon Johnson, Staff Attorney Manager/Assistant General Counsel, Transportation Cabinet Office of Legal Services. 200 Mero Street Frankfort, Kentucky 40622. Telephone: (502) 782-8180; Fax: (502) 564-5238; Email: jon.johnson@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Jon Johnson **Phone:** (502) 782-8180 **Email:** jon.johnson@ky.gov

Subject Headings: Transportation; Inspections; Motor Vehicles

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This amendment adds provisions to allow dealerships or their employees to apply to become special inspectors for purposes of vehicle inspection. Specific requirements regarding training and applicants' criminal history will be taken into consideration in the application process and any subsequent revocation. In addition, this amendment eliminates the requirement of being a Kentucky resident.

(b) The necessity of this administrative regulation:

This amendment was required by amendments to KRS 186A.115 to allow sheriffs to appoint up to two employees of a motor vehicle dealer licensed under KRS Chapter 190 and doing business in the sheriff's county.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

This amendment adds provisions to allow dealerships or their employees to apply to become special inspectors for purposes of vehicle inspection. Specific requirements regarding training and applicants' criminal history will be taken into consideration in the application process and any subsequent revocation. In addition, this amendment eliminates the requirement of being a Kentucky resident.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This amendment will increase the number of inspectors in each county that will be able to inspect motor vehicles by including non-sheriff employed persons that qualify by training and application process to become special inspectors.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

Amendments include the removal of the requirements for inspectors to live in the county or state. This amendment expands the group of people that can inspect vehicles for KYTC to include out-of-state persons. This amendment was required by amendments to KRS 186A.115 to allow sheriffs to appoint up to two employees of a motor vehicle dealer licensed under KRS Chapter 190 and doing business in the sheriff's county.

(b) The necessity of the amendment to this administrative regulation:

This amendment was required by amendments to KRS 186A.115 to allow sheriffs to appoint up to two employees of a motor vehicle dealer licensed under KRS Chapter 190 and doing business in the sheriff's county.

(c) How the amendment conforms to the content of the authorizing statutes:

This amendment adds provisions to allow dealerships or their employees to apply to become special inspectors for purposes of vehicle inspection. Specific requirements regarding training and applicants' criminal history will be taken into consideration in the application process and any subsequent revocation. In addition, this

amendment eliminates the requirement of being a Kentucky resident. This amendment was required by KRS 70.030 and KRS 186A.115.

(d) How the amendment will assist in the effective administration of the statutes:

This amendment was required by amendments to KRS 70.030 and KRS 186A.115 to allow sheriffs to appoint up to two employees of a motor vehicle dealer licensed under KRS Chapter 190 and doing business in the sheriff's county.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? Yes, this amendment implements Ky Acts Chapter 103, HB 833 of the 2024 Regular Session.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

Sheriffs Offices and Auto Dealerships (5) Provide an analysis of how the entities identified in the question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:

Sheriffs' offices may appoint up to two employees of a motor vehicle dealer that is licensed under KRS Chapter 190 as a special inspector.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

No associated costs for Sheriffs or Auto Dealerships.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

This will benefit the inspection process by allowing more persons to do inspections in the county. This will assist sheriff's, auto dealerships and their constituents.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

There will be no cost associated with this amendment.

(b) On a continuing basis:

There will be no cost associated with this amendment.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

N/A

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

N/A

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

This amendment does not establish any fees or directly or indirectly increase any fees.

(10) TIERING: Is tiering applied?

No, tiering does not apply.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

. KRS 70.30, KRS 186A.115, KRS 190

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

This amendment is authorized by Ky Acts Chapter 103, HB 833 of the 2024 Regular Session.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

Kentucky Transportation Cabinet

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

Sheriffs' Offices

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

Auto Dealerships

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

No fiscal impact to any entity listed.

(b) Methodology and resources used to reach this conclusion:

No fiscal impact to any entity listed.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

No major economic impact to any entity listed.

(b) The methodology and resources used to reach this conclusion:

No major economic impact to any entity listed.