

1 AN ACT relating to motor vehicle registration fees.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
4 READ AS FOLLOWS:

5 ***In addition to the registration fees required under KRS 186.050, at the time of initial***
6 ***registration and upon renewal, the owner of a plug-in electric vehicle shall pay a fee in***
7 ***the amount of one hundred dollars (\$100).***

8 ➔Section 2. KRS 186.010 is amended to read as follows:

- 9 (1) "Cabinet," as used in KRS 186.400 to 186.640, means the Transportation Cabinet;
10 except as specifically designated, "cabinet," as used in KRS 186.020 to 186.270,
11 means the Transportation Cabinet only with respect to motor vehicles, other than
12 commercial vehicles; "cabinet," as used in KRS 186.020 to 186.270, means the
13 Department of Vehicle Regulation when used with respect to commercial vehicles.
- 14 (2) "Highway" means every way or place of whatever nature when any part of it is open
15 to the use of the public, as a matter of right, license, or privilege, for the purpose of
16 vehicular traffic.
- 17 (3) "Manufacturer" means any person engaged in manufacturing motor vehicles who
18 will, under normal conditions during the year, manufacture or assemble at least ten
19 (10) new motor vehicles.
- 20 (4) "Motor vehicle" means in KRS 186.020 to 186.260, all vehicles, as defined in
21 paragraph (a) of subsection (8) of this section, which are propelled otherwise than
22 by muscular power. As used in KRS 186.400 to 186.640, it means all vehicles, as
23 defined in paragraph (b) of subsection (8) of this section, which are self-propelled.
24 "Motor vehicle" shall not include a moped as defined in this section, but shall
25 include low-speed vehicles as defined in this section.
- 26 (5) "Moped" means either a motorized bicycle whose frame design may include one (1)
27 or more horizontal crossbars supporting a fuel tank so long as it also has pedals, or a

1 motorized bicycle with a step-through type frame which may or may not have
2 pedals rated no more than two (2) brake horsepower, a cylinder capacity not
3 exceeding fifty (50) cubic centimeters, an automatic transmission not requiring
4 clutching or shifting by the operator after the drive system is engaged, and capable
5 of a maximum speed of not more than thirty (30) miles per hour.

6 (6) "Operator" means any person in actual control of a motor vehicle upon a highway.

7 (7) (a) "Owner" means a person who holds the legal title of a vehicle or a person who
8 pursuant to a bona fide sale has received physical possession of the vehicle
9 subject to any applicable security interest.

10 (b) A vehicle is the subject of an agreement for the conditional sale or lease, with
11 the vendee or lessee entitled to possession of the vehicle, upon performance of
12 the contract terms, for a period of three hundred sixty-five (365) days or more
13 and with the right of purchase upon performance of the conditions stated in
14 the agreement and with an immediate right of possession vested in the
15 conditional vendee or lessee, or if a mortgagor of a vehicle is entitled to
16 possession, the conditional vendee or lessee or mortgagor shall be deemed the
17 owner.

18 (c) A licensed motor vehicle dealer who transfers physical possession of a motor
19 vehicle to a purchaser pursuant to a bona fide sale, and complies with the
20 requirements of KRS 186A.220, shall not be deemed the owner of that motor
21 vehicle solely due to an assignment to his dealership or a certificate of title in
22 the dealership's name. Rather, under these circumstances, ownership shall
23 transfer upon delivery of the vehicle to the purchaser, subject to any
24 applicable security interest.

25 (8) (a) "Vehicle," as used in KRS 186.020 to 186.260, includes all agencies for the
26 transportation of persons or property over or upon the public highways of this
27 Commonwealth and all vehicles passing over or upon said highways,

1 excepting road rollers, road graders, farm tractors, vehicles on which power
2 shovels are mounted, such other construction equipment customarily used
3 only on the site of construction and which is not practical for the
4 transportation of persons or property upon the highways, such vehicles as
5 travel exclusively upon rails, and such vehicles as are propelled by electric
6 power obtained from overhead wires while being operated within any
7 municipality or where said vehicles do not travel more than five (5) miles
8 beyond the city limit of any municipality.

9 (b) As used in KRS 186.400 to 186.640, "vehicle" means every device in, upon or
10 by which any person or property is or may be transported or drawn upon a
11 public highway, excepting devices moved by human and animal power or
12 used exclusively upon stationary rails or tracks, or which derives its power
13 from overhead wires.

14 (9) KRS 186.020 to 186.270 apply to motor vehicle licenses. KRS 186.400 to 186.640
15 apply to operator's licenses.

16 (10) "Dealer" means any person engaging in the business of buying or selling motor
17 vehicles.

18 (11) "Commercial vehicles" means all motor vehicles that are required to be registered
19 under the terms of KRS 186.050, but not including vehicles primarily designed for
20 carrying passengers and having provisions for not more than nine (9) passengers
21 (including driver), motorcycles, sidecar attachments, pickup trucks and passenger
22 vans which are not being used for commercial or business purposes, and motor
23 vehicles registered under KRS 186.060.

24 (12) "Resident" means any person who has established Kentucky as his or her state of
25 domicile. Proof of residency shall include but not be limited to a deed or property
26 tax bill, utility agreement or utility bill, or rental housing agreement. The possession
27 by an operator of a vehicle of a valid Kentucky operator's license shall be prima-

1 facie evidence that the operator is a resident of Kentucky.

2 (13) "Special status individual" means:

3 (a) "Asylee" means any person lawfully present in the United States who
4 possesses an I-94 card issued by the United States Department of Justice,
5 Immigration and Naturalization Service, on which it states "asylum status
6 granted indefinitely pursuant to Section 208 of the Immigration & Nationality
7 Act";

8 (b) "K-1 status" means the status of any person lawfully present in the United
9 States who has been granted permission by the United States Department of
10 Justice, Immigration and Naturalization Service to enter the United States for
11 the purpose of marrying a United States citizen within ninety (90) days from
12 the date of that entry;

13 (c) "Refugee" means any person lawfully present in the United States who
14 possesses an I-94 card issued by the United States Department of Justice,
15 Immigration and Naturalization Service, on which it states "admitted as a
16 refugee pursuant to Section 207 of the Immigration & Nationality Act"; and

17 (d) "Paroled in the Public Interest" means any person lawfully present in the
18 United States who possesses an I-94 card issued by the United States
19 Department of Justice, Immigration and Naturalization Service, on which it
20 states "paroled pursuant to Section 212 of the Immigration & Nationality Act
21 for an indefinite period of time."

22 (14) "Instruction permit" includes both motor vehicle instruction permits and motorcycle
23 instruction permits.

24 (15) "Motorcycle" means any motor driven vehicle having a seat or saddle for the use of
25 the operator and designed to travel on not more than three (3) wheels in contact
26 with the ground, including vehicles on which the operator and passengers ride in an
27 enclosed cab. "Motorcycle" shall include an alternative-speed motorcycle as defined

1 in this section, but shall not include a tractor or a moped as defined in this section.

2 (16) "Low-speed vehicle" means a motor vehicle that:

3 (a) Is self-propelled using an electric motor, combustion-driven motor, or a
4 combination thereof;

5 (b) Is four (4) wheeled; and

6 (c) Is designed to operate at a speed not to exceed twenty-five (25) miles per hour
7 as certified by the manufacturer.

8 (17) "Alternative-speed motorcycle" means a motorcycle that:

9 (a) Is self-propelled using an electric motor, combustion-driven motor, or a
10 combination thereof;

11 (b) Is three (3) wheeled;

12 (c) Has a fully enclosed cab and includes at least one (1) door for entry; and

13 (d) Is designed to operate at a speed not to exceed forty (40) miles per hour as
14 certified by the manufacturer.

15 (18) "Multiple-vehicle driving range" means an enclosed area that is not part of a
16 highway or otherwise open to the public on which a number of motor vehicles may
17 be used simultaneously to provide driver training under the supervision of one (1) or
18 more driver training instructors.

19 **(19) "Plug-in electric vehicle" means a motor vehicle that is:**

20 **(a) Not a low-speed vehicle;**

21 **(b) Not an alternative-speed motorcycle; and**

22 **(c) Powered exclusively by electricity.**

23 ➔Section 3. This Act shall take effect January 1, 2018.