

190.990 Penalties.

- (1) Except as provided in subsection (5) of this section, any person who violates or causes, aids, or abets any violation of any provision of KRS 190.010 to 190.080 and KRS Chapter 190A, as such provisions apply, respectively, to new motor vehicle dealers, new recreational vehicle dealers, manufacturers, distributors, factory branches, or factory representatives, or any order, rule or regulation lawfully issued pursuant to authority granted by KRS 190.010 to 190.080 shall be fined not less than twenty-five dollars (\$25) nor more than five hundred dollars (\$500), or imprisoned for not more than thirty (30) days, or both. Any person who violates paragraphs (l), (m) or (n) of subsection (1) of KRS 190.040 may also be subject to a suspension or revocation sentence of not more than a year effective only in the territory formerly served by the unfairly canceled dealer, except that in a metropolitan area serviced by several dealers handling the same motor vehicle or recreational vehicle, the suspension or revocation order shall not be applicable to the remaining dealers.
- (2) Any person who willfully and intentionally violates any provision of KRS 190.090 to 190.140 shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding five hundred dollars (\$500).
- (3) A willful violation of KRS 190.100 or 190.110 by any person shall bar his or her recovery of any finance charge, delinquency, or collection charge on the retail installment contract involved.
- (4) Any person who willfully violates KRS 190.270 to 190.320 shall be subject to a penalty of five thousand dollars (\$5,000) per violation, which may be recovered on behalf of the Commonwealth by the Attorney General.
- (5) Any person who willfully and fraudulently gives a false statement as to the total and actual consideration paid for a motor vehicle under KRS 138.450 shall be guilty of a Class D felony and shall be fined not less than two thousand dollars (\$2,000) per offense.
- (6) Any licensee who violates KRS 186A.100, 186A.105, 186A.110, or 186A.990(4) may be subject to the following penalties levied by the commission:
 - (a) For the first offense, a warning or a fine of up to one thousand dollars (\$1,000) per violation;
 - (b) For the second offense within a two (2) year period, a fine of up to two thousand dollars (\$2,000) per violation and a suspension of the licensee's license for up to one (1) year; and
 - (c) For the third offense within a two (2) year period, a fine of up to two thousand dollars (\$2,000) per violation and a revocation of the licensee's license.

Effective: June 27, 2025

History: Amended 2025 Ky. Acts ch. 70, sec. 5, effective June 27, 2025. -- Amended 2014 Ky. Acts ch. 27, sec. 25, effective January 1, 2015. -- Amended 1998 Ky. Acts ch. 600, sec. 8, effective April 14, 1998. -- Amended 1984 Ky. Acts ch. 357, sec. 14, effective July 13, 1984. -- Amended 1976 Ky. Acts ch. 246, sec. 10, effective June 19, 1976. -- Amended 1968 Ky. Acts ch. 152, sec. 125. -- Created 1956 Ky. Acts ch. 105, sec. 6; and ch. 161, sec. 9.