

1 AN ACT relating to motor vehicle titles.

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

3 ➔Section 1. KRS 186A.170 is amended to read as follows:

4 (1) The Department of Vehicle Regulation shall:

5 (a) Within five (5) working days following receipt by it of an application for a
6 certificate of title in proper form, process the application and its supporting
7 documents in the manner provided in this section, and unless it finds
8 discrepancies with respect to it or its supporting documents, issue a certificate
9 of title in the name of the owner, and:

10 **1. If there is not a security interest on the vehicle,** send **the title**~~[it]~~
11 postpaid to **the**~~[such]~~ owner; **or**

12 **2. If there is a security interest on the vehicle, send the title postpaid to**
13 **the holder of the security interest;** and

14 (b) Within forty-eight (48) hours following electronic notification by a county
15 clerk's office of an application for a certificate of title, issue a speed title
16 which shall be held for pickup or returned to the owner, **or the holder of a**
17 **security interest if there is a security interest on the vehicle,** by mail. The
18 clerk shall take the application for title and process the appropriate paperwork
19 as provided for in this chapter. The department may provide, by administrative
20 regulation, for exceptions to the speed title procedure.

21 (2) Upon receiving an application packet from a county clerk, the application receipt
22 clerk of the Department of Vehicle Regulation shall:

23 (a) Cause the date and time of receipt to be stamped on both the department's
24 copy and the acknowledgment copy of the application transmittal record and
25 accompanying documents;

26 (b) Cause at least duplicate sets of images to be made of each transmittal record
27 application and supporting document by a means that will provide rapid,

1 selective, automated retrieval of individual document images by appropriate
2 indexing methods or keys; and

3 (c) Compare the application transmittal record with the documents accompanying
4 it and, if all applications shown upon the record are accompanying the record,
5 endorse the department's copy of the transmittal record and the
6 acknowledgment copy, and forward the acknowledgment copy to the clerk
7 who issued it.

8 (3) In the event there is a discrepancy between the application transmittal record and
9 the application attached to it, the Department of Vehicle Regulation shall note the
10 discrepancy upon the department's copy and the acknowledgment copy, and shall
11 promptly contact the issuing clerk and resolve the discrepancy. After resolving the
12 discrepancy, the department shall note the nature of the disposition of the
13 discrepancy and endorse the respective copies and forward the acknowledgment
14 copy with the discrepancy disposition noted thereon to the issuing clerk.

15 (4) After executing the acknowledgment of receipt of applications, the Department of
16 Vehicle Regulation shall carry out the following action with respect to each
17 application:

18 (a) Examine the owner's application for legibility and proper execution, presence
19 of required information, including required supporting documents, and the
20 presence of required signatures. The Department of Vehicle Regulation shall
21 ensure also that the required supporting documents are consistent in pertinent
22 part with the information shown on the owner's application;

23 (b) The documents supporting an owner's application shall be examined as to
24 authenticity and to determine if fraudulent alteration has occurred;

25 (c) Ensure that the vehicle identification number of the subject vehicle is
26 apparently legitimate;

27 (d) Ensure that the vehicle identification number and any other appropriate

- 1 information with respect to a vehicle for which a certificate of title has been
2 applied for is compared against the National Crime Information Center
3 (NCIC) computerized listings of vehicles reported stolen, unless NCIC is not
4 operational and the department has official notification that it is not expected
5 to be operational within four (4) working days following the day on which an
6 application for a certificate of title is received by it; and
- 7 (e) Compare the computer-produced certificate of title for consistency with the
8 owner's application and supporting documents.
- 9 (5) When the title application has been completed, and the application examiner at each
10 significant stage has indicated, by placing his unique symbol upon the application in
11 the space provided thereon, that an application has passed the required
12 examinations, the application shall be examined by a title examination certifier.
- 13 (6) The title application certifier shall ensure that each application has received the
14 required examinations as indicated by the presence of each required examiner's
15 symbol. Upon satisfying himself that an application has passed the required
16 examinations, the title examination certifier shall place his unique symbol together
17 with the date upon the application.
- 18 (7) The Department of Vehicle Regulation shall withhold issuance of a title, until its
19 questions are resolved to its satisfaction, when it finds material discrepancies or has
20 information giving probable cause to believe:
- 21 (a) That an applicant is not the lawful owner of a vehicle for which he seeks a
22 title;
- 23 (b) His application is not in order;
- 24 (c) The documentation supporting an application is insufficient or fraudulent;
- 25 (d) The vehicle has an illegitimate vehicle identification number;
- 26 (e) The vehicle is stolen; or
- 27 (f) That the computer-produced certificate of title is not consistent with the

1 owner's application.

2 (8) In the case of multiple owners, the Department of Vehicle Regulation shall require
3 only two (2) primary owners' names to be printed on the certificate of title. Upon
4 submission of the title application, if more than two (2) owners are listed, the
5 primary owners shall be determined by the title applicants. In such instances, the
6 certificate of the title shall note that there are more than two (2) owners. The names
7 of all title applicants shall be documented in AVIS.

8 (9) When the Department of Vehicle Regulation finds that a certificate of title should
9 be issued for a vehicle, the endorsement of the commissioner of the Department of
10 Vehicle Regulation shall be engrossed upon the certificate of title following a
11 preprinted statement which shall read: I certify that the Department of Vehicle
12 Regulation has exercised due diligence in examining an application for a certificate
13 of title for the above-described vehicle, and to the best of our knowledge and belief,
14 the applicant whose name appears above is the lawful owner of the apparently
15 legitimate vehicle described herein. ----- (signature), commissioner,
16 Department of Vehicle Regulation, Kentucky Transportation Cabinet.

17 ➔Section 2. KRS 186A.180 is amended to read as follows:

18 An owner *of a vehicle upon which there is no security interest*, who has obtained a
19 certificate of title pursuant to this chapter, may apply for and obtain an updated
20 certificate, but shall not be required to periodically renew a certificate of title that has
21 been issued to him.

22 ➔Section 3. KRS 186A.190 is amended to read as follows:

23 (1) Except as provided in subsection (4) of this section and in KRS 355.9-311(4), the
24 perfection and discharge of a security interest in any property for which has been
25 issued a Kentucky certificate of title shall be by notation on the certificate of title.
26 Notation shall be made by the entry of information required by subsection (7) of this
27 section into the Automated Vehicle Information System, and shall be deemed to

1 have occurred upon the entry. The notation of the security interest on the certificate
2 of title shall be in accordance with this chapter and shall remain effective from the
3 date on which the security interest is noted on the certificate of title for a period of
4 ten (10) years, or, in the case of a manufactured home, for a period of thirty (30)
5 years, or until discharged under this chapter and KRS Chapter 186. The filing of a
6 continuation statement within the six (6) months preceding the expiration of the
7 initial period of a notation's effectiveness extends the expiration date for five (5)
8 additional years, commencing on the day the notation would have expired in the
9 absence of the filing. Succeeding continuation statements may be filed in the same
10 manner to continue the effectiveness of the initial notation.

11 (2) Except as provided in subsection (4) of this section, the notation of security interests
12 relating to property required to be titled in Kentucky through the county clerk shall
13 be done in the office of the county clerk of the county in which the debtor resides. If
14 the debtor is other than a natural person, the following provisions govern the
15 determination of the county of the debtor's residence:

16 (a) A partnership shall be deemed a resident of the county in which its principal
17 place of business in this state is located. If the debtor does not have a place of
18 business in this state, then the debtor shall be deemed a nonresident for
19 purposes of filing in this state;

20 (b) A limited partnership organized under KRS Chapter 362 or as defined in KRS
21 362.2-102(14) shall be deemed a resident of the county in which its principal
22 place of business is located, as set forth in its certificate of limited partnership
23 or most recent amendment thereto filed pursuant to KRS Chapter 362 or
24 362.2-202. If such office is not located in this state, the debtor shall be
25 deemed a nonresident for purposes of filing in this state;

26 (c) A limited partnership not organized under the laws of this state and authorized
27 to do business in this state shall be deemed a resident of the county in which

1 the office of its process agent is located, as set forth in the designation or most
2 recent amendment thereto filed with the Secretary of State of the
3 Commonwealth of Kentucky;

4 (d) A corporation organized under KRS Chapter 271B, 273, or 274 or a limited
5 liability company organized under KRS Chapter 275 shall be deemed a
6 resident of the county in which its registered office is located, as set forth in
7 its most recent corporate filing with the Secretary of State which officially
8 designates its current registered office;

9 (e) A corporation not organized under the laws of this state, but authorized to
10 transact or do business in this state under KRS Chapter 271B, 273, or 274, or
11 a limited liability company not organized under the laws of this state, but
12 authorized to transact business in this state under KRS Chapter 275, shall be
13 deemed a resident of the county in which its registered office is located, as set
14 forth in its most recent filing with the Secretary of State which officially
15 designates its current registered office;

16 (f) A cooperative corporation or association organized under KRS Chapter 272
17 shall be deemed a resident of the county in which its principal business is
18 transacted, as set forth in its articles of incorporation or most recent
19 amendment thereto filed with the Secretary of State of the Commonwealth of
20 Kentucky;

21 (g) A cooperative corporation organized under KRS Chapter 279 shall be deemed
22 a resident of the county in which its principal office is located, as set forth in
23 its articles of incorporation or most recent amendment thereto filed with the
24 Secretary of State of the Commonwealth of Kentucky;

25 (h) A business trust organized under KRS Chapter 386 shall be deemed a resident
26 of the county in which its principal place of business is located, as evidenced
27 by the recordation of its declaration of trust in that county pursuant to KRS

1 Chapter 386;

2 (i) A credit union organized under Subtitle 6 of KRS Chapter 286 shall be
3 deemed a resident of the county in which its principal place of business is
4 located, as set forth in its articles of incorporation or most recent amendment
5 thereto filed with the Secretary of State of the Commonwealth of Kentucky;
6 and

7 (j) Any other organization (defined in KRS 355.1-201) shall be deemed a
8 resident of the county in which its principal place of business in this state is
9 located, except that any limited liability company, limited liability partnership,
10 limited partnership, or corporation not organized under the laws of this state
11 and not authorized to transact or do business in this state shall be deemed a
12 nonresident for purposes of filing in this state. If the organization does not
13 have a place of business in this state, then it shall be deemed a nonresident for
14 purposes of filing in this state.

15 If the debtor does not reside in the Commonwealth, the notation of the security
16 interest shall be done in the office of the county clerk in which the property is
17 principally situated or operated. Notwithstanding the existence of any filed
18 financing statement under the provisions of KRS Chapter 355 relating to any
19 property registered or titled in Kentucky, the sole means of perfecting and
20 discharging a security interest in property for which a certificate of title is required
21 by this chapter is by notation on the property's certificate of title under the
22 provisions of this chapter or in accordance with the provisions of KRS 186.045(3).
23 In other respects the security interest is governed by the provisions of KRS Chapter
24 355.

25 (3) Except as provided in subsection (4) of this section, before ownership of property
26 subject to a lien evidenced by notation on the certificate of title may be transferred,
27 the transferor shall obtain the release of the prior liens in his name against the

1 property being transferred. Once a security interest has been noted on the owner's
2 title, a subsequent title shall not be issued by any county clerk free of the notation
3 unless the owner's title is presented to the clerk and it has been noted thereon that
4 the security interest has been discharged. If this requirement is met, information
5 relating to any security interest shown on the title as having been discharged may be
6 omitted from the title to be issued by the clerk. If information relating to the
7 discharge of a security interest is presented to a clerk under the provisions of KRS
8 186.045(3), the clerk shall discharge the security interest and remove the lien
9 information from AVIS.

10 (4) Notwithstanding subsections (1), (2), and (3) of this section, a county clerk shall,
11 following inspection of the vehicle by the sheriff, to determine that the vehicle has
12 not been stolen, issue a new ownership document to a vehicle, clear of all prior
13 liens, to a person after he or she provides to the county clerk an affidavit devised by
14 the Transportation Cabinet and completed by the person. The ownership document
15 presented as a result of this affidavit shall be in accordance with subsection (5) of
16 this section. In the affidavit, the affiant shall attest that:

17 (a) The affiant or the agent of the affiant possesses the vehicle;

18 (b) Before he or she provided the notices required by paragraphs (c) and (d) of
19 this subsection:

20 1. A debt on the vehicle has been owed him or her for more than thirty (30)
21 days;

22 2. Within thirty (30) days of payment of damages by an insurance
23 company and receipt by the current owner of the motor vehicle or
24 lienholder of damages pursuant to a claim settlement which
25 required transfer of the vehicle to the insurance company, the
26 insurance company has been unable to obtain ~~f~~

27 ~~a.~~ a properly endorsed certificate of title on the vehicle from the

- 1 current owner or lienholder; and
 2 ~~b. If applicable, any lien satisfactions]; or~~
- 3 3. a. The vehicle was voluntarily towed or transported pursuant to a
 4 request of the current owner or an insurance company that a motor
 5 vehicle dealer, licensed as a used motor vehicle dealer and motor
 6 vehicle auction dealer, take possession of and store the motor
 7 vehicle in the regular course of business; and
- 8 b. Within forty-five (45) days of taking possession of the motor
 9 vehicle, the motor vehicle dealer has not been paid storage fees by
 10 the current owner or lienholder and has not been provided both a
 11 properly endorsed certificate of title and if applicable, any lien
 12 satisfactions;
- 13 (c) More than thirty (30) days before presenting the affidavit to the county clerk,
 14 the affiant attempted to notify the owner of the vehicle and all known
 15 lienholders, including those noted on the title, by certified mail, return receipt
 16 requested, or by a nationally recognized courier service, of his or her name,
 17 address, and telephone number as well as his or her intention to obtain a new
 18 title or salvage title, as applicable, clear of all prior liens, unless the owner or a
 19 lienholder objects in writing;
- 20 (d) More than fourteen (14) days before presenting the affidavit to the county
 21 clerk, the affiant had published a legal notice stating his or her intention to
 22 obtain title to the vehicle. The legal notice appeared at least twice in a seven
 23 (7) day period in a newspaper with circulation in the county. The legal notice
 24 stated:
- 25 1. The affiant's name, address, and telephone number;
 26 2. The owner's name;
 27 3. The names of all known lienholders, including those noted on the title;

- 1 4. The vehicle's make, model, and year; and
- 2 5. The affiant's intention to obtain title to the vehicle unless the owner or a
- 3 lienholder objects in writing within fourteen (14) days after the last
- 4 publication of the legal notice; and
- 5 (e) Neither the owner nor a lienholder has objected in writing to the affiant's right
- 6 to obtain title to the vehicle.
- 7 (5) (a) If subsection (4)(b)1. of this section applies, the new ownership document
- 8 shall be a title.
- 9 (b) If subsection (4)(b)2. or 3. of this section applies, the new ownership
- 10 document shall be a salvage title if the vehicle meets the requirements for a
- 11 salvage title as stated in KRS 186A.520(1)(a).
- 12 (c) If subsection (4)(b)2. or 3. of this section applies and the vehicle does not
- 13 meet the requirements for a salvage title as stated in KRS 186A.520(1)(a), the
- 14 new ownership document shall be a title.
- 15 (6) No more than two (2) active security interests may be noted upon a certificate of
- 16 title.
- 17 (7) In noting a security interest upon a certificate of title, the county clerk shall ensure
- 18 that the certificate of title bears the lienholder's name, mailing address and zip code,
- 19 the date the lien was noted, the notation number, and the county in which the
- 20 security interest was noted. The clerk shall obtain the information required by this
- 21 subsection for notation upon the certificate of title from the title lien statement
- 22 described in KRS 186A.195 to be provided to the county clerk by the secured party.
- 23 (8) For all the costs incurred in the notation and discharge of a security interest on the
- 24 certificate of title, the county clerk shall receive the fee prescribed by KRS 64.012.
- 25 The fee prescribed by this subsection shall be paid at the time of submittal of the
- 26 title lien statement described in KRS 186A.195.
- 27 (9) A copy of the application, certified by the county clerk, indicating the lien will be

1 noted on the certificate of title shall be forwarded to the lienholder.

2 ➔Section 4. KRS 186.045 is amended to read as follows:

3 (1) A perfected security interest in a motor vehicle that has been satisfied by payment in
4 full shall be deemed to have been discharged if one (1) or both of the following
5 events has occurred:

6 (a) The funds to pay in full and discharge the security interest have been provided
7 to the secured party in the form of a cashier's check, certified check, or wire
8 transfer; or

9 (b) The debt has been paid to a secured party who is no longer in existence or has
10 failed to file the necessary documents to discharge the lien.

11 (2) If payment in full has been made under subsection (1)(a) of this section, the
12 discharge of the lien shall be made not later than ten (10) days from the receipt of
13 the payment.

14 (3) When a security interest has been paid in full and a termination statement or
15 discharge has not been filed, or the title has not been transferred to owner from
16 the secured party, the debtor may petition the Circuit Court in the county of the
17 debtor's residence to order the discharge of the security interest. The debtor shall
18 present written evidence to the Circuit Court that the security interest has been paid
19 in full. If the evidence presented to the Circuit Court proves to the court's
20 satisfaction that the security interest has been paid in full, the court shall:

21 (a) Order the county clerk to note the termination on the title and to remove the
22 lien from the Automated Vehicle Information System (AVIS). A copy of the
23 court's order shall immediately be sent to the county clerk in the county where
24 the security interest was originally filed and the county clerk shall discharge
25 the security interest and remove the lien information from AVIS in accordance
26 with the provisions of this section; and

27 (b) If the title has not been returned to the owner, order the cabinet to issue a

1 **duplicate title to the owner.**

2 (4) Whenever a security interest has been discharged, other than by proceedings under
3 Part 6 of Article 9 of KRS Chapter 355 or similar proceedings, the secured party
4 shall:

5 (a) Deliver an authenticated termination statement in the manner required by KRS
6 355.9-513 and 186A.195 to the county clerk of the county in which the title
7 lien statement was submitted; or

8 (b) Have a county clerk from another county submit by fax or other form of
9 electronic communication available and acceptable to both sender and
10 recipient, and verified verbally or by electronically assigned identification as
11 being from the sending clerk, and which is able to be copied to an electronic
12 or paper file, on that county clerk's letterhead, an authenticated termination
13 statement in the manner required by KRS 186A.195 and 355.9-513 to the
14 county clerk of the county in which the title lien statement was submitted. The
15 county clerk, upon receipt of the authenticated termination statement in the
16 manner prescribed under this paragraph, shall verify the legitimacy of the
17 document.

18 The secured party shall also deliver a copy of the termination statement, **and the**
19 **title, if the secured party has possession of the title pursuant to Section 1 of this**
20 **Act,** to the debtor or the debtor's transferee. For failure to file the termination
21 statement within the allowable time, the secured party shall be subject to the penalty
22 provided in KRS 186.990(1). Except as provided in subsection (3) of this section,
23 within five (5) days after the receipt of such documents, the county clerk shall note
24 the filing in the index, in language prescribed by the cabinet, that the termination
25 statement has been filed. Upon presentation of the owner's title showing a security
26 interest to the county clerk where the termination statement was submitted, and with
27 the copy of the termination statement submitted by the secured party, the clerk shall

1 discharge the security interest by noting on the title that the termination statement
2 has been filed and place the seal of the county clerk thereon. The clerk shall return
3 the owner's title to the owner. The county clerk shall then file the termination
4 statement in the place from which the title lien statement was removed. Termination
5 statements shall be retained in the clerk's files for a period of two (2) years
6 subsequent to the date of filing a statement, at which time they may be destroyed.
7 The fee for these services are included in the provisions of KRS 186A.190.

8 (5) Upon presentation of an owner's title showing a security interest to the county clerk
9 of a county where the termination statement was not delivered, the county clerk
10 shall access the automated system to determine whether a record of termination of
11 the security interest has been entered into the automated system by the county clerk
12 where the termination statement was delivered by the secured party as provided in
13 KRS 186A.210. If a record of termination has been entered into the automated
14 system, the county clerk of the county where the termination statement was not
15 delivered, shall note the discharge of the security interest on the certificate of title
16 by noting that the termination statement has been delivered, the county where it was
17 delivered, and placing the seal of the county clerk thereon and may rely on the
18 automated system to do so. If a record of termination has not been entered into the
19 automated system, the county clerk of the county other than where the termination
20 statement was delivered shall not make any notation upon the certificate of title that
21 the security interest has been discharged or that a termination statement has been
22 delivered to the county where the title lien statement was submitted.

23 (6) Whenever any secured party repossesses a vehicle titled in Kentucky, for which a
24 security interest is in existence at the time of repossession, and disposes of the
25 vehicle pursuant to the provisions of KRS Chapter 355, the secured party shall
26 present, within fifteen (15) days after such disposition, the vehicle's license plate if
27 the plate has not been retained by the previous owner, an affidavit in a form

1 prescribed by the department, proof of notification of all interested parties pursuant
2 to KRS 186A.190 and 355.9-611, and a termination statement or proof that a
3 termination statement has been filed. The new owner shall pay to the county clerk
4 all applicable fees for titling and transferring the vehicle into his or her name. Upon
5 receipt of such documents, the county clerk who issued the lien shall then omit from
6 the title he makes application for any information relating to the security interest
7 under which the vehicle was repossessed or any security interest subordinate
8 thereto. However, any security interest, as shown by such title which is superior to
9 the one under which the vehicle was repossessed, shall be shown on the title issued
10 by the clerk unless the prior secured party has discharged the security interest in the
11 clerk's office or proof of termination is submitted, if the prior security interest was
12 discharged in another clerk's office.

13 (7) Whenever any vehicle brought into Kentucky is required to be titled and the vehicle
14 is then subject to a security interest in another state as shown by the out-of-state
15 documents presented to the clerk, the county clerk is prohibited from processing the
16 application for title on the vehicle unless the owner obtains from the secured party a
17 financing statement or title lien statement and presents same to the clerk along with
18 the fees required in KRS 186A.190. The clerk shall note the out-of-state security
19 interest on the certificate of title. This provision does not apply to vehicles required
20 to be registered in Kentucky under forced registration provisions under KRS
21 186.145.

22 (8) The fees provided for in this section are in addition to any state fee provided for by
23 law.

24 (9) Any person violating any provision of this section or any person refusing to
25 surrender a certificate of title registration and ownership or transfer certificate upon
26 request of any person entitled thereto, is subject to the penalties provided in
27 subsection (1) of KRS 186.990.

- 1 (10) The county clerk is prohibited from noting any security interest on a certificate of
2 title on any vehicle subject to the provisions of KRS Chapter 186A if a certificate of
3 title therefor is presented to him which has all the spaces provided thereon for
4 noting security interests fully exhausted. The owner is responsible for ensuring that
5 a discharge is noted on the certificate of title for each security interest and then a
6 duplicate title as provided for in KRS 186A.180 shall be obtained from the clerk by
7 the owner of the vehicle.
- 8 (11) Security interests in vehicles sold to or owned by residents of other states shall be
9 perfected in the state of the nonresident and repossession of the vehicle shall be
10 taken pursuant to the laws of that state, unless:
- 11 (a) The vehicle is principally operated in Kentucky;
- 12 (b) The vehicle is properly titled in Kentucky under KRS Chapter 186A; and
- 13 (c) The security interest is authorized to be noted on the certificate of title by the
14 county clerk under KRS Chapter 186A.
- 15 (12) A county clerk who accepts an authenticated termination statement and complies
16 with the verification requirements of subsection (4)(b) of this section shall be held
17 harmless from any liability arising from fraudulent termination statements.
- 18 ➔Section 5. KRS 186.170 is amended to read as follows:
- 19 (1) Except as provided in this subsection and in KRS 186.045, the owner shall have the
20 receipt issued by the cabinet through the county clerk constantly in his possession,
21 and shall display the registration plate conspicuously upon the rear of the motor
22 vehicle, except that the registration plate upon a semitrailer-tractor shall be
23 displayed upon the front of the tractor. The owner's copy, or a reproduced copy
24 thereof, of the registration receipt of every motor vehicle, except motorcycles,
25 licensed under KRS 186.050 shall be kept in the vehicle at all times and shall be
26 available for inspection. Plates shall be kept legible at all times and the rear plate
27 shall be illuminated when being operated during the hours designated in KRS

1 189.030. No rim, frame, or other covering around the plate shall in any way obscure
2 or cover any lettering or decal on the plate; except that, any owner who objects to
3 the display of a trademark of a private corporation which appears on the registration
4 plate shall be entitled to receive a set of decals from the county clerk in his county
5 of residence to cover the trademark of the private corporation. The owner may apply
6 for the decal by presenting his certificate of registration either at the time of
7 registration renewal or later. The county clerk shall charge a three dollar (\$3) clerk's
8 fee for issuing the decal set if it is applied for a time other than at registration
9 renewal. If the cabinet has prescribed that plates shall continue in use, it shall each
10 year, in addition to the registration receipt, select and give to the owner as further
11 evidence of registration some insignia which may conveniently be attached
12 permanently and conspicuously to the motor vehicle during each registration year. It
13 shall be the duty of the owner to attach the insignia in the prescribed manner and no
14 person may operate a motor vehicle unless the insignia is affixed upon it. The
15 cabinet shall have placed on the insignia either figures, letters, writing, marks, or a
16 combination thereof, which indicate that the motor vehicle has been registered and
17 which in conjunction with the records of the cabinet make identity of the registrant
18 readily ascertainable.

19 (2) The registration year for commercial vehicles, trailers, semitrailers, mobile homes,
20 and recreational vehicles shall be from April 1 to March 31.

21 (3) (a) At the discretion of the vehicle owner, the title to a motor vehicle on which
22 there is no security interest may be held in the system and subsequently
23 printed and mailed to the owner at the owner's request.

24 (b) At the discretion of the holder of a security interest, the title to a motor
25 vehicle on which there is a security interest may be held in the system and
26 subsequently printed and mailed to the holder of the security interest at his
27 or her request.