

1 AN ACT relating to transportation, making an appropriation therefor, and declaring
2 an emergency.

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

4 ➔Section 1. KRS 138.220 is amended to read as follows:

- 5 (1) (a) An excise tax ***with an initial base***~~[at the]~~ rate of ***thirty-four and six-tenths of***
6 ***a cent (\$0.346) per gallon***~~[nine percent (9%) of the average wholesale price~~
7 ~~rounded to the nearest one-tenth of one cent (\$0.001)]~~ shall be paid on all
8 gasoline and special fuel received in this state.~~[The tax shall be paid on a per~~
9 ~~gallon basis.]~~
- 10 (b) The ***excise tax under this section shall be***~~[average wholesale price shall be~~
11 ~~determined and]~~ adjusted ***annually*** as provided in ***Section 3 of this Act***~~[KRS~~
12 ~~138.228].~~
- 13 (c) For the purposes of the allocations in KRS 177.320(1) and (2) and 177.365,
14 the amount calculated under this ***section and adjusted under Section 3 of this***
15 ***Act***~~[subsection]~~ shall be reduced by the amount ***identified***~~[calculated]~~ in
16 subsection ***(2)***~~[(3)]~~ of this section.
- 17 (d) Except as provided by KRS Chapter 138, no other excise or license tax shall
18 be levied or assessed on gasoline or special fuel by the state or any political
19 subdivision of the state.
- 20 (e) The tax ***under this section***~~[herein imposed]~~ shall be paid by the dealer
21 receiving the gasoline or special fuel to the State Treasurer in the manner and
22 within the time specified in KRS 138.230 to 138.340 and all such tax may be
23 added to the selling price charged by the dealer or other person paying the tax
24 on gasoline or special fuel sold in this state.
- 25 (f) ***Except as provided by in Subsection (4) of this section,*** nothing ***in this***
26 ***section***~~[herein contained]~~ shall authorize or require the collection of the tax
27 upon any gasoline or special fuel after it has been once taxed under the

1 provisions of this section, unless such tax was refunded or credited.

2 (2) ~~[(a) In addition to the excise tax provided in subsection (1) of this section, there is~~
 3 ~~hereby levied a supplemental highway user motor fuel tax to be paid in the same~~
 4 ~~manner and at the same time as the tax provided in subsection (1) of this section.~~

5 (b) ~~The tax shall be:~~

6 1. ~~Five cents (\$0.05) per gallon on gasoline; and~~

7 2. ~~Two cents (\$0.02) per gallon on special fuel.~~

8 (c) ~~The supplemental highway user motor fuel tax provided by this subsection and the~~
 9 ~~provisions of subsections (1) and (3) of this section shall constitute the tax on motor~~
 10 ~~fuels imposed by KRS 138.220.~~

11 (3) Two and one-tenth cents (\$0.021), of the tax collected under subsection (1) of this
 12 section shall be excluded from the calculations in KRS 177.320(1) and (2) and
 13 177.365. The funds identified in this subsection shall be deposited into the state
 14 road fund.

15 (3) ~~(4)~~ At least twenty (20) days in advance of the first day of each fiscal year,
 16 notification of:

17 (a) The adjusted motor fuel tax rate for the upcoming fiscal year,
 18 which ~~[average wholesale price]~~ shall be given to all licensed dealers; and

19 (b) The adjusted electric vehicle highway user fee established in Section 4 of
 20 this Act, which shall be given to all county clerks ~~[at least twenty (20) days~~
 21 ~~in advance of the first day of each calendar quarter].~~

22 (4) ~~(5)~~ Dealers with a tax-paid gasoline or special fuel inventory at the time an
 23 adjustment to the fuel tax rate under Section 3 of this Act ~~[average wholesale price~~
 24 ~~] becomes effective[,]~~ shall be subject to additional tax or appropriate tax credit to
 25 reflect the increase or decrease in the fuel tax rate ~~[average wholesale price]~~ for the
 26 new year ~~[quarter]~~. The department shall promulgate administrative regulations to
 27 ~~[properly]~~ administer this provision.

1 ➔Section 2. KRS 138.660 is amended to read as follows:

2 (1) Every motor carrier, excluding charter bus operators registered pursuant to KRS
3 Chapter 281, shall pay a tax at the rate levied in KRS 138.220~~[(1) and (2)]~~ on the
4 amount of gasoline and special fuels used in operations on the public highways of
5 this state.

6 (2) (a) In addition to the tax imposed in subsection (1) of this section, if the motor
7 carrier is a heavy equipment motor carrier as defined in KRS 138.655, he shall
8 pay a surtax on fuels used in operations on public highways of this state at
9 the initial base rates~~[rate]~~ of:

10 1. Four and three-tenths cents (\$0.043) per gallon on~~[two percent (2%)~~
11 ~~of the average wholesale price as provided in subsection (1) of this~~
12 ~~section, on the amount of] gasoline;~~ and

13 2. Seven and two-tenths cents (\$0.072) per gallon on~~[at the rate of four~~
14 ~~and seven-tenths percent (4.7%) on the amount of] special fuels~~~~[used in~~
15 ~~operations on public highways of this state].~~

16 (b) The surtax under this subsection shall be adjusted annually as provided in
17 Section 3 of this Act.

18 (3) Every motor carrier shall pay for every motor vehicle operated upon the public
19 highways of this state with a combined licensed weight in excess of fifty-nine
20 thousand nine hundred and ninety-nine (59,999) pounds a weight distance tax
21 computed at the rate of two and eighty-five hundredths cents (\$0.0285) per mile.

22 (4) Those taxes levied under this section shall be computed and paid as provided in
23 KRS 138.685 and 138.690.

24 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 138 IS CREATED TO
25 READ AS FOLLOWS:

26 (1) As used in section, "taxes" means:

27 (a) The excise tax on gasoline and special fuels established under Section 1 of

1 *this Act; and*

2 *(b) The heavy equipment motor carrier surtax established under subsection (2)*
3 *of Section 2 of this Act.*

4 *(2) For the fiscal year beginning on July 1, 2020, and ending June 30, 2021:*

5 *(a) The excise tax on gasoline and special fuels established under Section 1 of*
6 *this Act shall be the initial base rate identified in subsection (1) of Section 1*
7 *of this Act; and*

8 *(b) The heavy equipment motor carrier surtax established under subsection (2)*
9 *of Section 2 of this Act shall be the initial base rate identified in that*
10 *subsection.*

11 *(3) (a) For fiscal years beginning on or after July 1, 2021, the taxes shall be*
12 *adjusted annually to the nearest one-tenth of one cent (\$0.001), as provided*
13 *in this subsection, and shall be effective on the first day of the fiscal year.*

14 *(b) On or before June 1, 2021, and on or before each June 1 thereafter, the*
15 *department shall compare the most current quarterly National Highway*
16 *Construction Cost Index 2.0 (NHCCI 2.0) value and determine the*
17 *percentage change in relation to the NHCCI 2.0 value from the same*
18 *quarter for the previous year.*

19 *(c) 1. The taxes on July 1, 2021, and on July 1 of each fiscal year thereafter,*
20 *shall be adjusted by the change in the NHCCI 2.0 determined by*
21 *paragraph (b) of this subsection, unless the change is:*

22 *a. Greater than a ten percent (10%) increase, in which case the*
23 *taxes shall be one hundred ten percent (110%) of the tax rates in*
24 *effect at the close of the previous fiscal year; or*

25 *b. Greater than a ten percent (10%) decrease, in which case the*
26 *taxes shall be ninety percent (90%) of the tax rates in effect at*
27 *the close of the previous fiscal year.*

1 2. Notwithstanding subparagraph 1. of this paragraph, the tax rates shall
2 not be less than the initial base rates identified in subsection (1) of
3 Section 1 and subsection(2)(a) of Section 2 of this Act.

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

6 (1) At the time of initial registration, and each year upon annual vehicle registration
7 renewal under Section 9 of this Act, the county clerk shall collect, from the
8 registrants of nonhybrid electric vehicles, the electric vehicle highway user fee
9 established under subsection (2) of this section, as adjusted by the calculations in
10 subsection (3) of this section.

11 (2) The base floor for the electric vehicle highway user fee shall be two hundred
12 dollars (\$200).

13 (3) The Department of Revenue shall adjust the fee established in subsection (2) of
14 this section on the same schedule as the adjustments to the excise tax on gasoline
15 and special fuels under Section 3 of this Act, in the following manner:

16 (a) For each two-tenths of one cent (\$0.002) increase in the tax, as adjusted by
17 Section 3 of this Act, the fee outlined in this section shall increase one
18 dollar (\$1);

19 (b) For each two-tenths of one cent (\$0.002) decrease in the tax, as adjusted by
20 Section 3 of this Act, the fee outlined in this section shall decrease one
21 dollar (\$1); and

22 (c) Any adjustment of fees under this subsection shall not result in a decrease
23 below the base fee established in subsection (2) of this section.

24 (4) At the time of initial registration, and each year upon annual vehicle registration
25 renewal under Section 9 of this Act, the county clerk shall collect a highway
26 preservation fee from the owners of all noncommercial motor vehicles, based on
27 the combined city/highway fuel efficiency rating published by the United States

1 Environmental Protection Agency for the specific make, model, and model year
2 of the motor vehicle as follows:

<u>Fuel Efficiency Rating</u>	<u>Highway Preservation Fee</u>
<u>0 – 19 Miles Per Gallon</u>	<u>\$5</u>
<u>20 – 29 Miles Per Gallon</u>	<u>\$15</u>
<u>30 – 39 Miles Per Gallon</u>	<u>\$25</u>
<u>40 Miles Per Gallon or more</u>	<u>\$40</u>

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8 (5) All electric vehicle highway usage fees and highway preservation fees collected
9 under this section shall be transferred to the road fund, as defined in KRS
10 48.010.

11 ➔Section 5. KRS 186.010 is amended to read as follows:

12 As used in this chapter, unless otherwise indicated:

- 13 (1) "Cabinet," as used in KRS 186.400 to 186.640, means the Transportation Cabinet;
14 except as specifically designated, "cabinet," as used in KRS 186.020 to 186.270,
15 means the Transportation Cabinet only with respect to motor vehicles, other than
16 commercial vehicles; "cabinet," as used in KRS 186.020 to 186.270, means the
17 Department of Vehicle Regulation when used with respect to commercial vehicles;
- 18 (2) "Highway" means every way or place of whatever nature when any part of it is open
19 to the use of the public, as a matter of right, license, or privilege, for the purpose of
20 vehicular traffic;
- 21 (3) "Manufacturer" means any person engaged in manufacturing motor vehicles who
22 will, under normal conditions during the year, manufacture or assemble at least ten
23 (10) new motor vehicles;
- 24 (4) "Motor vehicle" means in KRS 186.020 to 186.260, all vehicles, as defined in
25 paragraph (a) of subsection (8) of this section, which are propelled otherwise than
26 by muscular power. As used in KRS 186.400 to 186.640, it means all vehicles, as
27 defined in paragraph (b) of subsection (8) of this section, which are self-propelled.

1 "Motor vehicle" shall not include a moped as defined in this section, but for
2 registration purposes shall include low-speed vehicles and military surplus vehicles
3 as defined in this section and vehicles operating under KRS 189.283;

4 (5) "Moped" means either a motorized bicycle whose frame design may include one (1)
5 or more horizontal crossbars supporting a fuel tank so long as it also has pedals, or a
6 motorized bicycle with a step-through type frame which may or may not have
7 pedals rated no more than two (2) brake horsepower, a cylinder capacity not
8 exceeding fifty (50) cubic centimeters, an automatic transmission not requiring
9 clutching or shifting by the operator after the drive system is engaged, and capable
10 of a maximum speed of not more than thirty (30) miles per hour;

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

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

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

23 (c) A licensed motor vehicle dealer who transfers physical possession of a motor
24 vehicle to a purchaser pursuant to a bona fide sale, and complies with the
25 requirements of KRS 186A.220, shall not be deemed the owner of that motor
26 vehicle solely due to an assignment to his dealership or a certificate of title in
27 the dealership's name. Rather, under these circumstances, ownership shall

1 transfer upon delivery of the vehicle to the purchaser, subject to any
2 applicable security interest;

3 (8) (a) "Vehicle," as used in KRS 186.020 to 186.260, includes all agencies for the
4 transportation of persons or property over or upon the public highways of this
5 Commonwealth and all vehicles passing over or upon said highways, except
6 electric low-speed scooters, road rollers, road graders, farm tractors, vehicles
7 on which power shovels are mounted, such other construction equipment
8 customarily used only on the site of construction and which is not practical for
9 the transportation of persons or property upon the highways, such vehicles as
10 travel exclusively upon rails, and such vehicles as are propelled by electric
11 power obtained from overhead wires while being operated within any
12 municipality or where said vehicles do not travel more than five (5) miles
13 beyond the city limit of any municipality.

14 (b) As used in KRS 186.400 to 186.640, "vehicle" means every device in, upon,
15 or by which any person or property is or may be transported or drawn upon a
16 public highway, except electric low-speed scooters, devices moved by human
17 and animal power or used exclusively upon stationary rails or tracks, or which
18 derives its power from overhead wires;

19 (9) KRS 186.020 to 186.270 apply to motor vehicle licenses. KRS 186.400 to 186.640
20 apply to operator's licenses;

21 (10) "Dealer" means any person engaging in the business of buying or selling motor
22 vehicles;

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

1 vehicles registered under KRS 186.060;

2 (12) "Resident" means any person who has established Kentucky as his or her state of
3 domicile. Proof of residency shall include but not be limited to a deed or property
4 tax bill, utility agreement or utility bill, or rental housing agreement. The possession
5 by an operator of a vehicle of a valid Kentucky operator's license shall be prima-
6 facie evidence that the operator is a resident of Kentucky;

7 (13) "Special status individual" means:

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

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

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

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

27 (14) "Instruction permit" includes both motor vehicle instruction permits and motorcycle

1 instruction permits;

2 (15) "Motorcycle" means any motor driven vehicle that has a maximum speed that
3 exceeds fifty (50) miles per hour, has a seat or saddle for the use of the operator,
4 and is designed to travel on not more than three (3) wheels in contact with the
5 ground, including vehicles on which the operator and passengers ride in an enclosed
6 cab. Only for purposes of registration, "motorcycle" shall include a motor scooter,
7 an alternative-speed motorcycle, and an autocycle as defined in this section, but
8 shall not include a tractor or a moped as defined in this section;

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

- 10 (a) Is self-propelled using an electric motor, combustion-driven motor, or a
11 combination thereof;
- 12 (b) Is four (4) wheeled; and
- 13 (c) Is designed to operate at a speed not to exceed twenty-five (25) miles per hour
14 as certified by the manufacturer;

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

- 16 (a) Is self-propelled using an electric motor;
- 17 (b) Is three (3) wheeled;
- 18 (c) Has a fully enclosed cab and includes at least one (1) door for entry;
- 19 (d) Is designed to operate at a speed not to exceed forty (40) miles per hour as
20 certified by the manufacturer; and
- 21 (e) Is not an autocycle as defined in this section;

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

26 (19) "Autocycle" means any motor vehicle that:

- 27 (a) Is equipped with a seat that does not require the operator to straddle or sit

- 1 astride it;
- 2 (b) Is designed to travel on three (3) wheels in contact with the ground;
- 3 (c) Is designed to operate at a speed that exceeds forty (40) miles per hour as
- 4 certified by the manufacturer;
- 5 (d) Allows the operator and passenger to ride either side-by-side or in tandem in a
- 6 seating area that may be enclosed with a removable or fixed top;
- 7 (e) Is equipped with a three (3) point safety belt system;
- 8 (f) May be equipped with a manufacturer-installed air bags or a roll cage;
- 9 (g) Is designed to be controlled with a steering wheel and pedals; and
- 10 (h) Is not an alternative-speed motorcycle as defined in this section;
- 11 (20) "Military surplus vehicle" means a multipurpose wheeled surplus military vehicle
- 12 that:
- 13 (a) Is not operated using continuous tracks;
- 14 (b) Was originally manufactured for and sold directly to the Armed Forces of the
- 15 United States; and
- 16 (c) Was originally manufactured under the federally mandated requirements set
- 17 forth in 49 C.F.R. sec. 571.7;
- 18 (21) "Livestock" means cattle, sheep, swine, goats, horses, alpacas, llamas, buffaloes,
- 19 and any other animals of the bovine, ovine, porcine, caprine, equine, or camelid
- 20 species;
- 21 (22) "Identity document" means an instruction permit, operator's license, or personal
- 22 identification card issued under KRS 186.4102, 186.412, 186.4121, 186.4122, and
- 23 186.4123 or a commercial driver's license issued under KRS Chapter 281A;
- 24 (23) "Travel ID," as it refers to an identity document, means a document that complies
- 25 with Pub. L. No. 109-13, Title II; ~~and~~
- 26 (24) "Motor scooter" means a low-speed motorcycle that is:
- 27 (a) Equipped with wheels greater than sixteen (16) inches in diameter;

- 1 (b) Equipped with an engine greater than fifty (50) cubic centimeters;
- 2 (c) Designed to operate at a speed not to exceed fifty (50) miles per hour;
- 3 (d) Equipped with brake horsepower of two (2) or greater; and
- 4 (e) Equipped with a step-through frame or a platform for the operator's feet; **and**

5 **(24) "Nonhybrid electric vehicle" means a motor vehicle that is solely propelled by an**
 6 **electric motor.**

7 ➔Section 6. KRS 186.018 is amended to read as follows:

- 8 (1) For purposes of maintaining driving history records of operators of motor vehicles
 9 of the Commonwealth, the files of the Transportation Cabinet shall be used to
 10 ascertain the driving history record of each person who is licensed to operate a
 11 motor vehicle within the Commonwealth. Except as provided in subsection (2) of
 12 this section, the Transportation Cabinet shall destroy, and shall not maintain,
 13 records of moving traffic convictions that are more than five (5) years old.
 14 Notwithstanding, for any licensee who now holds, who has applied for, or has ever
 15 held a Class A, B, or C license issued pursuant to KRS 281A.170, the cabinet shall
 16 keep conviction records indefinitely.
- 17 (2) The Transportation Cabinet shall not release information on the driving history
 18 record of a person under the age of twenty-one (21) whose operator license has been
 19 suspended pursuant to KRS 189A.010(6). The cabinet shall destroy, and shall not
 20 maintain, the record of the suspension of a person's operator's license if the license
 21 was suspended pursuant to KRS 189A.010(6), within five (5) working days of the
 22 person's operator's license being reinstated. This subsection shall not apply to a
 23 person who holds, or is required to hold, a commercial driver's license.
- 24 (3) The cabinet shall charge a fee of **six dollars (\$6)**~~three dollars (\$3)~~ for any driving
 25 history record, ten cents (\$0.10) of which shall be deposited in a special account
 26 within the road fund to be used exclusively by the Transportation Cabinet for the
 27 state driver education program as designated in KRS 186.535.

1 ➔Section 7. KRS 186.020 is amended to read as follows:

2 (1) Before the owner of a motor vehicle, other than a motor vehicle engaged in the
3 transportation of passengers for hire operating under a certificate of convenience
4 and necessity, may operate it or permit its operation upon a highway, the owner
5 shall apply for registration in accordance with administrative regulations
6 promulgated by the cabinet, except that a person who purchases a motor vehicle, or
7 brings a motor vehicle into the Commonwealth from another state shall make
8 application for registration within fifteen (15) days. The bill of sale or assigned title
9 must be in the motor vehicle during this fifteen (15) day period. If the owner of a
10 motor vehicle is an individual and resides in the Commonwealth, the motor vehicle
11 shall be registered with the county clerk of the county in which he resides. If the
12 owner of a motor vehicle does not reside in the Commonwealth, the motor vehicle
13 shall be registered with the county clerk of the county in which the motor vehicle is
14 principally operated. If the owner of a motor vehicle is other than an individual and
15 resides in the Commonwealth, the motor vehicle shall be registered with the county
16 clerk of either county. The application when presented to the county clerk for
17 registration shall be accompanied by:

18 (a) A bill of sale and a manufacturer's certificate of origin if the application is for
19 the registration of a new motor vehicle;

20 (b) ~~[(c)]~~ The owner's registration receipt, if the motor vehicle was last registered in this
21 state;

22 ~~[(c)]~~ A bill of sale and the previous registration receipt, if last registered in another
23 state where the law of that state does not require the owner of a motor vehicle
24 to obtain a certificate of title or ownership;

25 ~~[(c)]~~ (d) A certificate of title, if last registered in another state where the law of
26 that state requires the owner of a motor vehicle to obtain a certificate of title
27 or ownership;

1 vehicle previously registered in the Commonwealth as provided by KRS
2 186A.035, the owner of the vehicle shall be notified by mail on the same
3 notice required by KRS 134.805(5) of the date of expiration.

4 **(b)** In addition, the department shall provide appropriate forms and information to
5 permit renewal of motor vehicle registration to be completed by mail **or**
6 **online**. Any registration renewal by mail **or online** shall **not** require payment
7 of an additional **fee**~~[two dollar (\$2) fee which shall be received by the county~~
8 ~~clerk].~~

9 **(c)** Nonreceipt of the notice herein shall not constitute a defense to any
10 registration related offense.

11 (6) (a) If an individual has been serving in the United States military stationed or
12 assigned to a base or other location outside the boundaries of the United
13 States, he or she shall renew the registration on the vehicle within thirty (30)
14 days of his or her return if:

- 15 1. The motor vehicle has been stored on a military base during the time of
16 deployment and has not been operated on the public highways during
17 that time; and
- 18 2. The vehicle's registration expired during the individual's absence.

19 (b) An individual who meets the criteria in paragraph (a) of this subsection shall
20 not be convicted or cited for driving a vehicle with expired registration within
21 thirty (30) days after the individual's return to the Commonwealth if the
22 individual can provide proof of meeting the eligibility criteria under paragraph
23 (a) of this subsection.

24 (c) When an individual presents evidence of meeting the criteria under paragraph
25 (a) of this subsection when applying to renew the registration on the motor
26 vehicle, the county clerk shall, when applicable, treat the registration as a
27 prorated renewal under KRS 186.051, and charge the individual a registration

1 fee only for the number of months of the registration year the vehicle will be
2 used on the public highways.

3 →Section 8. KRS 186.040 is amended to read as follows:

- 4 (1) **Except for apportioned vehicles registered under subsection (13) of Section 9 of**
5 **this Act**, upon receiving the application and fee, the county clerk shall issue to the
6 owner a certificate of registration containing the information required by subsection
7 (2) of this section and a registration plate. If the cabinet finds that there is a shortage
8 of materials suitable for making plates, or that a substantial saving will result, it
9 may require by regulation with the approval of the Governor that previously issued
10 plates continue to be used for a designated period. Except as provided in **Section 10**
11 **of this Act**~~[subsection (3) of this section]~~, for services performed, the owner shall
12 pay the county clerk the sum of **eight dollars (\$8)**~~[six dollars (\$6)]~~ for each
13 registration, or if the registration exceeds a twelve (12) month period, the clerk shall
14 receive a fee of **ten dollars (\$10)**~~[nine dollars (\$9)]~~.
- 15 (2) The certificate of registration shall contain the registration number, the name and
16 post office address of the owner, and such other information as the cabinet may
17 require.
- 18 ~~(3) [An owner who registers a vehicle under KRS 186.050 that has a declared gross~~
19 ~~vehicle weight with any towed unit of forty four thousand and one (44,001) pounds~~
20 ~~or greater shall pay the county clerk thirty dollars (\$30) for each registration. The~~
21 ~~clerk shall retain the thirty dollar (\$30) fee for services performed under this~~
22 ~~subsection.~~
- 23 ~~(4)]~~ Any person requesting a certificate of registration or renewal of registration of any
24 type of motor vehicle shall have the opportunity to donate one dollar (\$1) to the
25 child care assistance account. The one dollar (\$1) donation shall be added to the
26 regular fee for vehicle registration. One donation may be made per issuance or
27 renewal of vehicle registration. Donation to the child care assistance account shall

1 be voluntary and may be refused by the applicant at the time of the issuance or
2 renewal of any vehicle registration.

3 ~~(4)~~~~(5)~~ The county clerk may retain five percent (5%) of fees collected for the child
4 care assistance account under subsection ~~(3)~~~~(4)~~ of this section. The remaining
5 funds shall be deposited into a trust and agency account in the State Treasury to the
6 credit of the Cabinet for Health and Family Services for the exclusive use as
7 follows:

- 8 (a) Funds shall be made available to the agencies that administer child care
9 subsidy funds; and
- 10 (b) Funds shall be used as determined by the cabinet for working families whose
11 income exceeds the state income eligibility limits for child day care
12 assistance.

13 ~~(5)~~~~(6)~~ **Except as provided in Section 1 of this Act**~~Notwithstanding any other~~
14 ~~provision of law~~, in addition to the registration fee provided for county clerks in
15 **subsection**~~subsections~~ (1)~~and (3)~~ of this section, an additional three dollars (\$3)
16 per registration shall be collected by the county clerk at the time of registration.
17 This additional fee shall be distributed as follows:

- 18 (a) One dollar (\$1) shall be placed in an agency fund to provide additional funds
19 exclusively for technological improvements or replacement of the AVIS
20 system. The operation and maintenance of AVIS shall remain as currently
21 provided for from the operational budget of the Transportation Cabinet and
22 shall not be reduced below the 2005-2006 funding level;
- 23 (b) One dollar (\$1) shall be placed in an agency trust fund to provide funds
24 exclusively for technological improvements to the hardware and software in
25 county clerk offices related to the collection and administration of road fund
26 taxes. The Transportation Cabinet, in consultation with county clerks, shall
27 allocate funds as necessary from this fund to be used for this exclusive

1 purpose; and

2 (c) One dollar (\$1) shall be placed in a trust fund to be maintained by the
3 Transportation Cabinet to provide an unrestricted revenue supplement, for
4 operations of the office related to the collection and administration of road
5 fund taxes, to county clerk offices in counties containing a population of less
6 than twenty thousand (20,000), as determined by the decennial census, and for
7 no other purpose. Annually, by March 1, the Transportation Cabinet shall
8 calculate the amount collected in the previous calendar year and distribute the
9 entire fund proportionate to each county that qualifies under this paragraph
10 based on population. This revenue shall be considered current year revenue
11 when paid to the clerk and shall not be identified as excess fees from the
12 previous year.

13 ➔Section 9. KRS 186.050 is amended to read as follows:

14 (1) The annual registration fee shall be twenty-two dollars (\$22)~~eleven dollars fifty~~
15 cents (\$11.50)] for:

16 (a) Motor vehicles, including pickup trucks and passenger vans; and

17 (b) Motor carrier vehicles, as defined in KRS 281.010, primarily designed for
18 carrying passengers or passengers for hire and having been designed or
19 constructed to transport not more than fifteen (15) passengers, including the
20 operator.

21 (2) Except as provided in KRS 186.041 and 186.162, the annual registration fee for
22 each motorcycle shall be fifteen dollars (\$15)~~nine dollars (\$9)]~~.

23 (3) (a) All motor vehicles having a declared gross weight of vehicle and any towed
24 unit of ten thousand (10,000) pounds or less, except those mentioned in
25 subsections (1) and (2) of this section, are classified as commercial vehicles
26 and the annual registration fee, except as provided in subsections (4) to (14) of
27 this section, shall be twenty-two dollars (\$22)~~eleven dollars and fifty cents~~

1 ~~(\$11.50)]~~.

2 (b) All motor vehicles, except those mentioned in subsections (1) and (2) of this
3 section, and those engaged in hauling passengers for hire which are designed
4 or constructed to transport more than fifteen (15) passengers including the
5 operator, whose registration fee shall be one hundred dollars (\$100), are
6 classified as commercial vehicles and the annual registration fee, except as
7 provided in subsections (3)(a) and (4) to (14) of this section, shall be as
8 follows:

9 Declared Gross Weight of Vehicle	Registration
10 and Any Towed Unit	Fee
11 10,001-14,000	30.00
12 14,001-18,000	50.00
13 18,001-22,000	132.00
14 22,001-26,000	160.00
15 26,001-32,000	216.00
16 32,001-38,000	300.00
17 38,001-44,000	474.00
18 44,001-55,000	669.00
19 55,001-62,000	1,007.00
20 62,001-73,280	1,250.00
21 73,281-80,000	1,410.00

22 (4) (a) 1. Any farmer owning a truck having a gross weight of twenty-six
23 thousand (26,000) pounds or less may have it registered as a farmer's
24 truck and obtain a license for twenty-two dollars (\$22)~~eleven dollars~~
25 ~~and fifty cents (\$11.50)]~~. The applicant's signature upon the certificate of
26 registration and ownership shall constitute a certificate that he is a
27 farmer engaged in the production of crops, livestock, or dairy products,

1 that he owns a truck of the gross weight of twenty-six thousand (26,000)
2 pounds or less, and that during the next twelve (12) months the truck
3 shall not be used in for-hire transportation and may be used in
4 transporting persons, food, provender, feed, machinery, livestock,
5 material, and supplies necessary for his farming operation, and the
6 products grown on his farm.

7 2. Any farmer owning a truck having a gross weight of twenty-six
8 thousand one (26,001) pounds to thirty-eight thousand (38,000) pounds
9 may have it registered as a farmer's truck and obtain a license for twenty-
10 two dollars (\$22)~~eleven dollars and fifty cents (\$11.50)]~~. The
11 applicant's signature upon the certificate of registration and ownership
12 shall constitute a certificate that he is a farmer engaged in the production
13 of crops, livestock, or dairy products, that he owns a truck of the gross
14 weight between twenty-six thousand one (26,001) pounds and thirty-
15 eight thousand (38,000) pounds, and that during the next twelve (12)
16 months the truck shall not be used in for-hire transportation and may be
17 used in transporting persons, food, provender, feed, machinery,
18 livestock, material, and supplies necessary for his farming operation and
19 the products grown on his farm.

20 (b) Any farmer owning a truck having a declared gross weight in excess of thirty-
21 eight thousand (38,000) pounds shall not be required to pay the fee set out in
22 subsection (3) of this section and, in lieu thereof, shall pay forty percent (40%)
23 of the fee set out in subsection (3) of this section and shall be exempt from
24 any fee charged under the provisions of KRS 281.752. The applicant's
25 signature upon the registration receipt shall be considered to be a certification
26 that he is a farmer engaged solely in the production of crops, livestock, or
27 dairy products, and that during the current registration year the truck will be

1 used only in transporting persons, food, provender, feed, and machinery used
2 in operating his farm and the products grown on his farm.

3 (c) An initial applicant for, or an applicant renewing, his or her registration
4 pursuant to this subsection, may at the time of application make a voluntary
5 contribution to be deposited into the agricultural program trust fund
6 established in KRS 246.247. The recommended voluntary contribution shall
7 be set at ten dollars (\$10) and automatically added to the cost of registration or
8 renewal unless the individual registering or renewing the vehicle opts out of
9 contributing the recommended amount. The county clerk shall collect and
10 forward the voluntary contribution to the cabinet for distribution to the
11 Department of Agriculture.

12 (5) Any person owning a truck or bus used solely in transporting school children and
13 school employees may have the truck or bus registered as a school bus and obtain a
14 license for **twenty-two dollars (\$22)**~~eleven dollars fifty cents (\$11.50)~~ by filing
15 with the county clerk, in addition to other information required, an affidavit stating
16 that the truck or bus is used solely in the transportation of school children and
17 persons employed in the schools of the district, that he has caused to be printed on
18 each side of the truck or bus and on the rear door the words "School Bus" in letters
19 at least six (6) inches high, and of a conspicuous color, and the truck or bus will be
20 used during the next twelve (12) months only for the purpose stated.

21 (6) Any church or religious organization owning a truck or bus used solely in
22 transporting persons to and from a place of worship or for other religious work may
23 have the truck or bus registered as a church bus and obtain a license for **twenty-two**
24 **dollars (\$22)**~~eleven dollars and fifty cents (\$11.50)~~ by filing with the county clerk,
25 in addition to other information required, an affidavit stating that the truck or bus
26 will be used only for the transporting of persons to and from a place of worship, or
27 for other religious work, and that there has been printed on the truck or bus in large

1 letters the words "Church Bus," with the name of the church or religious
2 organization owning and using the truck or bus, and that during the next twelve (12)
3 months the truck or bus will be used only for the purpose stated.

4 (7) Any person owning a motor vehicle with a gross weight of fourteen thousand
5 (14,000) pounds or less on which a wrecker crane or other equipment suitable for
6 wrecker service has been permanently mounted may register the vehicle and obtain
7 a license for twenty-two dollars (\$22)~~eleven dollars fifty cents (\$11.50)}~~ by filing
8 with the county clerk, in addition to other information required, an affidavit that a
9 wrecker crane or other equipment suitable for wrecker service has been permanently
10 mounted on such vehicle and that during the next twelve (12) months the vehicle
11 will be used only in wrecker service. If the gross weight of the vehicle exceeds
12 fourteen thousand (14,000) pounds, the vehicle shall be registered in accordance
13 with subsection (3) of this section. The gross weight of a vehicle used in wrecker
14 service shall not include the weight of the vehicle being towed by the wrecker.

15 (8) Motor vehicles having a declared gross weight in excess of eighteen thousand
16 (18,000) pounds, which when operated in this state are used exclusively for the
17 transportation of property within the limits of the city named in the affidavit
18 hereinafter required to be filed, or within ten (10) miles of the city limits of the city
19 if it is a city with a population equal to or greater than three thousand (3,000) based
20 upon the most recent federal decennial census, or within five (5) miles of its limits
21 if it is a city with a population of less than three thousand (3,000) based upon the
22 most recent federal decennial census, or anywhere within a county containing an
23 urban-county government, shall not be required to pay the fee as set out in
24 subsection (3) of this section, and in lieu thereof shall pay seventy-five percent
25 (75%) of the fee set forth in subsection (3) of this section and shall be exempt from
26 any fee charged under the provisions of KRS 281.752. Nothing in this section shall
27 be construed to limit any right of nonresidents to exemption from registration under

1 any other provisions of the laws granting reciprocity to nonresidents. Operations
2 outside of this state shall not be considered in determining whether or not the
3 foregoing mileage limitations have been observed. When claiming the right to the
4 reduced fee, the applicant's signature on the certificate of registration and ownership
5 shall constitute a certification or affidavit stating that the motor vehicle when used
6 within this state is used only for the transportation of property within the city to be
7 named in the affidavit and the area above set out and that the vehicle will not be
8 used outside of a city and the area above set out during the current registration
9 period.

10 (9) Motor vehicles having a declared gross weight in excess of eighteen thousand
11 (18,000) pounds, which are used exclusively for the transportation of primary forest
12 products from the harvest area to a mill or other processing facility, where such mill
13 or processing facility is located at a point not more than fifty (50) air miles from the
14 harvest area or which are used exclusively for the transportation of concrete blocks
15 or ready-mixed concrete from the point at which such concrete blocks or ready-
16 mixed concrete is produced to a construction site where such concrete blocks or
17 ready-mixed concrete is to be used, where such construction site is located at a point
18 not more than thirty (30) air miles from the point at which such concrete blocks or
19 ready-mixed concrete is produced shall not be required to pay the fee as set out in
20 subsection (3) of this section, and in lieu thereof, shall pay seventy-five percent
21 (75%) of the fee set out in subsection (3) of this section and shall be exempt from
22 any fee charged under the provisions of KRS 281.752. The applicant's signature
23 upon the certificate of registration and ownership shall constitute a certification that
24 the motor vehicle will not be used during the current registration period in any
25 manner other than that for which the reduced fee is provided in this section.

26 (10) Any owner of a commercial vehicle registered for a declared gross weight in excess
27 of eighteen thousand (18,000) pounds, intending to transfer same and desiring to

1 take advantage of the refund provisions of KRS 186.056(2), may reregister such
2 vehicle and obtain a "For Sale" certificate of registration and ownership for one
3 dollar (\$1). Title to a vehicle so registered may be transferred, but such registration
4 shall not authorize the operation or use of the vehicle on any public highway. No
5 refund may be made under the provisions of KRS 186.056(2) until such time as the
6 title to such vehicle has been transferred to the purchaser thereof. Provided,
7 however, that nothing herein shall be so construed as to prevent the seller of a
8 commercial vehicle from transferring the registration of such vehicle to any
9 purchaser thereof.

10 (11) The annual registration fee for self-propelled vehicles containing sleeping or eating
11 facilities shall be thirty dollars (\$30)~~twenty dollars (\$20)~~ and the multiyear
12 license plate issued shall be designated "Recreational vehicle." The foregoing shall
13 not include any motor vehicle primarily designed for commercial or farm use
14 having temporarily attached thereto any sleeping or eating facilities, or any
15 commercial vehicle having sleeping facilities.

16 (12) The registration fee on any vehicle registered under this section shall be increased
17 fifty percent (50%) when the vehicle is not equipped wholly with pneumatic tires.

18 (13) (a) The Department of Vehicle Regulation is authorized to negotiate and execute
19 an agreement or agreements for the purpose of developing and instituting
20 proportional registration of motor vehicles engaged in interstate commerce, or
21 in a combination of interstate and intrastate commerce, and operating into,
22 through, or within the Commonwealth of Kentucky. The agreement or
23 agreements may be made on a basis commensurate with, and determined by,
24 the miles traveled on, and use made of, the highways of this Commonwealth
25 as compared with the miles traveled on and use made of highways of other
26 states, or upon any other equitable basis of proportional registration.
27 Notwithstanding the provisions of KRS 186.020, the cabinet shall promulgate

1 administrative regulations concerning the registration of motor vehicles under
2 any agreement or agreements made under this section and shall provide for
3 direct issuance by it of evidence of payment of any registration fee required
4 under such agreement or agreements. Any proportional registration fee
5 required to be collected under any proportional registration agreement or
6 agreements shall be in accordance with the taxes established in this section.

7 (b) Any owner of a commercial vehicle who is required to title his motor vehicle
8 under this section shall first title such vehicle with the county clerk pursuant
9 to KRS 186.020 for a state fee of one dollar (\$1). Title to such vehicle may be
10 transferred; however title without proper registration shall not authorize the
11 operation or use of the vehicle on any public highway. Any commercial
12 vehicle properly titled in Kentucky may also be registered in Kentucky, and,
13 upon payment of the required fees, the department may issue an apportioned
14 registration plate to such commercial vehicle.

15 (c) Any commercial vehicle that is properly titled in a foreign jurisdiction, which
16 vehicle is subject to apportioned registration, as provided in paragraph (a) of
17 this subsection, may be registered in Kentucky, and, upon proof of proper title
18 and payment of the required fees, the department may issue an apportioned
19 registration plate to the commercial vehicle. The department shall promulgate
20 administrative regulations in accordance with this section.

21 (14) Any person seeking to obtain a special license plate for an automobile that has been
22 provided to him pursuant to an occupation shall meet both of the following
23 requirements:

24 (a) The automobile shall be provided for the full-time exclusive use of the
25 applicant; and

26 (b) The applicant shall obtain permission in writing from the vehicle owner or
27 lessee on a form provided by the cabinet to use the vehicle and for the vehicle

1 to bear the special license plate.

2 (15) An applicant for any motor vehicle registration issued pursuant to this section shall
3 have the opportunity to make a donation of two dollars (\$2) to promote a hunger
4 relief program through specific wildlife management and conservation efforts by the
5 Department of Fish and Wildlife Resources in accordance with KRS 150.015. If an
6 applicant elects to make a contribution under this subsection, the two dollar (\$2)
7 donation shall be added to the regular fee for any motor vehicle registration issued
8 pursuant to this section. One (1) donation may be made per issuance of each
9 registration. The fee shall be paid to the county clerk and shall be transmitted by the
10 State Treasurer to the Department of Fish and Wildlife Resources to be used
11 exclusively for the purpose of wildlife management and conservation activities in
12 support of hunger relief. The county clerk may retain up to five percent (5%) of the
13 fees collected under this subsection for administrative costs associated with the
14 collection of this donation. Any donation requested under this subsection shall be
15 voluntary and may be refused by the applicant at the time of issuance or renewal of
16 a license plate.

17 **(16) An additional fee of ten dollars (\$10) shall be added to the registration fee of any**
18 **motor vehicle for which the registration is not renewed within thirty (30) days of**
19 **its expiration.**

20 **(17) In addition to the registration fees outlined in this section, any owner:**

21 **(a) Of a nonhybrid electric motor vehicle shall, at the time of registration, be**
22 **subject to the electric vehicle highway user fees established in Section 4 of**
23 **this Act; and**

24 **(b) Of a motor vehicle shall, at the time of registration, be subject to the**
25 **highway preservation fees established in Section 4 of this Act.**

26 ➔Section 10. KRS 186.162 is amended to read as follows:

27 (1) As used in this section and in KRS 186.043, 186.164, 186.166, 186.1722, and

1 186.174:

- 2 (a) "Special license plate" means a unique license plate issued under this chapter
 3 to a group or organization that readily identifies the operator of the motor
 4 vehicle or motorcycle bearing the plate as a member of a group or
 5 organization, or a supporter of the work, goals, or mission of a group or
 6 organization. The term shall not include regular license plates issued under
 7 KRS 186.240;
- 8 (b) "Street rod" means a modernized private passenger motor vehicle
 9 manufactured prior to the year 1949, or designed or manufactured to resemble
 10 a vehicle manufactured prior to 1949;
- 11 (c) "SF" means the portion of an initial or renewal fee to obtain a special license
 12 plate that is dedicated for use by the Transportation Cabinet;
- 13 (d) "CF" means the county clerk's fee for issuing a motor vehicle registration as
 14 established under subsection (1) of Section 8 of this Act~~[portion of an initial~~
 15 ~~or renewal fee to obtain a special license plate that is dedicated for use by a~~
 16 ~~county clerk]~~. If a CF amount is charged for a license plate listed in this
 17 section, the applicant for that plate shall also pay the fees identified in KRS
 18 186.040~~(5)~~~~(6)~~. If a CF amount is not charged, the applicant shall not be
 19 required to pay those fees; and
- 20 (e) "EF" means the portion of an initial or renewal fee to obtain a special license
 21 plate that is mandated by this chapter to be dedicated for use by a particular
 22 group or organization.
- 23 (2) The initial purchase fee and renewal fee for a special license plate created under this
 24 chapter shall be as established in this subsection and includes the name of group or
 25 organization and the total initial and renewal fee required for the plate. The amount
 26 in parentheses indicates how the total fee is required to be divided:
- 27 (a) Disabled veterans who receive assistance to purchase a vehicle from the

1 United States Department of Veterans' Affairs, veterans declared by the
 2 United States Department of Veterans' Affairs to be one hundred percent
 3 (100%) service-connected disabled, and recipients of the Congressional Medal
 4 of Honor:

- 5 1. Initial Fee: \$0 (\$0 SF/\$0 CF/\$0 EF).
- 6 2. Renewal Fee: \$0 (\$0 SF/\$0 CF/\$0 EF).

7 (b) Former prisoners of war and survivors of Pearl Harbor:

- 8 1. Initial Fee: ~~\$35~~^{\$23} (~~\$22~~^{\$12} SF/~~\$8~~^{\$6} CF/\$5 EF to the
 9 veterans' program trust fund established under KRS 40.460).
- 10 2. Renewal Fee: ~~\$8~~^{\$6} (\$0 SF/~~\$8~~^{\$6} CF/\$0 EF).

11 (c) Members of the Kentucky National Guard and recipients of the Purple Heart:

- 12 1. Initial Fee: ~~\$35~~^{\$23} (~~\$22~~^{\$12} SF/~~\$8~~^{\$6} CF/\$5 EF to the
 13 veterans' program trust fund established under KRS 40.460).
- 14 2. Renewal Fee: ~~\$13~~^{\$11} (\$0 SF/~~\$8~~^{\$6} CF/\$5 EF to the
 15 veterans' program trust fund established under KRS 40.460).

16 (d) Members of the Civil Air Patrol; active, retired, veteran, reserve, or auxiliary
 17 members of the United States Army, Navy, Air Force, Marine Corps, or Coast
 18 Guard; Merchant Marines who served between December 7, 1941, and August
 19 15, 1945; recipients of the Silver Star Medal, or the Bronze Star Medal
 20 awarded for valor; persons who wish to receive Gold Star Mothers, Gold Star
 21 Fathers, or Gold Star Spouses license plates beyond the two (2) exempted
 22 from fees under KRS 186.041(6); individuals eligible for a special military
 23 service academy license plate under KRS 186.041(8); and disabled veterans
 24 who have been declared to be between fifty percent (50%) and ninety-nine
 25 percent (99%) service-connected disabled by the United States Department of
 26 Veterans' Affairs:

- 27 1. Initial Fee: ~~\$35~~^{\$23} (~~\$22~~^{\$12} SF/~~\$8~~^{\$6} CF/\$5 EF to the

- 1 veterans' program trust fund established under KRS 40.460).
- 2 2. Renewal Fee: ~~\$35~~~~[\$23]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/\$5 EF to the
- 3 veterans' program trust fund established under KRS 40.460).
- 4 (e) Recipients of the Distinguished Service Cross, Navy Cross, or Air Force
- 5 Cross:
- 6 1. Initial Fee: ~~\$8~~~~[\$6]~~ (\$0 SF/~~\$8~~~~[\$6]~~ CF/\$0 EF).
- 7 2. Renewal Fee: ~~\$8~~~~[\$6]~~ (\$0 SF/~~\$8~~~~[\$6]~~ CF/\$0 EF).
- 8 (f) Disabled license plates:
- 9 1. Initial Fee: ~~\$30~~~~[\$18]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/\$0 EF).
- 10 2. Renewal Fee: ~~\$30~~~~[\$18]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/\$0 EF).
- 11 (g) Historic vehicles:
- 12 1. Initial Fee for two plates: ~~\$58~~~~[\$56]~~ (\$50 SF/~~\$8~~~~[\$6]~~ CF/\$0 EF).
- 13 2. Renewal Fee: Do not renew annually.
- 14 (h) Members of Congress:
- 15 1. Initial Fee: ~~\$45~~~~[\$43]~~ (\$37 SF/~~\$8~~~~[\$6]~~ CF/\$0 EF).
- 16 2. Renewal Fee: ~~\$35~~~~[\$23]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/\$5 EF to the
- 17 veterans' program trust fund established under KRS 40.460).
- 18 (i) Firefighters:
- 19 1. Initial Fee: ~~\$40~~~~[\$18]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/~~\$10~~~~[\$0]~~ EF
- 20 **to the Kentucky Volunteer Firefighters Association**).
- 21 2. Renewal Fee: ~~\$40~~~~[\$18]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/~~\$10~~~~[\$0]~~ EF
- 22 **to the Kentucky Volunteer Firefighters Association**).
- 23 (j) Emergency management:
- 24 1. Initial Fee: ~~\$30~~~~[\$31]~~ (~~\$22~~~~[\$25]~~ SF/~~\$8~~~~[\$6]~~ CF/\$0 EF).
- 25 2. Renewal Fee: ~~\$30~~~~[\$18]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/\$0 EF).
- 26 (k) Fraternal Order of Police:
- 27 1. Initial Fee: ~~\$40~~~~[\$41]~~ (~~\$22~~~~[\$25]~~ SF/~~\$8~~~~[\$6]~~ CF/\$10 EF to

1 the Kentucky

2 FOP Death Benefit Fund).

3 2. Renewal Fee: ~~\$40~~^[\$28] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/\$10 EF to
4 the Kentucky

5 FOP Death Benefit Fund).

6 (l) Law Enforcement Memorial:

7 1. Initial Fee: ~~\$40~~^[\$41] (~~\$22~~^[\$25] SF/~~\$8~~^[\$6] CF/\$10 EF to
8 the Kentucky Law Enforcement Memorial Foundation, Inc.).

9 2. Renewal Fee: ~~\$40~~^[\$28] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/\$10 EF to
10 the Kentucky Law Enforcement Memorial Foundation, Inc.).

11 (m) Personalized plates:

12 1. Initial Fee: ~~\$55~~^[\$43] (~~\$47~~^[\$37] SF/~~\$8~~^[\$6] CF/\$0 EF).

13 2. Renewal Fee: ~~\$55~~^[\$43] (~~\$47~~^[\$37] SF/~~\$8~~^[\$6] CF/\$0 EF).

14 (n) Street rods:

15 1. Initial Fee: ~~\$30~~^[\$43] (~~\$22~~^[\$37] SF/~~\$8~~^[\$6] CF/\$0 EF).

16 2. Renewal Fee: ~~\$30~~^[\$18] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/\$0 EF).

17 (o) Nature plates:

18 1. Initial Fee: ~~\$40~~^[\$28] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/\$10 EF to
19 Kentucky Heritage Land Conservation Fund established under KRS
20 146.570).

21 2. Renewal Fee: ~~\$40~~^[\$28] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/\$10 EF to
22 Kentucky Heritage Land Conservation Fund established under KRS
23 146.570).

24 (p) Amateur radio:

25 1. Initial Fee: ~~\$30~~^[\$43] (~~\$22~~^[\$37] SF/~~\$8~~^[\$6] CF/\$0 EF).

26 2. Renewal Fee: ~~\$30~~^[\$18] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/\$0 EF).

27 (q) Kentucky General Assembly:

- 1 1. Initial Fee: ~~\$45~~~~[\$43]~~ (\$37 SF/~~\$8~~~~[\$6]~~ CF/\$0 EF).
- 2 2. Renewal Fee: ~~\$35~~~~[\$23]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/\$5 EF to the
- 3 veterans' program trust fund established under KRS 40.460).

4 (r) Kentucky Court of Justice:

- 5 1. Initial Fee: ~~\$45~~~~[\$43]~~ (\$37 SF/~~\$8~~~~[\$6]~~ CF/\$0 EF).
- 6 2. Renewal Fee: ~~\$13~~~~[\$11]~~ (\$0 SF/~~\$8~~~~[\$6]~~ CF/\$5 EF to the
- 7 veterans' program trust fund established under KRS 40.460).

8 (s) Masons:

- 9 1. Initial Fee: ~~\$40~~~~[\$31]~~ (~~\$22~~~~[\$25]~~ SF/~~\$8~~~~[\$6]~~ CF/~~\$10~~~~[\$0]~~ EF
- 10 to the Masonic Homes of Kentucky).
- 11 2. Renewal Fee: ~~\$40~~~~[\$18]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/~~\$10~~~~[\$0]~~ EF
- 12 to the Masonic Homes of Kentucky).

13 (t) Collegiate plates:

- 14 1. Initial Fee: ~~\$40~~~~[\$53]~~ (~~\$22~~~~[\$37]~~ SF/~~\$8~~~~[\$6]~~ CF/\$10 EF to
- 15 the general scholarship fund of the university whose name will be borne
- 16 on the plate).
- 17 2. Renewal Fee: ~~\$40~~~~[\$28]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/\$10 EF to
- 18 the general scholarship fund of the university whose name will be borne
- 19 on the plate).

20 (u) Independent Colleges:

- 21 1. Initial Fee: ~~\$40~~~~[\$41]~~ (~~\$22~~~~[\$25]~~ SF/~~\$8~~~~[\$6]~~ CF/\$10 EF to
- 22 the Association of Independent Kentucky Colleges and Universities for
- 23 distribution to the general scholarship funds of the Association's
- 24 members).
- 25 2. Renewal Fee: ~~\$40~~~~[\$28]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/\$10 EF to
- 26 the Association of Independent Kentucky Colleges and Universities for
- 27 distribution to the general scholarship funds of the Association's

1 members).

2 (v) Child Victims:

3 1. Initial Fee: ~~\$40~~~~[\$41]~~ (~~\$22~~~~[\$25]~~ SF/~~\$8~~~~[\$6]~~ CF/\$10 EF to
4 the child victims' trust fund established under KRS 41.400).

5 2. Renewal Fee: ~~\$35~~~~[\$23]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/\$5 EF to the
6 child victims' trust fund established under KRS 41.400).

7 (w) Kentucky Horse Council:

8 1. Initial Fee: ~~\$40~~~~[\$41]~~ (~~\$22~~~~[\$25]~~ SF/~~\$8~~~~[\$6]~~ CF/\$10 EF to
9 the Kentucky Horse Council).

10 2. Renewal Fee: ~~\$35~~~~[\$23]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/\$5 EF to the
11 Kentucky Horse Council).

12 (x) Ducks Unlimited:

13 1. Initial Fee: ~~\$40~~~~[\$41]~~ (~~\$22~~~~[\$25]~~ SF/~~\$8~~~~[\$6]~~ CF/\$10 EF to
14 Kentucky Ducks Unlimited).

15 2. Renewal Fee: ~~\$40~~~~[\$28]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/\$10 EF to
16 Kentucky Ducks Unlimited).

17 (y) Spay neuter:

18 1. Initial Fee: ~~\$40~~~~[\$28]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/\$10 EF to
19 the animal control and care fund established under KRS 258.119).

20 2. Renewal Fee: ~~\$35~~~~[\$23]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/\$5 EF to the
21 animal control and care fund established under KRS 258.119).

22 (z) Gold Star Mothers, Gold Star Fathers, or Gold Star Spouses:

23 1. Initial Fee: \$0 (\$0 SF/\$0 CF/ \$0 EF).

24 2. Renewal Fee: \$0 (\$0 SF/\$0 CF/ \$0 EF).

25 3. A person may receive a maximum of two (2) plates under this paragraph
26 free of charge and may purchase additional plates for fees as established
27 in subsection (2)(d) of this section.

1 (aa) I Support Veterans:

2 1. Initial Fee: ~~\$40~~ ~~(\$28)~~ (~~\$22~~ ~~(\$12)~~ SF/~~\$8~~ ~~(\$6)~~ CF/\$10 EF to
3 the Kentucky Department of Veterans' Affairs).

4 2. Renewal Fee: ~~\$35~~ ~~(\$23)~~ (~~\$22~~ ~~(\$12)~~ SF/~~\$8~~ ~~(\$6)~~ CF/\$5 EF to the
5 Kentucky Department of Veterans' Affairs).

6 (ab) Gold Star Siblings, Gold Star Sons, or Gold Star Daughters:

7 1. Initial Fee: ~~\$40~~ ~~(\$28)~~ (~~\$22~~ ~~(\$12)~~ SF/~~\$8~~ ~~(\$6)~~ CF/\$10 EF to
8 the veterans' program trust fund established under KRS 40.460).

9 2. Renewal Fee: ~~\$35~~ ~~(\$23)~~ (~~\$22~~ ~~(\$12)~~ SF/~~\$8~~ ~~(\$6)~~ CF/\$5 EF to the
10 veterans' program trust fund established under KRS 40.460).

11 (ac) ~~[Special license plates established between June 20, 2005, and June 27, 2019:~~

12 ~~1. Initial Fee: \$41 (~~~~\$25 SF/\$6 CF/\$10 EF).~~

13 ~~2. Renewal Fee: \$41 (~~~~\$25 SF/\$6 CF/\$10 EF).~~

14 (ad) ~~]Special license plates established under KRS 186.164~~~~[on or after June 27,~~
15 ~~2019]:~~

16 ~~**1. Initial Fee: \$41 (\$25 SF/\$6 CF/\$10 EF).**~~

17 ~~**2. Renewal Fee: \$41 (\$25 SF/\$6 CF/\$10 EF).**~~

18 ~~[1. Initial Fee: \$40 (~~~~\$24 SF/\$6 CF/\$10 EF).~~

19 ~~2. Renewal Fee \$28 (~~~~\$12 SF/\$6 CF/\$10 EF).~~

20 (3) Any special license plate may be combined with a personalized license plate for a
21 twenty-five dollar (\$25) state fee in addition to all other fees for the particular
22 special license plate established in this section and in KRS 186.164(3). The twenty-
23 five dollar (\$25) fee required under this subsection shall be divided between the
24 cabinet and the county clerk of the county where the applicant is applying for the
25 license plate with the cabinet receiving twenty dollars (\$20) and the county clerk
26 receiving five dollars (\$5).

27 (4) Owners and lessees of motorcycles registered under KRS 186.050(2) may be

1 eligible to receive special license plates issued under this section or established
2 under the provisions of KRS 186.164 after the cabinet has received three hundred
3 (300) applications and initial state fees from the sponsoring organization.
4 Applicants for a special license plate for a motorcycle shall be required to pay the
5 fee for a special plate as prescribed in this section or in KRS 186.164. The fee paid
6 for the special plate for a motorcycle shall be in lieu of the registration fee required
7 under KRS 186.050(2).

8 ➔Section 11. KRS 186.180 is amended to read as follows:

- 9 (1) (a) If the owner loses his or her copy of a registration or transfer receipt, he or she
10 may obtain a duplicate from the county clerk who issued the present owner's
11 copy of the receipt by presenting the clerk proof of insurance on the motor
12 vehicle in compliance with KRS 304.39-080, and by filing an affidavit, upon a
13 form furnished by the cabinet. The owner shall pay to the clerk a fee of three
14 dollars (\$3), except proof of insurance shall not be required for duplicates
15 applied for by motor vehicle dealers as defined in KRS 190.010.
- 16 (b) When the owner's copy of any registration or transfer receipt shows that the
17 spaces provided thereon for noting and discharging security interests have
18 been exhausted, the owner may apply to the county clerk who issued the
19 receipt in order to obtain a duplicate thereof. The owner shall surrender his or
20 her copy of the current receipt to the clerk and provide proof of insurance on
21 the motor vehicle in compliance with KRS 304.39-080, before a duplicate
22 may be issued. The owner shall pay the clerk a fee of three dollars (\$3), except
23 proof of insurance shall not be required for duplicates applied for by motor
24 vehicle dealers as defined in KRS 190.010.
- 25 (c) Any security interest which has been discharged as shown by the records of
26 the clerk or upon the owner's copy of the current receipt shall be omitted from
27 the duplicate receipt to be issued by the clerk.

1 (2) If the owner loses a registration plate, he or she shall surrender his or her
2 registration receipt to the county clerk from whom it was obtained and file a written
3 statement as to the loss of the plate. Upon presenting the clerk proof of insurance on
4 the motor vehicle in compliance with KRS 304.39-080, and upon the payment of
5 the sum of three dollars (\$3) for each plate and a fee of three dollars (\$3) to the
6 clerk for his or her services, the owner shall be issued another registration receipt
7 and a plate or plates which shall bear a different number from that of the lost plate.
8 The clerk shall retain the owner's statement and a copy of the owner's proof of
9 insurance, and shall make a notation on the triplicate copy of the surrendered
10 registration receipt stating the number of the registration receipt replacing it. The
11 original copy of the surrendered receipt shall be forwarded to the cabinet. The
12 cabinet shall forthwith cancel the registration corresponding to the number of the
13 lost plate. The cancellation shall be reported by the cabinet to the commissioner of
14 the Department of Kentucky State Police. Any person finding a lost registration
15 plate shall deliver it to the Transportation Cabinet or to any county clerk for
16 forwarding it to the cabinet.

17 (3) If the owner moves from one (1) county into another county of the Commonwealth,
18 he or she may obtain a registration plate bearing the name of the county of
19 residence. In order to obtain a new registration plate, the owner shall surrender his
20 or her current registration receipt and current registration plate to the county clerk.
21 Upon being provided with proof of insurance on the motor vehicle in compliance
22 with KRS 304.39-080, the clerk shall provide the owner with a new registration
23 receipt and plate bearing the county name. The surrendered receipt and plate shall
24 be forwarded to the Transportation Cabinet. The fee for this registration shall be
25 five dollars (\$5) of which the clerk shall be entitled to three dollars (\$3) and the
26 cabinet shall be entitled to two dollars (\$2).

27 (4) If the owner's registration is revoked as a result of the provisions set forth in KRS

1 186A.040, the owner may have his or her registration reinstated by the county clerk
2 who issued the present owner's copy of the receipt by presenting the clerk proof of:

3 (a) Insurance on the motor vehicle in compliance with KRS 304.39-080 and by
4 filing an affidavit upon a form furnished by the cabinet; or

5 (b) A valid compliance or exemption certificate in compliance with KRS 224.20-
6 720 or issued under the authority of an air pollution control district under KRS
7 224.20-760.

8 (5) The owner of a motor vehicle that has the vehicle's registration revoked ~~under KRS~~
9 ~~186.290~~ shall pay to the clerk a fee of twenty dollars (\$20), which shall be equally
10 divided between the county clerk and the cabinet.

11 (6) On and after January 1, 2006, if the motor vehicle is a personal motor vehicle as
12 defined in KRS 304.39-087, proof of insurance required under this section shall be
13 determined by the county clerk as provided in KRS 186A.042.

14 ➔Section 12. KRS 186.240 is amended to read as follows:

15 (1) It shall be the duty of the cabinet to carry out the provisions of KRS 186.005 to
16 186.260, and:

17 (a) Prepare and furnish to the clerk in each county a sufficient supply of all forms
18 and blanks provided for in KRS 186.005 to 186.260. The forms for receipts
19 shall be designated for the writing of not less than triplicate copies, the
20 originals of which shall be numbered consecutively for each county, the
21 second and third copies bearing the same number as the original. Receipts to
22 be used as duplicates for lost receipts, as provided in KRS 186.180(1), shall
23 be in duplicate only, and shall not be numbered;

24 (b) Keep a numerical record of all registration numbers issued in the state, for
25 which they may use the second copy of receipts forwarded by the clerk of each
26 county, and also keep a record of motor or vehicle identification numbers
27 required by KRS 186.160; and

1 (c) Furnish to each clerk, originally each year upon estimate, and thereafter upon
2 requisition at all times, a sufficient supply of plates and other insignia
3 evidencing registration for all classes of vehicles required to be registered.
4 The cabinet shall prescribe a plate of practical form and size for police
5 identification purposes that shall contain:

- 6 1. The registration number;
- 7 2. The word "Kentucky;" and
- 8 3. The name of the county in which the plate is issued, or in lieu thereof the
9 words "Official," "Transportation," "Executive," or "Farm." Plates for
10 commercial vehicles, shall contain the year the license expires and
11 words or information the Department of Vehicle Regulation may
12 prescribe by administrative regulation, pursuant to KRS Chapter 13A.
13 Numerals indicating a year shall not be placed upon any license plate
14 issued pursuant to KRS 186.060, relating to the licensing of vehicles
15 owned exclusively by the state and KRS 186.061, relating to the
16 licensing of vehicles owned exclusively by a nonprofit volunteer fire
17 department, volunteer fire prevention unit, and volunteer fire protection
18 unit. A state slogan may be placed upon the plate.

19 (2) License plates issued pursuant to KRS 186.050(1) shall conform to the provisions
20 of subsection (1)(c) of this section except:

- 21 (a) The word "Kentucky" shall be centered above the county name in which the
22 plate is issued;
- 23 (b) The words "Bluegrass State" shall be centered at the top of the plate above the
24 registration number; and
- 25 (c) The name of the county in which the plate is issued shall be centered in the
26 lower portion of the plate below the registration number and shall be printed
27 in letters that are the same size as those used to print the word "Kentucky."

1 ~~[Beginning January 1, 1993,]~~The Transportation Cabinet shall provide for the
2 issuance of reflectorized plates for all motor vehicles,~~[, and shall collect a fee,~~
3 ~~in addition to the fee set out in KRS Chapter 186 and KRS 281.631, of]~~ Fifty
4 cents (\$0.50) **of the state registration fee charged under Sections 9 and 10 of**
5 **this Act or license fee charged under KRS 281.631**~~]. The fifty cents (\$0.50)~~
6 ~~fee to reflectorize license plates]~~ shall be used by the cabinet as provided in
7 subsection (3) of this section;

8 (3) The reflectorized license plate program fund is established in the state road fund
9 and appropriated on a continual basis to the cabinet to administer the moneys as
10 provided in this subsection. ~~[The]~~Fifty cents (\$0.50) **from each registration** fee
11 collected by the cabinet~~[to reflectorize license plates]~~ shall be deposited into the
12 program fund and used to issue reflectorized license plates. If at the end of a fiscal
13 year, money remains in the program fund, it shall be retained in the fund and shall
14 not revert to the state road fund. The interest and income earned on money in the
15 program fund shall also be retained in the program fund to carry out the provisions
16 of this subsection. The Transportation Cabinet shall begin issuing the new
17 reflectorized license plate under the provisions of this subsection on January 1,
18 2003, and shall continue to issue a new reflectorized license plate on a schedule to
19 be determined at the discretion of the cabinet in the years thereafter;

20 (4) Except as directed under subsection (3) of this section, the Transportation Cabinet
21 shall receive all moneys forwarded by the clerk in each county and turn it over to
22 the State Treasurer for the benefit of the state road fund;

23 (5) The Transportation Cabinet shall require an accounting by the clerk in each county
24 for any moneys received by him under the provisions of this chapter, after the
25 deduction of his fees under this chapter, and for all receipts, forms, plates, and
26 insignia consigned to him. The Auditor of Public Accounts, pursuant to KRS
27 43.071, shall annually audit each county clerk concerning his responsibilities for the

1 collection of various fees and taxes associated with motor vehicles. The secretary of
2 the Transportation Cabinet, with the advice, consultation, and approval of the
3 Auditor, shall develop and implement an inventory and accounting system which
4 shall insure that the audits mandated in KRS 43.071 are performed in accordance
5 with generally accepted auditing standards. The Transportation Cabinet shall pay for
6 the audits mandated by KRS 43.071; and

7 (6) When applied for under KRS 186.160, motor or vehicle numbers assigned shall be
8 distinctive to show that they were designated by the cabinet.

9 ➔Section 13. KRS 186.440 is amended to read as follows:

10 An operator's license shall not be granted to:

- 11 (1) Any person who is not a resident of Kentucky;
- 12 (2) Any person under the age of sixteen (16);
- 13 (3) Any person under the age of eighteen (18) who holds a valid Kentucky instruction
14 permit issued pursuant to KRS 186.450, but who has not graduated from high
15 school or who is not enrolled and successfully participating in school or who is not
16 being schooled at home, except those persons who satisfy the District Court of
17 appropriate venue pursuant to KRS 159.051(3) that revocation of their license
18 would create an undue hardship. Persons under the age of eighteen (18) shall
19 present proof of complying with the requirements of KRS 159.051;
- 20 (4) Any person whose operator's license has been suspended, during the period of
21 suspension, subject to the limitations of KRS 186.442;
- 22 (5) Any person whose operator's license has been revoked, nor to any nonresident
23 whose privilege of exemption under KRS 186.430 has been refused or discontinued,
24 until the expiration of the period for which the license was revoked, or for which the
25 privilege was refused or discontinued;
- 26 (6) Any applicant adjudged incompetent by judicial decree;
- 27 (7) Any person who in the opinion of the Department of Kentucky State Police, after

1 examination, is unable to exercise reasonable and ordinary control over a motor
2 vehicle upon the highways;

3 (8) Any person who is unable to understand highway warnings or direction signs in the
4 English language;

5 (9) Any person required by KRS 186.480 to take an examination who has not
6 successfully passed the examination;

7 (10) Any person required by KRS Chapter 187 to deposit proof of financial
8 responsibility, who has not deposited that proof;

9 (11) Any person who has not filed a correct and complete application attested to in the
10 presence of a person authorized to administer oaths;

11 (12) Any person who cannot meet the requirements set forth in KRS 186.411(1) or (3);
12 or

13 (13) Any person whose operator's license has been suspended or revoked under the
14 provisions of KRS Chapter 186, 187, or 189A **who has not paid the reinstatement**
15 **fee required under Section 15 of this Act**~~[until the person has forwarded to the~~
16 ~~cabinet a reinstatement fee of fifteen dollars (\$15). The fee shall be paid by certified~~
17 ~~check or money order payable to the State Treasurer who shall deposit five dollars~~
18 ~~(\$5) of the fee in a trust and agency fund to be used in defraying the costs and~~
19 ~~expenses of administering a driver improvement program for problem drivers. Ten~~
20 ~~dollars (\$10) of the fee shall be deposited by the State Treasurer into the Circuit~~
21 ~~Court clerk salary account established in KRS 27A.052. The provisions of this~~
22 ~~subsection shall not apply to any person whose license was suspended for failure to~~
23 ~~meet the conditions set out in KRS 186.411 when, within one (1) year of~~
24 ~~suspension, the driving privileges of the individuals are reinstated or to any student~~
25 ~~who has had his or her license revoked pursuant to KRS 159.051].~~

26 ➔Section 14. KRS 186.450 is amended to read as follows:

27 (1) A person who is at least sixteen (16) years of age may apply for an instruction

1 permit to operate a motor vehicle. A person who possesses a valid intermediate
2 motor vehicle operator's license issued under KRS 186.452 or a person who is at
3 least eighteen (18) years of age may apply for an instruction permit to operate a
4 motorcycle. A holder of either a motor vehicle or motorcycle instruction permit may
5 also operate a moped under that permit. A person applying for an instruction permit
6 under this section shall make application in the office of the circuit clerk in the
7 county where the person lives. A person applying for an instruction permit shall be
8 required to comply with the following:

9 (a) If the person is under the age of eighteen (18), the instruction permit
10 application shall be signed by the applicant's parent or legal guardian. If the
11 person does not have a living parent or does not have a legal guardian, the
12 instruction permit application shall be signed by a person willing to assume
13 responsibility for the applicant pursuant to KRS 186.590;

14 (b) If the person is under the age of eighteen (18) and in the custody of the
15 Cabinet for Health and Family Services, the instruction permit application
16 shall be signed by:

- 17 1. The applicant's parent, legal guardian, grandparent, adult sibling, aunt,
18 or uncle if the parental rights have not been terminated in accordance
19 with KRS Chapter 625;
- 20 2. The foster parent with whom the applicant resides;
- 21 3. Another person who is at least age eighteen (18) and is willing to
22 assume responsibility for the applicant pursuant to KRS 186.590; or
- 23 4. The applicant, without another person, upon verification by the Cabinet
24 for Health and Family Services in accordance with KRS 605.102 that
25 shall include proof of financial responsibility in accordance with KRS
26 186.590(2); and

27 (c) All applicants for an instruction permit shall comply with the examinations

1 required by KRS 186.480.

2 (2) If an applicant successfully passes the examinations required by KRS 186.480, the
3 applicant shall be issued an instruction permit upon payment of the fee set forth in
4 KRS 186.531.

5 (3) (a) An instruction permit to operate a motor vehicle shall be valid for three (3)
6 years and may be renewed. An instruction permit to operate a motorcycle shall
7 be valid for one (1) year and may be renewed one (1) time.

8 (b) Except as provided in KRS 186.415, a person who has attained the age of
9 sixteen (16) years and is under the age of eighteen (18) years shall have the
10 instruction permit a minimum of one hundred eighty (180) days before
11 applying for an intermediate license and shall have an intermediate license for
12 a minimum of one hundred eighty (180) days before applying for an operator's
13 license.

14 (c) A person who was under eighteen (18) years of age at the time of application
15 for an instruction permit and is eighteen (18) years of age or older shall have
16 the instruction permit a minimum of one hundred eighty (180) days and
17 complete a driver training program under KRS 186.410(4) before applying for
18 an operator's license.

19 (d) A person who is at least eighteen (18) years of age and is under the age of
20 twenty-one (21) years at the time of application for an instruction permit shall
21 have the instruction permit a minimum of one hundred eighty (180) days
22 before applying for an operator's license.

23 (e) A person who is at least twenty-one (21) years of age at the time of
24 application for an instruction permit shall have the instruction permit a
25 minimum of thirty (30) days before applying for an operator's license.

26 (f) In accordance with KRS 15A.352(5), a person whose motorcycle instruction
27 permit has expired may apply to the circuit clerk to receive a motorcycle

- 1 operator's license or endorsement if the person presents proof of successful
2 completion of a motorcycle safety education course approved by the Justice
3 and Public Safety Cabinet under KRS 15A.350 to 15A.366.
- 4 (4) (a) A person shall have the instruction permit in his possession at all times when
5 operating a motor vehicle, motorcycle, or moped upon the highway.
- 6 (b) When operating a motor vehicle, a motor vehicle instruction permit holder
7 shall be accompanied by a person with a valid operator's license who is at
8 least twenty-one (21) years of age occupying the seat beside the operator at all
9 times.
- 10 (c) The requirements of paragraph (b) of this subsection shall not apply to a motor
11 vehicle instruction permit holder being supervised on a multiple-vehicle
12 driving range by a driver training instructor affiliated with a driver training
13 school licensed under KRS Chapter 332 or a public or nonpublic secondary
14 school.
- 15 (5) A person with an instruction permit who is under the age of eighteen (18) shall not
16 operate a motor vehicle, motorcycle, or moped between the hours of 12 midnight
17 and 6 a.m. unless the person can demonstrate good cause for driving, including but
18 not limited to emergencies, involvement in school-related activities, or involvement
19 in work-related activities.
- 20 (6) Except when accompanied by a driver training instructor affiliated with a driver
21 training school licensed under KRS Chapter 332 or a public or nonpublic secondary
22 school, a person with an instruction permit who is under the age of eighteen (18)
23 years shall not operate a motor vehicle at any time when accompanied by more than
24 one (1) unrelated person who is under the age of twenty (20) years. A peace officer
25 shall not stop or seize a person nor issue a uniform citation for a violation of this
26 subsection if the officer has no other cause to stop or seize the person other than a
27 violation of this subsection. This subsection shall not apply to any operator of a

1 vehicle registered under the provisions of KRS 186.050(4) who is engaged in
2 agricultural activities.

3 (7) A violation under subsection (4), (5), or (6) of this section, a conviction for a
4 moving violation under KRS Chapter 189 for which points are assessed by the
5 cabinet, or a conviction for a violation of KRS 189A.010(1) shall add an additional
6 minimum of one hundred eighty (180) days from the date of the violation before a
7 person who is under the age of eighteen (18) years may apply for an intermediate
8 license to operate a motor vehicle, motorcycle, or moped.

9 (8) A person under the age of eighteen (18) who accumulates more than six (6) points
10 against his driving privilege may have the driving privilege suspended pursuant to
11 KRS Chapter 186 or probated by the court.

12 (9) An applicant for relicensing after revocation or suspension shall pay the clerk the
13 reinstatement^[a] fee set forth in Section 15 of this Act^{[of twenty five dollars (\$25)].}
14 ~~The twenty five dollar (\$25) fee shall not apply to any person whose license was~~
15 ~~suspended for failure to meet the conditions described in KRS 186.411 when,~~
16 ~~within one (1) year of suspension, the driving privileges of such individuals are~~
17 ~~reinstated and persons reinstated pursuant to KRS 159.051].~~

18 ➔Section 15. KRS 186.531 is amended to read as follows:

19 (1) As used in this section:

20 (a) "AOC Fund" means the circuit court clerk salary account created in KRS
21 27A.052;

22 (b) "GF" means the general fund;

23 (c) "IP" means instruction permit;

24 (d) "License Fund" means the KYTC photo license account created in KRS
25 174.056;

26 (e) "MC" means motorcycle;

27 (f) "MC Fund" means the motorcycle safety education program fund established

1 in KRS 15A.358;

2 (g) "OL" means operator's license; and

3 (h) "PIDC" means personal identification card.

4 (2) The fees imposed for voluntary travel ID operator's licenses, instruction permits,
 5 and personal identification cards shall be as follows. The fees received shall be
 6 distributed as shown in the table. The fees shown, unless otherwise noted, are for an
 7 eight (8) year period:

8 Card	Fee	Road	License	AOC	GF	MC
9 Type		Fund	Fund	Fund		Fund
10 OL						
11 (initial/renewal)	\$48	\$31	\$7	\$10	\$0	\$0
12 OL (Under 21)						
13 (Up to 4 years)	\$18	\$8.50	\$5	\$4.50	\$0	\$0
14 Any OL, MC OL						
15 or combination						
16 (duplicate /corrected)	\$15	\$5.25	\$4	\$4	\$1.75	\$0
17 Motor vehicle IP						
18 (3 years)	\$18	\$6	\$5	\$5	\$2	\$0
19 Motorcycle IP						
20 (1 year)	\$18	\$6	\$5	\$2	\$1	\$4
21 Motorcycle OL						
22 (initial/renewal)	\$48	\$19.50	\$9	\$9.50	\$0	\$10
23 Combination						
24 vehicle/MC OL						
25 (initial/renewal)	\$58	\$28	\$7	\$13	\$0	\$10
26 PIDC						
27 (initial/renewal)	\$28	\$11	\$8	\$6	\$3	\$0

1 PIDC

2 (duplicate/corrected) \$15 \$6 \$4 \$3.50 \$1.50 \$0

3 (3) The fees imposed for standard operator's licenses, instruction permits, and personal
 4 identification cards shall be as follows. The fees received shall be distributed as
 5 shown in the table. The fees shown, unless otherwise noted, are for an eight (8) year
 6 period:

7 Card	Fee	Road	License	AOC	GF	MC
8 Type		Fund	Fund	Fund		Fund
9 OL						
10 (initial/renewal)	\$43	\$28	\$7	\$8	\$0	\$0
11 OL (Under 21)						
12 (Up to 4 years)	\$15	\$7.50	\$4	\$3.50	\$0	\$0
13 Any OL, MC OL						
14 or combination						
15 (duplicate /corrected)	\$15	\$5.25	\$4	\$4	\$1.75	\$0
16 Motor vehicle IP						
17 (3 years)	\$15	\$5	\$4	\$4	\$2	\$0
18 Motorcycle IP						
19 (1 year)	\$15	\$5	\$4	\$1	\$1	\$4
20 Motorcycle OL						
21 (initial/renewal)	\$43	\$17.50	\$8	\$7.50	\$0	\$10
22 Combination						
23 vehicle/MC OL						
24 (initial/renewal)	\$53	\$25	\$7	\$11	\$0	\$10
25 PIDC						
26 (initial/renewal)	\$23	\$8	\$8	\$4	\$3	\$0
27 PIDC						

1	(duplicate/corrected)	\$15	\$6	\$4	\$3.50	\$1.50	\$0
2	PIDC						
3	(no fixed address)						
4	KRS 186.4122(5) and						
5	186.4123(5)	\$10	\$0	\$5	\$5	\$0	\$0

6 (4) The fee for a second or subsequent duplicate personal identification card for a
7 person who does not have a fixed, permanent address, as allowed under KRS
8 186.4122(5) and 186.4123(5), shall be the same as for a duplicate regular personal
9 identification card.

10 (5) The fee for a four (4) year original or renewal license issued pursuant to KRS
11 186.4101 shall be fifty percent (50%) of the amount shown in subsections (2) and
12 (3) of this section. The distribution of fees shown in subsections (2) and (3) of this
13 section shall also be reduced by fifty percent (50%) for licenses that are issued for
14 four (4) years.

15 (6) Any fee for any identity document applied for using alternative technology under
16 KRS 186.410 and 186.4122 shall be distributed in the same manner as a document
17 applied for with the circuit clerk.

18 (7) (a) An applicant for an original or renewal operator's license, commercial driver's
19 license, motorcycle operator's license, or personal identification card shall be
20 requested by the clerk to make a donation to promote an organ donor program.

21 (b) A donation under this subsection shall be two dollars (\$2) for any license or
22 card with an eight (8) year term, and one dollar (\$1) for any license or card
23 with a term of less than eight (8) years.

24 (c) The donation under this subsection shall be added to the regular fee for an
25 original or renewal motor vehicle operator's license, commercial driver's
26 license, motorcycle operator's license, or personal identification card. One (1)
27 donation may be made per issuance or renewal of a license or any

1 combination thereof.

2 (d) The fee shall be paid to the circuit clerk and shall be forwarded by the clerk on
3 a monthly basis to the Kentucky Circuit Court Clerks' Trust for Life, and such
4 moneys are hereby appropriated to be used exclusively for the purpose of
5 promoting an organ donor program. A donation under this subsection shall be
6 voluntary and may be refused by the applicant at the time of issuance or
7 renewal.

8 (8) In addition to the fees outlined in this section, the following individuals, upon
9 application for an initial or renewal operator's license, instruction permit, or
10 personal identification card, shall pay an additional application fee of thirty dollars
11 (\$30), which shall be deposited in the road fund:

12 (a) An applicant who is not a United States citizen or permanent resident and who
13 applies under KRS 186.4121 or 186.4123; or

14 (b) An applicant who is applying for a instruction permit, operator's license, or
15 personal identification card without a photo under KRS 186.4102(9).

16 **(9) (a) Except for individuals exempted under paragraph (c) of this subsection, an**
17 **applicant for relicensing after revocation or suspension shall pay a**
18 **reinstatement fee of one hundred dollars (\$100).**

19 **(b) The reinstatement fee under this subsection shall be distributed by the State**
20 **Treasurer as follows:**

21 **1. Ten dollars (\$10) shall be deposited into the Circuit Court clerk salary**
22 **account established in KRS 27A.052;**

23 **2. Five dollars (\$5) shall be deposited into a trust and agency fund to be**
24 **used in defraying the costs and expenses of administering a driver**
25 **improvement program for problem drivers; and**

26 **3. Eighty-five dollars (\$85) shall be deposited into the road fund.**

27 **(c) This subsection shall not apply to:**

- 1 1. Any person whose license was suspended for failure to meet the
 2 conditions set out in KRS 186.411 when, within one (1) year of
 3 suspension, the driving privileges of the individual are reinstated; or
 4 2. A student who has had his or her license revoked pursuant to KRS
 5 159.051.

6 ➔Section 16. KRS 281A.150 is amended to read as follows:

- 7 (1) Every person seeking a commercial driver's license or a commercial driver's
 8 instruction permit shall first apply in person to the circuit clerk of the county in
 9 which the applicant resides or in the county where the person is enrolled in a driver
 10 training school if the applicant is not a resident. The application shall be in the form
 11 prescribed by KRS 281A.140 as provided by the cabinet. Except as provided in
 12 KRS 281A.160(6), each time a person applies for a commercial driver's license, an
 13 instruction permit, or seeks to upgrade or change his or her commercial driver's
 14 license, the person shall be required to:
- 15 (a) Update the application; and
 16 (b) Submit the appropriate fee to the circuit clerk.
- 17 (2) In addition to the fees for an operator's license under KRS 186.531, the cabinet shall
 18 set fees by administrative regulation, pursuant to KRS Chapter 13A, for the
 19 following applications that shall not exceed:
- 20 (a) Forty dollars (\$40) for each application for a commercial driver's license. The
 21 fee shall be based on the class, type of license, endorsement, restriction, or
 22 tests to be taken;
 23 (b) Thirty-five dollars (\$35) for each application for a commercial driver's
 24 instruction permit;
 25 (c) Fifteen dollars (\$15) for each application for a change or addition in class or
 26 type of license, endorsement, or restriction; and
 27 (d) Forty dollars (\$40) for each application for a duplicate if it is the first

1 duplicate applied for within the time period for which the original license was
2 issued. Sixty dollars (\$60) for a second or subsequent duplicate applied for
3 within the time period for which the original license was issued. The fees
4 required for a duplicate shall be in addition to fees charged under subsection
5 (2)(c) of this section.

6 (3) In addition to the fees for an operator's license KRS 186.531, the cabinet shall set
7 fees by administrative regulation, pursuant to KRS Chapter 13A, for the following
8 commercial driver's licenses that shall not exceed:

9 (a) Forty-five dollars (\$45) for each initial or renewal of a commercial driver's
10 license;

11 (b) Sixty dollars (\$60) for each transfer of a commercial driver's license; and

12 (c) Thirty dollars (\$30) for each initial or renewal of a commercial driver's license
13 with an "S" endorsement.

14 (4) All fees remitted to the clerk shall be nonrefundable regardless of whether the
15 applicant completes the requirements for a commercial driver's license or is tested.

16 (5) All fees collected for the issuance of a commercial driver's license or a commercial
17 driver's instruction permit shall be deposited into trust and agency accounts to be
18 used exclusively for the administration and implementation of this chapter, except
19 as prescribed in subsection (6) of this section. The accounts shall not lapse but shall
20 be continuing from year to year.

21 (6) All fees collected pursuant to this section, shall be allocated between the
22 Transportation Cabinet and Department of Kentucky State Police, except a fifty cent
23 (\$0.50) issuance fee shall be allocated to the general fund from issuance of a
24 commercial driver's license permit. A three dollar (\$3) issuance fee shall be
25 allocated to the general fund from issuance of a commercial driver's license.

26 (7) Any applicant who seeks reinstatement of his or her commercial driving privilege
27 after a suspension, withdrawal, revocation, or disqualification shall pay a

1 reinstatement fee of **one hundred dollars (\$100)**~~fifty dollars (\$50)~~ in addition to
 2 those fees required by subsection (2) of this section and shall satisfy the
 3 requirements of KRS 281A.160. This fee shall not be required if his or her
 4 commercial driving privilege was withdrawn only as a result of the withdrawal of
 5 his or her privilege to drive a noncommercial motor vehicle.

6 ➔Section 17. KRS 186A.130 is amended to read as follows:

7 There shall be paid for issuing and processing documents required by this chapter fees
 8 according to the following schedule:

9 (1) Each application for a certificate of title shall be **twenty-five dollars (\$25)**~~nine
 10 dollars (\$9)~~, of which the county clerk shall retain **eight dollars (\$8)**~~six dollars
 11 (\$6)~~ and the Transportation Cabinet shall receive **seventeen dollars (\$17)**~~three
 12 dollars (\$3)~~.

13 (2) Each application for a replacement or corrected certificate of title shall be **ten**
 14 **dollars (\$10)**~~six dollars (\$6)~~, of which the county clerk shall retain four dollars
 15 (\$4) and the Transportation Cabinet shall receive **six dollars (\$6)**~~two dollars (\$2)~~.

16 If a corrected certificate must be issued because of an error of the county clerk or
 17 the Department of Vehicle Regulation, there shall be no charge.

18 (3) Each application for a speed title shall be **forty dollars (\$40)**~~twenty-five dollars
 19 (\$25)~~, of which the county clerk shall retain **eight dollars (\$8)**~~five dollars (\$5)~~
 20 and the Transportation Cabinet shall receive **thirty-two dollars (\$32)**~~twenty dollars
 21 (\$20)~~.

22 (4) (a) Each application for a certificate of title for an all-terrain vehicle shall be
 23 fifteen dollars (\$15), of which the county clerk shall retain six dollars (\$6) and
 24 the Transportation Cabinet shall receive nine dollars (\$9).

25 (b) Each application for a replacement or corrected certificate of title for an all-
 26 terrain vehicle shall be ten dollars (\$10), of which the county clerk shall retain
 27 four dollars (\$4) and the Transportation Cabinet shall receive six dollars (\$6).

1 If a corrected certificate must be issued because of an error of the county clerk
2 or the Department of Vehicle Regulation, there shall be no charge.

3 ➔Section 18. KRS 186A.245 is amended to read as follows:

4 (1) If a certificate of title is lost, stolen, mutilated, or destroyed or becomes illegible,
5 the owner or legal representative of the owner named in the certificate shall
6 promptly make application to the county clerk for and may obtain a duplicate, upon
7 furnishing information satisfactory to the Department of Vehicle Regulation. The
8 duplicate certificate of title shall contain appropriate words or symbols to indicate
9 that it is a duplicate. Each application for a duplicate certificate of title shall be **ten**
10 **dollars (\$10)**~~six dollars (\$6)~~, of which the county clerk shall retain four dollars
11 (\$4), and the Transportation Cabinet **six dollars (\$6)**~~two dollars (\$2)~~. Each
12 application for a duplicate certificate of title for an all-terrain vehicle shall be ten
13 dollars (\$10), of which the county clerk shall retain four dollars (\$4) and the
14 Transportation Cabinet shall receive six dollars (\$6). It shall be mailed to the owner.

15 (2) The Department of Vehicle Regulation shall make provisions for production and
16 issuance of a duplicate title if update of information is requested. The provisions
17 shall be generally consistent with the procedures for production and issuance of a
18 certificate of title in the first instance as provided in this chapter.

19 (3) A person recovering an original certificate of title for which a duplicate has been
20 issued shall promptly surrender the original certificate to the Department of Vehicle
21 Regulation.

22 (4) Application for documents provided for by this section shall be made to the county
23 clerk upon forms provided to him by the Department of Vehicle Regulation.

24 ➔Section 19. KRS 186.574 is amended to read as follows:

25 (1) The Transportation Cabinet shall establish a state traffic school for new drivers and
26 for traffic offenders. The school shall be composed of uniform education and
27 training elements designed to create a lasting influence on new drivers and a

1 corrective influence on traffic offenders. District Courts may in lieu of assessing
2 penalties for traffic offenses, other than for KRS 189A.010, sentence offenders to
3 state traffic school and no other. The Transportation Cabinet shall enroll a person in
4 state traffic school who fails to complete a driver's education course pursuant to
5 KRS 186.410(5).

6 (2) If a District Court stipulates in its judgment of conviction that a person attend state
7 traffic school, the court shall indicate this in the space provided on the abstract of
8 conviction filed with the Transportation Cabinet. Upon receipt of an abstract, the
9 Transportation Cabinet, or its representative, shall schedule the person to attend
10 state traffic school. Failure of the person to attend and satisfactorily complete state
11 traffic school in compliance with the court order, may be punished as contempt of
12 the sentencing court. The Transportation Cabinet shall not assess points against a
13 person who satisfactorily completes state traffic school. However, if the person
14 referred to state traffic school holds or is required to hold a commercial driver's
15 license, the underlying offense shall appear on the person's driving history record.

16 (3) The Transportation Cabinet shall supervise, operate, and administer state traffic
17 school, and shall promulgate administrative regulations pursuant to KRS Chapter
18 13A governing facilities, equipment, courses of instruction, instructors, and records
19 of the program. In the event a person sentenced under subsection (1) of this section
20 does not attend or satisfactorily complete state traffic school, the Transportation
21 Cabinet may deny that person a license or suspend the license of that person until he
22 reschedules attendance or completes state traffic school, at which time a denial or
23 suspension shall be rescinded.

24 (4) Persons participating in the state traffic school as provided in this section shall pay a
25 fee of fifty dollars (\$50)~~fifteen dollars (\$15)~~ to defray the cost of operating the
26 school, except that if enrollment in state traffic school is to satisfy the requirement
27 of KRS 186.410(4)(c), a fee shall not be assessed. Any funds collected pursuant to

1 KRS 186.535(1) that are dedicated to the road fund for use in the state driver
2 education program may be used for the purposes of state traffic school.

3 (5) The following procedures shall govern persons attending state traffic school
4 pursuant to this section:

5 (a) A person convicted of any violation of traffic codes set forth in KRS Chapters
6 177, 186, or 189, and who is otherwise eligible, may in the sole discretion of
7 the trial judge, be sentenced to attend state traffic school. Upon payment of the
8 fee required by subsection (4) of this section, and upon successful completion
9 of state traffic school, the sentence to state traffic school shall be the person's
10 penalty in lieu of any other penalty, except for the payment of court costs;

11 (b) Except as provided in KRS 189.990(28), a person shall not be eligible to
12 attend state traffic school who has been cited for a violation of KRS Chapters
13 177, 186, or 189 that has a penalty of mandatory revocation or suspension of
14 an offender's driver's license;

15 (c) Except as provided in KRS 189.990(28), a person shall not be eligible to
16 attend state traffic school for any violation if, at the time of the violation, the
17 person did not have a valid driver's license or the person's driver's license was
18 suspended or revoked by the cabinet;

19 (d) Except as provided in KRS 189.990(28), a person shall not be eligible to
20 attend state traffic school more than once in any one (1) year period, unless
21 the person wants to attend state traffic school to comply with the driver
22 education requirements of KRS 186.410; and

23 (e) The cabinet shall notify the sentencing court regarding any person who was
24 sentenced to attend state traffic school who was ineligible to attend state
25 traffic school. A court notified by the cabinet pursuant to this paragraph shall
26 return the person's case to an active calendar for a hearing on the matter. The
27 court shall issue a summons for the person to appear and the person shall

1 demonstrate to the court why an alternative sentence should not be imposed.

2 (6) (a) Except as provided in paragraph (b) of this subsection, a county attorney may
3 operate a traffic safety program for traffic offenders prior to the adjudication
4 of the offense.

5 (b) Offenders alleged to have violated KRS 189A.010 or 304.39-080, offenders
6 holding a commercial driver's license under KRS Chapter 281A, or offenders
7 coming within the provisions of subsection (5)(b) or (c) of this section shall be
8 excluded from participation in a county attorney-operated program.

9 (c) A county attorney that operates a traffic safety program:

- 10 1. May charge a reasonable fee to program participants, which shall only
11 be used for payment of county attorney office operating expenses; and
12 2. Shall, by October 1 of each year, report to the Prosecutors Advisory
13 Council the fee charged for the county attorney-operated traffic safety
14 program and the total number of traffic offenders diverted into the
15 county attorney-operated traffic safety program for the preceding fiscal
16 year categorized by traffic offense.

17 (d) Each participant in a county attorney-operated traffic safety program shall, in
18 addition to the fee payable to the county attorney, pay a twenty-five dollar
19 (\$25) fee to the court clerk, which shall be paid into a trust and agency
20 account with the Administrative Office of the Courts and is to be used by the
21 circuit clerks to hire additional deputy clerks and to enhance deputy clerk
22 salaries.

23 (e) Each participant in a county attorney-operated traffic safety program shall, in
24 addition to the fee payable to the county attorney and the fee required by
25 paragraph (d) of this subsection, pay a thirty dollar (\$30) fee to the county
26 attorney in lieu of court costs. On a monthly basis, the county attorney shall
27 forward the fees collected pursuant to this paragraph to the Finance and

1 Administration Cabinet to be distributed as follows:

- 2 1. Ten and eight-tenths percent (10.8%) to the spinal cord and head injury
3 research trust fund created in KRS 211.504;
- 4 2. Nine and one-tenth percent (9.1%) to the traumatic brain injury trust
5 fund created in KRS 211.476;
- 6 3. Five and eight-tenths percent (5.8%) to the special trust and agency
7 account set forth in KRS 42.320(2)(f) for the Department of Public
8 Advocacy;
- 9 4. Five and seven-tenths percent (5.7%) to the crime victims compensation
10 fund created in KRS 49.480;
- 11 5. One and two-tenths percent (1.2%) to the Justice and Public Safety
12 Cabinet to defray the costs of conducting record checks on prospective
13 firearms purchasers pursuant to the Brady Handgun Violence Prevention
14 Act and for the collection, testing, and storing of DNA samples;
- 15 6. Sixteen and eight-tenths percent (16.8%) to the county sheriff in the
16 county from which the fee was received;
- 17 7. Nine and one-tenth percent (9.1%) to the county treasurer in the county
18 from which the fee was received to be used by the fiscal court for the
19 purposes of defraying the costs of operation of the county jail and the
20 transportation of prisoners;
- 21 8. Thirty-three and two-tenths percent (33.2%) to local governments in
22 accordance with the formula set forth in KRS 24A.176(5); and
- 23 9. Eight and three-tenths percent (8.3%) to the Cabinet for Health and
24 Family Services for the implementation and operation of a telephonic
25 behavioral health jail triage system as provided in KRS 210.365 and
26 441.048.

27 ➔Section 20. KRS 189.270 is amended to read as follows:

- 1 (1) The department may issue permits for the operation of motor vehicles,
2 manufactured homes, recreational vehicles, boats, or any other vehicle transporting
3 a nondivisible load, whose gross weight including load, height, width, or length
4 exceeds the limits prescribed by this chapter or which in other respects fail to
5 comply with the requirements of this chapter. Permits may be issued by the
6 department for stated periods, special purposes, and unusual conditions, and upon
7 terms in the interest of public safety and the preservation of the highways as the
8 department may require.
- 9 (2) (a) Except as provided in subsection (7) of this section, the department may, at
10 the request of an applicant, issue a single-trip permit regardless of the type of
11 vehicle or equipment being transported that exceeds the weight or dimension
12 limits established by this chapter if the load being transported is a nondivisible
13 load.
- 14 (b) Except as provided in paragraph (c) of this subsection, each^[a] single-trip
15 permit shall cost one hundred fifty dollars (\$150).
- 16 (c) A single-trip permit for a load which exceeds two hundred thousand
17 (200,000) pounds shall cost one thousand five hundred dollars
18 (\$1,500)~~[sixty dollars (\$60) for each overweight or overdimensional permit~~
19 ~~requested]~~.
- 20 (3) Except as provided in subsection (7) of this section, the department may, at the
21 request of an applicant, issue an annual permit regardless of the type of vehicle or
22 equipment being transported that exceeds the weight or dimension limits
23 established by this chapter if the load being transported is a nondivisible load. The
24 vehicle shall not exceed sixteen (16) feet in width exclusive of usual and ordinary
25 overhang, one hundred twenty (120) feet in length including a towing vehicle and
26 trailer combination, thirteen (13) feet six (6) inches in height, or one hundred sixty
27 thousand (160,000) pounds. Except as provided in subsections (4) and (7) of this

1 section, an annual permit for loads less than ***or equal to*** fourteen (14) feet in width
2 shall cost ***six hundred twenty-five dollars (\$625)***~~two hundred fifty dollars (\$250)]~~.

3 An annual permit for loads exceeding fourteen (14) feet in width shall cost ***one***
4 ***thousand two hundred fifty dollars (\$1,250)***~~five hundred dollars (\$500)]~~.

5 (4) An annual permit to transport farm equipment less than fourteen (14) feet in width
6 shall cost eighty dollars (\$80). An annual permit to transport farm equipment that
7 exceeds fourteen (14) feet in width from a dealership to a farm, from a farm to a
8 dealership, or from a dealership to a dealership shall cost one hundred fifty dollars
9 (\$150).

10 (5) Permits issued under this section shall be for nondivisible loads and shall be valid
11 statewide; however, the department may, as a condition of issuing an annual or
12 single-trip permit, limit the overweight or overdimensional vehicle to specified
13 routes, exclude certain highways, or even cancel an applicant's permit if an
14 unreasonable risk of accident or an unreasonable impedance of the flow of traffic
15 would result from the presence of the overweight or overdimensional vehicle. A
16 person who applies for, and accepts, a permit issued under this section is
17 acknowledging that the Kentucky Transportation Cabinet is not guaranteeing safe
18 passage of vehicles by issuing the permit. A person who applies for, and accepts, a
19 permit issued under this section agrees to measure all clearances of highway
20 structures, both laterally and vertically, prior to passage of the person's vehicles
21 along the routes specified in the permit. A person who applies for, and accepts, a
22 permit issued under this section is classified as a bare licensee whose duty is to
23 assume sole risk involved in using Kentucky's highways without warranty of
24 accuracy.

25 (6) Subject to the limitations of subsection (11) of this section, the department shall
26 promulgate administrative regulations under KRS Chapter 13A to establish
27 requirements for escort vehicles, safety markings, and other safety restrictions

1 governing the operation of an overweight or overdimensional vehicle. The
2 department shall provide each applicant for an annual or single-trip permit issued
3 under this section a copy of all restrictions associated with the overweight or
4 overdimensional permit at no charge to the applicant. The department shall be
5 prohibited from raising the permit fee established in subsections (2) and (3) of this
6 section by levying additional fees for an overweight or overdimensional permit
7 through the administrative regulation process.

8 (7) The cabinet shall not issue an annual permit under this section if the person
9 applying for the permit is eligible for an annual permit issued under KRS 189.2716
10 or 189.2717.

11 (8) The department may require the applicant to give bond, with approved surety, to
12 indemnify the state or counties against damage to highways or bridges resulting
13 from use by the applicant. The operation of vehicles in accordance with the terms of
14 the permit issued under this section shall not constitute a violation of this chapter if
15 the operator has the permit, or an authenticated copy of it, in his possession.

16 (9) Any person transporting a parade float which exceeds the dimensional limits on a
17 highway over which it is transported shall be required to obtain a permit as required
18 in subsection (2) of this section. If the float is being used in conjunction with a
19 parade to be held within the boundaries of the Commonwealth, a fee shall not be
20 assessed by the department to issue the permit.

21 (10) A person shall not operate any vehicle in violation of the terms of the permit issued
22 under this section.

23 (11) (a) The cabinet shall not promulgate administrative regulations pursuant to this
24 section that restrict the time or days of the week when a permit holder may
25 operate on the highway, except that travel may be limited from 6 a.m. to 9
26 a.m. and 3 p.m. to 6 p.m. Monday through Friday. In addition to the
27 restrictions established in this paragraph, any manufactured home being

1 transported by permit issued under this section shall not travel on any highway
2 after daylight hours Monday through Saturday, or at any time on Sunday.

3 (b) The cabinet shall allow a permit holder who has obtained a permit to transport
4 equipment to a work site to return to the permit holder's place of business
5 immediately after work is completed at the job site, subject to the limitations
6 of paragraph (a) of this subsection.

7 (c) The cabinet shall not promulgate administrative regulations pursuant to this
8 section setting forth escort vehicle requirements for overdimensional farm
9 implements or vehicles towing overdimensional farm implements that are
10 more stringent than the following:

- 11 1. For a single vehicle and load in excess of twelve (12) feet in width being
12 operated on a two (2) lane highway, no more than one (1) lead vehicle
13 shall be required;
- 14 2. For a single vehicle and load in excess of twelve (12) feet in width being
15 operated on a four (4) lane highway, no more than one (1) trail vehicle
16 shall be required;
- 17 3. For a single vehicle and load in excess of eighty-five (85) feet in length
18 being operated on a two (2) lane highway, no more than one (1) lead
19 vehicle shall be required;
- 20 4. For more than one (1) vehicle and load in excess of twelve (12) feet in
21 width or eighty-five (85) feet in length being operated as a convoy on a
22 two (2) lane highway, no more than one (1) lead vehicle shall be
23 required;
- 24 5. A lead escort vehicle on a two (2) lane highway under this paragraph
25 may also serve as a tow vehicle;
- 26 6. Any distance for lead or trail escort vehicles shall contain provisions
27 allowing for a variance from that distance due to safety or road

1 conditions; and

2 7. A vehicle or its escort shall be required to bear a sign declaring that the
3 vehicle is oversized or be required to use lights, flashers, or flags, but a
4 vehicle or its escort shall not be required to do both.

5 ➔SECTION 21. A NEW SECTION OF KRS CHAPTER 174 IS CREATED TO
6 READ AS FOLLOWS:

7 *(1) There is hereby established in the State Treasury a trust and agency account to be*
8 *known as the multimodal transportation fund. The fund shall consist of moneys*
9 *received from state appropriations, gifts, grants, and federal funds.*

10 *(2) The fund shall be administered by the Transportation Cabinet.*

11 *(3) Amounts deposited in the fund shall be used for the following purposes and for*
12 *no other purposes:*

13 *(a) To provide assistance to transit programs in the state by helping to offset the*
14 *loss of toll credits;*

15 *(b) To make improvements and correct issues at rail crossings that impact the*
16 *safe movement of people and goods;*

17 *(c) To maintain and improve Kentucky's riverports; and*

18 *(d) To maintain and improve Kentucky's general aviation airports.*

19 *(4) Notwithstanding KRS 45.229, fund amounts not expended at the close of a fiscal*
20 *year shall not lapse but shall be carried forward into the next fiscal year.*

21 *(5) Any interest earnings of the fund shall become part of the fund and shall not*
22 *lapse.*

23 *(6) Moneys deposited into this fund are hereby appropriated for the purposes set*
24 *forth in this section and shall not be appropriated or transferred by the General*
25 *Assembly for any other purpose.*

26 ➔Section 22. KRS 177.320 is amended to read as follows:

27 (1) Twenty-two and two-tenths percent (22.2%) of all funds arising from the imposition

1 of taxes provided by KRS 138.220~~[(1) and (2)]~~, 138.660(1) and (2) and 234.320
 2 shall be set aside for the construction, reconstruction and maintenance of secondary
 3 and rural roads and for no other purpose, and shall be expended for said purposes by
 4 the Transportation Cabinet of the Commonwealth of Kentucky according to the
 5 terms and conditions prescribed in KRS 177.330 to 177.360.

6 (2) **(a) In any fiscal year in which the amount of funds available for revenue**
 7 **sharing arising from the implementation of taxes provided by Section 1 of**
 8 **this Act, subsections (1) and (2) of Section 2 of this Act, and Section 30 of**
 9 **this Act is less than or equal to eight hundred twenty-five million dollars**
 10 **(\$825,000,000)**~~[On or after July 1, 1980],~~ eighteen and three-tenths percent
 11 (18.3%) of ~~those~~~~[all]~~ funds~~[arising from the imposition of taxes provided by~~
 12 ~~KRS 138.220(1) and (2), 138.660(1) and (2), and 234.320]~~ shall be set aside
 13 for the construction, reconstruction and maintenance of county roads and
 14 bridges provided by KRS 179.410 and 179.415.

15 **(b) In any fiscal year in which the amount of funds available for revenue**
 16 **sharing arising from the implementation of taxes provided by Section 1 of**
 17 **this Act, subsections (1) and (2) of Section 2 of this Act, and Section 30 of**
 18 **this Act is greater than eight hundred twenty-five million dollars**
 19 **(\$825,000,000), the following amounts shall be set aside for the**
 20 **construction, reconstruction, and maintenance of county roads and bridges**
 21 **provided by KRS 179.410 and 179.415:**

22 **1. One hundred fifty million nine hundred seventy-five thousand dollars**
 23 **(\$150,975,000); and**

24 **2. Thirteen percent (13%) of those funds in excess of eight hundred**
 25 **twenty-five million dollars (\$825,000,000).**

26 (3) All funds set aside in subsection (2) of this section for the construction,
 27 reconstruction and maintenance of county roads and bridges shall be allocated to the

1 county in accordance with the formula established in KRS 177.360(1) pursuant to
2 KRS 179.410.

3 (4) ~~[On or after July 1, 1986,]~~One-tenth of one percent (0.1%) of all funds arising from
4 the imposition of taxes provided by KRS 138.220~~[(1) and (2)]~~, 138.660 and
5 234.320 shall be set aside for the purposes and functions of the Kentucky
6 Transportation Center as established by KRS 177.375 to 177.380, except that the
7 receipts provided to the center by this subsection shall not exceed one hundred
8 ninety thousand dollars (\$190,000) for any fiscal year.

9 ➔Section 23. KRS 177.365 is amended to read as follows:

10 (1) (a) In any fiscal year in which the amount of funds available for revenue
11 sharing arising from the implementation of taxes provided by Section 1 of
12 this Act, subsections (1) and (2) of Section 2 of this Act, and Section 30 of
13 this Act is less than or equal to eight hundred twenty-five million dollars
14 (\$825,000,000)~~[On and after July 1, 1980]~~, seven and seven-tenths percent
15 (7.7%) of those funds~~[all amounts received from the imposition of the taxes~~
16 ~~provided for in KRS 138.220(1) and (2), 138.660(1) and (2) and 234.320]~~
17 shall be set aside by the Finance and Administration Cabinet for the
18 construction, reconstruction and maintenance of urban roads and streets and
19 for no other purpose.

20 (b) In any fiscal year in which the amount of funds available for revenue
21 sharing arising from the implementation of taxes provided by Section 1 of
22 this Act, subsections (1) and (2) of Section 2 of this Act, and Section 30 of
23 this Act is greater than eight hundred twenty-five million dollars
24 (\$825,000,000), the following amounts shall be set aside by the Finance and
25 Administration Cabinet for the construction, reconstruction, and
26 maintenance of urban roads and streets and for no other purpose:

27 1. Sixty-three million five hundred twenty-five thousand dollars

1 (\$63,525,000); and
 2 2. Thirteen percent (13%) of those funds in excess of eight hundred
 3 twenty-five million dollars (\$825,000,000).

4 (2) As used in this section unless the context requires otherwise "construction,"
 5 "reconstruction," and "maintenance" mean the supervising, inspecting, actual
 6 building, and all expenses incidental to the construction, reconstruction, or
 7 maintenance of a road or street, including planning, locating, surveying, and
 8 mapping or preparing roadway plans, acquisition of rights-of-way, relocation of
 9 utilities, lighting and the elimination of other hazards such as roadway grade
 10 crossings, and all other items defined in the Department of Highways, design,
 11 operations, and construction manuals.

12 (3) "Urban roads" mean all public ways lying within the limits of the unincorporated
 13 urban place as defined in KRS 81.015, and as described by the Bureau of Census
 14 tracts.

15 (4) "Streets" mean all public ways which have been designated by the incorporated city
 16 as being city streets and said streets lying within the boundaries of an incorporated
 17 city.

18 ➔Section 24. KRS 138.4603 is amended to read as follows:

19 (1) (a) ~~Effective } For sales on or after~~ the effective date of this Act ~~July 1, 2014~~, of:
 20 1. ~~New motor vehicles;~~
 21 2. ~~—} Dealer demonstrator vehicles;~~
 22 2. ~~3.~~ Previous model year motor vehicles; and
 23 3. ~~4.~~ U-Drive-It motor vehicles that have been transferred within one hundred
 24 eighty (180) days of being registered as a U-Drive-It and that have less
 25 than five thousand (5,000) miles;
 26 the retail price shall be determined by reducing the amount of total
 27 consideration given by the trade-in allowance of any motor vehicle traded in

1 by the buyer.

2 (b) For sales of new motor vehicles on or after the effective date of this Act, the
 3 retail price shall be determined by reducing the amount of total
 4 consideration given by the trade-in allowance of any motor vehicles traded
 5 in by the buyer, up to a maximum of fifteen thousand dollars (\$15,000) in
 6 total.

7 (c) The value of the purchased motor vehicle and the amount of the trade-in
 8 allowance shall be determined as provided in subsection (2) of this section.

9 ~~(d)~~(b) The retail price shall not include that portion of the price of the vehicle
 10 attributable to equipment or adaptive devices necessary to facilitate or
 11 accommodate an operator or passenger with physical disabilities.

12 (2) (a) The value of the purchased motor vehicle offered for registration and the
 13 value of the vehicle offered in trade shall be attested to in a notarized
 14 affidavit.

15 (b) If a notarized affidavit is not available:

16 1. The retail price of the purchased motor vehicle offered for registration
 17 shall be determined as follows:

18 a. Ninety percent (90%) of the manufacturer's suggested retail price
 19 of the vehicle with all equipment and accessories, standard and
 20 optional, and transportation charges; or

21 b. Eighty-one percent (81%) of the manufacturer's suggested retail
 22 price of the vehicle with all equipment and accessories, standard
 23 and optional, and transportation charges in the case of new trucks
 24 of gross weight in excess of ten thousand (10,000) pounds; and

25 2. The value of the vehicle offered in trade shall be the trade-in value, as
 26 established by the reference manual.

27 →Section 25. KRS 138.450 is amended to read as follows:

1 As used in KRS 138.455 to 138.470, unless the context requires otherwise:

- 2 (1) "Current model year" means a motor vehicle of either the model year corresponding
3 to the current calendar year or of the succeeding calendar year, if the same model
4 and make is being offered for sale by local dealers;
- 5 (2) "Dealer" means "motor vehicle dealer" as defined in KRS 190.010;
- 6 (3) "Dealer demonstrator" means a new motor vehicle or a previous model year motor
7 vehicle with an odometer reading of least one thousand (1,000) miles that has been
8 used either by representatives of the manufacturer or by a licensed Kentucky dealer,
9 franchised to sell the particular model and make, for demonstration;
- 10 (4) "Historic motor vehicle" means a motor vehicle registered and licensed pursuant to
11 KRS 186.043;
- 12 (5) "Motor vehicle" means any vehicle that is propelled by other than muscular power
13 and that is used for transportation of persons or property over the public highways
14 of the state, except road rollers, mopeds, vehicles that travel exclusively on rails,
15 and vehicles propelled by electric power obtained from overhead wires;
- 16 (6) "Moped" means either a motorized bicycle whose frame design may include one (1)
17 or more horizontal crossbars supporting a fuel tank so long as it also has pedals, or a
18 motorized bicycle with a step through type frame which may or may not have pedals
19 rated no more than two (2) brake horsepower, a cylinder capacity not exceeding
20 fifty (50) cubic centimeters, an automatic transmission not requiring clutching or
21 shifting by the operator after the drive system is engaged, and capable of a
22 maximum speed of not more than thirty (30) miles per hour;
- 23 (7) "New motor vehicle" means a motor vehicle of the current model year which has
24 not previously been registered in any state or country;
- 25 (8) "Previous model year motor vehicle" means a motor vehicle not previously
26 registered in any state or country which is neither of the current model year nor a
27 dealer demonstrator;

- 1 (9) "Total consideration given" means the amount given, valued in money, whether
2 received in money or otherwise, at the time of purchase or at a later date, including
3 consideration given for all equipment and accessories, standard and optional. "Total
4 consideration given" shall not include:
- 5 (a) Any amount allowed as a manufacturer or dealer rebate if the rebate is
6 provided at the time of purchase and is applied to the purchase of the motor
7 vehicle;
- 8 (b) Any interest payments to be made over the life of a loan for the purchase of a
9 motor vehicle; and
- 10 (c) The value of any items that are not equipment or accessories including but not
11 limited to extended warranties, service contracts, and items that are given
12 away as part of a promotional sales campaign;
- 13 (10) "Trade-in allowance" means:
- 14 (a) The value assigned by the seller of a motor vehicle to a motor vehicle
15 registered to the purchaser and offered in trade by the purchaser as part of the
16 total consideration given by the purchaser and included in the notarized
17 affidavit attesting to total consideration given; or
- 18 (b) In the absence of a notarized affidavit, the value of the vehicle being offered
19 in trade as established by the department through the use of the reference
20 manual;
- 21 (11) "Used motor vehicle" means a motor vehicle which has been previously registered
22 in any state or country;
- 23 (12) "Retail price" for:
- 24 (a) New motor vehicles;
- 25 (b) Dealer demonstrator vehicles;
- 26 (c) Previous model year motor vehicles; and
- 27 (d) U-Drive-It motor vehicles that have been transferred within one hundred

1 eighty (180) days of being registered as a U-Drive-It and that have less than
2 five thousand (5,000) miles;

3 means the total consideration given, as determined in Section 24 of this Act~~[KRS~~
4 ~~138.4602]~~;

5 (13) "Retail price" for historic motor vehicles shall be one hundred dollars (\$100);

6 (14) "Retail price" for used motor vehicles being titled or registered by a new resident
7 for the first time in Kentucky whose values appear in the reference manual means
8 the trade-in value given in the reference manual;

9 (15) "Retail price" for older used motor vehicles being titled or registered by a new
10 resident for the first time in Kentucky whose values no longer appear in the
11 reference manual shall be one hundred dollars (\$100);

12 (16) (a) "Retail price" for:

13 1. Used motor vehicles, except those vehicles for which the retail price is
14 established in subsection (13), (14), (15), (17), or (19) of this section;
15 and

16 2. U-Drive-It motor vehicles that are not transferred within one hundred
17 eighty (180) days of being registered as a U-Drive-It or that have more
18 than five thousand (5,000) miles;

19 means the total consideration given, excluding any amount allowed as a trade-
20 in allowance by the seller, as attested to in a notarized affidavit, provided that
21 the retail price established by the notarized affidavit shall not be less than fifty
22 percent (50%) of the difference between the trade-in value, as established by
23 the reference manual, of the motor vehicle offered for registration and the
24 trade-in value, as established by the reference manual, of any motor vehicle
25 offered in trade as part of the total consideration given.

26 (b) The trade-in allowance shall also be disclosed in the notarized affidavit.

27 (c) If a notarized affidavit is not available, "retail price" shall be established by

1 the department through the use of the reference manual;

2 (17) Except as provided in KRS 138.470(6), if a motor vehicle is received by an
3 individual as a gift and not purchased or leased by the individual, "retail price" shall
4 be the trade-in value given in the reference manual;

5 (18) If a dealer transfers a motor vehicle which he has registered as a loaner or rental
6 motor vehicle within one hundred eighty (180) days of the registration, and if less
7 than five thousand (5,000) miles have been placed on the vehicle during the period
8 of its registration as a loaner or rental motor vehicle, then the "retail price" of the
9 vehicle shall be the same as the retail price determined by paragraph (a) of
10 subsection (12) of this section computed as of the date on which the vehicle is
11 transferred;

12 (19) "Retail price" for motor vehicles titled pursuant to KRS 186A.520, 186A.525,
13 186A.530, or 186A.555 means the total consideration given as attested to in a
14 notarized affidavit;

15 (20) "Loaner or rental motor vehicle" means a motor vehicle owned or registered by a
16 dealer and which is regularly loaned or rented to customers of the service or repair
17 component of the dealership;

18 (21) "Department" means the Department of Revenue;

19 (22) "Notarized affidavit" means a dated affidavit signed by the buyer and the seller on
20 which the signature of the buyer and the signature of the seller are individually
21 notarized; and

22 (23) "Reference manual" means the automotive reference manual prescribed by the
23 department.

24 ➔Section 26. KRS 176.210 is amended to read as follows:

25 **(1) Subject to the limitations in subsection (2) of this section,** the department may
26 make public from time to time lists of qualified bidders. Such lists shall be general
27 in character and shall not indicate the size of the contracts with respect to which the

1 bidders have qualified.

2 **(2) The department shall not make public the identity of an eligible bidder for a**
3 **particular project prior to the bid letting on that project.**

4 ➔Section 27. KRS 138.695 is amended to read as follows:

5 (1) Every licensee subject to the tax imposed by subsections (1) and (2) of KRS
6 138.660 shall be entitled to a credit for each quarterly period beginning on and after
7 July 1, 1980, equivalent to the tax rate levied in KRS 138.220~~[(1) and (2)]~~ on
8 gasoline and special fuels purchased by such licensee during such period for use in
9 its operations, provided such gasoline and special fuels were purchased in Kentucky
10 during the same period and the tax imposed by KRS 138.220~~[(1) and (2)]~~, 138.565,
11 and 234.320 has been paid. Evidence of the payment of such tax in such form as
12 may be required by or satisfactory to the cabinet shall be furnished by each such
13 licensee claiming the credit herein allowed.

14 (2) The cabinet shall at the close of each quarterly period, ending September 30,
15 December 31, March 31, and June 30, compute all credits granted by the cabinet
16 during such quarter, which credits shall be except as provided in subsection (3) of
17 this section, applied only to taxes due on the report filed for the next quarter.

18 (3) If the credit or credits referred to in subsections (1) and (2) of this section would
19 expire solely by reason of the lapse of time allowed in subsection (2) of this section,
20 then the balance of any credit shall be refunded to the licensee, provided application
21 therefor and all necessary information shall be filed with the cabinet within sixty
22 (60) days after the time the credit would otherwise expire as provided in subsection
23 (2) of this section, except a credit shall not be refunded to the licensee, where, as
24 estimated by the cabinet, the cost to the cabinet of making the refund would exceed
25 the amount of the refund.

26 (4) In order to facilitate administration of the credits and refunds allowed herein, the
27 cabinet shall prescribe what records must be kept by the licensee or any other

1 person and the cabinet shall also prescribe the form and content of said records and
2 any reports to be made relative thereto.

3 ➔Section 28. KRS 138.210 is amended to read as follows:

4 As used in KRS 138.220 to 138.446, unless the context requires otherwise:

5 (1) "Accountable loss" means loss or destruction of "received" gasoline or special fuel
6 through wrecking of transportation conveyance, explosion, fire, flood or other
7 casualty loss, or contaminated and returned to storage. The loss shall be reported
8 within thirty (30) days after discovery of the loss to the department in a manner and
9 form prescribed by the department, supported by proper evidence which in the sole
10 judgment of the department substantiates the alleged loss or contamination and
11 which is confirmed in writing to the reporting dealer by the department. The
12 department may make any investigation deemed necessary to establish the bona fide
13 claim of the loss;

14 (2) "Agricultural purposes" means purposes directly related to the production of
15 agricultural commodities and the conducting of ordinary activities on the farm;

16 (3) ~~["Annual survey value" means the average of the quarterly survey values for a fiscal~~
17 ~~year, as determined by the department, based upon surveys taken during the first~~
18 ~~month of each quarter of the fiscal year;~~

19 (4) ~~"Average wholesale price" means the weighted average per gallon wholesale price~~
20 ~~of gasoline, based on the quarterly survey value as determined by the department,~~
21 ~~and as adjusted by KRS 138.228;~~

22 (5) "Bulk storage facility" means gasoline or special fuels storage facilities of not less
23 than twenty thousand (20,000) gallons owned or operated at one (1) location by a
24 single owner or operator for the purpose of storing gasoline or special fuels for
25 resale or delivery to retail outlets or consumers;

26 (4) (6) "Dealer" means any person who is:

27 (a) Regularly engaged in the business of refining, producing, distilling,

1 manufacturing, blending, or compounding gasoline or special fuels in this
2 state;

3 (b) Regularly importing gasoline or special fuel, upon which no tax has been paid,
4 into this state for distribution in bulk to others;

5 (c) Distributing gasoline from bulk storage in this state;

6 (d) Regularly engaged in the business of distributing gasoline or special fuels
7 from bulk storage facilities primarily to others in arm's-length transactions;

8 (e) In the case of gasoline, receiving or accepting delivery within this state of
9 gasoline for resale within this state in amounts of not less than an average of
10 one hundred thousand (100,000) gallons per month during any prior
11 consecutive twelve (12) months' period, when in the opinion of the
12 department, the person has sufficient financial rating and reputation to justify
13 the conclusion that he or she will pay all taxes and comply with all other
14 obligations imposed upon a dealer; or

15 (f) Regularly exporting gasoline or special fuels;

16 ~~(5)~~~~(7)~~ "Department" means the Department of Revenue;

17 ~~(6)~~~~(8)~~ "Diesel fuel" means any liquid other than gasoline that, without further
18 processing or blending, is suitable for use as a fuel in a diesel powered highway
19 vehicle. Diesel fuel does not include unblended kerosene, No. 5, and No. 6 fuel oil
20 as described in ASTM specification D 396 or F-76 Fuel Naval Distillate MILL-F-
21 166884;

22 ~~(7)~~~~(9)~~ "Dyed diesel fuel" means diesel fuel that is required to be dyed under United
23 States Environmental Protection Agency rules for high sulfur diesel fuel, or is dyed
24 under the Internal Revenue Service rules for low sulfur fuel, or pursuant to any
25 other requirements subsequently set by the United States Environmental Protection
26 Agency or the Internal Revenue Service;

27 ~~(8)~~~~(10)~~ "Financial instrument" means a bond issued by a corporation authorized to do

1 business in Kentucky, a line of credit, or an account with a financial institution
2 maintaining a compensating balance;

3 (9)~~(11)~~ "Gasoline" means all liquid fuels, including liquids ordinarily, practically, and
4 commercially usable in internal combustion engines for the generation of power,
5 and all distillates of and condensates from petroleum, natural gas, coal, coal tar,
6 vegetable ferments, and all other products so usable which are produced, blended,
7 or compounded for the purpose of operating motor vehicles, showing a flash point
8 of 110 degrees Fahrenheit or below, using the Elliott Closed Cup Test, or when
9 tested in a manner approved by the United States Bureau of Mines, are prima facie
10 commercially usable in internal combustion engines. The term "gasoline" as used
11 herein shall include casing head, absorption, natural gasoline, and condensates when
12 used without blending as a motor fuel, sold for use in motors direct, or sold to those
13 who blend for their own use, but shall not include: propane, butane, or other
14 liquefied petroleum gases, kerosene, cleaner solvent, fuel oil, diesel fuel, crude oil
15 or casing head, absorption, natural gasoline and condensates when sold to be
16 blended or compounded with other less volatile liquids in the manufacture of
17 commercial gasoline for motor fuel, industrial naphthas, rubber solvents, Stoddard
18 solvent, mineral spirits, VM and P & naphthas, turpentine substitutes, pentane,
19 hexane, heptane, octane, benzene, benzine, xylol, toluol, aromatic petroleum
20 solvents, alcohol, and liquefied gases which would not exist as liquids at a
21 temperature of sixty (60) degrees Fahrenheit and a pressure of 14.7 pounds per
22 square inch absolute, unless the products are used wholly or in combination with
23 gasoline as a motor fuel;

24 (10)~~(12)~~ "Motor vehicle" means any vehicle, machine, or mechanical contrivance
25 propelled by an internal combustion engine and licensed for operation and operated
26 upon the public highways and any trailer or semitrailer attached to or having its
27 front end supported by the motor vehicles;

1 ~~(11)~~~~(13)~~ "Public highways" means every way or place generally open to the use of the
2 public as a matter or right for the purpose of vehicular travel, notwithstanding that
3 they may be temporarily closed or travel thereon restricted for the purpose of
4 construction, maintenance, repair, or reconstruction;

5 ~~[(14) (a)]~~ ~~"Quarterly survey value" means a value determined by the department for each~~
6 ~~calendar quarter of the weighted average per gallon wholesale price of~~
7 ~~gasoline, determined from information available through independent~~
8 ~~statistical surveys of gasoline prices or, if requested, from information~~
9 ~~furnished by licensed gasoline dealers. The department shall determine, within~~
10 ~~twenty (20) days following the end of the first month of each calendar quarter,~~
11 ~~the weighted average of per gallon wholesale selling prices of gasoline for the~~
12 ~~previous month. That value shall be the quarterly survey value for the~~
13 ~~beginning of the following calendar quarter.~~

14 ~~(b) "Quarterly survey value" shall be determined exclusive of any federal gasoline~~
15 ~~tax and any fee on imported oil imposed by the Congress of the United~~
16 ~~States;]~~

17 ~~(12)~~~~(15)~~ "Received" or "received gasoline" or "received special fuels" shall have the
18 following meanings:

19 (a) Gasoline and special fuels produced, manufactured, or compounded at any
20 refinery in this state or acquired by any dealer and delivered into or stored in
21 refinery, marine, or pipeline terminal storage facilities in this state shall be
22 deemed to be received when it has been loaded for bulk delivery into tank cars
23 or tank trucks consigned to destinations within this state. For the purpose of
24 the proper administration of this chapter and to prevent the evasion of the tax
25 and to enforce the duty of the dealer to collect the tax, it shall be presumed
26 that all gasoline and special fuel loaded by any licensed dealer within this state
27 into tank cars or tank trucks is consigned to destinations within this state,

1 unless the contrary is established by the dealer, pursuant to administrative
2 regulations prescribed by the department; and

3 (b) Gasoline and special fuels acquired by any dealer in this state, and not
4 delivered into refinery, marine, or pipeline terminal storage facilities, shall be
5 deemed to be received when it has been placed into storage tanks or other
6 containers for use or subject to withdrawal for use, delivery, sale, or other
7 distribution. Dealers may sell gasoline or special fuels to licensed bonded
8 dealers in this state in transport truckload, carload, or cargo lots, withdrawing
9 it from refinery, marine, pipeline terminal, or bulk storage tanks, without
10 paying the tax. In these instances, the licensed bonded dealer purchasing the
11 gasoline or special fuels shall be deemed to have received that fuel at the time
12 of withdrawal from the seller's storage facility and shall be responsible to the
13 state for the payment of the tax thereon;

14 ~~(13)~~~~(16)~~ "Refinery" means any place where gasoline or special fuel is refined,
15 manufactured, compounded, or otherwise prepared for use;

16 ~~(14)~~~~(17)~~ "Retail filling station" means any place accessible to general public vehicular
17 traffic where gasoline or special fuel is or may be placed into the fuel supply tank of
18 a licensed motor vehicle;

19 ~~(15)~~~~(18)~~ "Special fuels" means and includes all combustible gases and liquids capable
20 of being used for the generation of power in an internal combustion engine to propel
21 vehicles of any kind upon the public highways, including diesel fuel, and dyed
22 diesel fuel used exclusively for nonhighway purposes in off-highway equipment and
23 in nonlicensed motor vehicles, except that it does not include gasoline, aviation jet
24 fuel, kerosene unless used wholly or in combination with special fuel as a motor
25 fuel, or liquefied petroleum gas as defined in KRS 234.100;

26 ~~(16)~~~~(19)~~ "Storage" means all gasoline and special fuels produced, refined, distilled,
27 manufactured, blended, or compounded and stored at a refinery storage or delivered

1 by boat at a marine terminal for storage, or delivered by pipeline at a pipeline
2 terminal, delivery station, or tank farm for storage; ***and***

3 ~~(17)~~~~(20)~~ "Transporter" means any person who transports gasoline or special fuels
4 on which the tax has not been paid or assumed~~[-; and~~

5 ~~(21) "Wholesale floor price" means:~~

6 ~~(a) Prior to April 1, 2015, one dollar and seventy eight and six tenths cents~~
7 ~~(\$1.786) per gallon; and~~

8 ~~(b) On and after April 1, 2015, two dollars and seventeen and seven tenths cents~~
9 ~~(\$2.177) per gallon].~~

10 ➔ Section 29. KRS 138.270 is amended to read as follows:

11 (1) (a) From the total number of gallons of gasoline and special fuel received by the
12 dealer within this state during the next preceding calendar month, deductions
13 shall be made for the total number of gallons received by the dealer within this
14 state that were sold or otherwise disposed of during the next preceding
15 calendar month as set forth in subsection (2) of KRS 138.240.

16 (b) To cover evaporation, shrinkage, unaccountable losses, collection costs, bad
17 debts, and handling and reporting the tax, each dealer shall be allowed
18 compensation equal to two and one-fourth percent (2.25%) of the net tax due
19 the Commonwealth pursuant to KRS 138.210 to 138.490 before all allowable
20 tax credits, except the credit authorized pursuant to KRS 138.358. No
21 compensation shall be allowed if the completed tax return and payment are
22 not submitted to the department within the time prescribed by KRS 138.210 to
23 138.490.

24 (2) The tax imposed by KRS 138.220~~[(1) and (2)]~~ shall be computed on the number of
25 gallons remaining after the deductions set forth in subsection (1) of this section
26 have been made, and shall constitute the amount of tax payable for the next
27 preceding calendar month.

1 (3) Notwithstanding any other provision of this chapter to the contrary, any person who
2 shall remit to the department, by the twenty-fifth day of the next month, an
3 estimated tax due amount equal to not less than ninety-five percent (95%) of his tax
4 liability, as finally determined for the report month, shall not be required to file the
5 monthly reports required by this chapter until the last day of the month following
6 the report month, and shall be permitted to claim as a credit against the tax liability
7 shown due on the report the estimated tax due amount so paid.

8 ➔Section 30. KRS 234.320 is amended to read as follows:

9 (1) An excise tax at the rate levied in KRS 138.220~~[(1) and (2)]~~ is hereby levied and
10 shall be paid by the liquefied petroleum gas motor fuel dealer to the department on
11 all taxable liquefied petroleum gas motor fuel delivered to the licensed liquefied
12 petroleum gas motor fuel user-seller or withdrawn by the liquefied petroleum gas
13 motor fuel dealer to propel motor vehicles on the public highways, either within or
14 without this state. An allowance of one percent (1%) of the tax shall be made to the
15 liquefied petroleum gas motor fuel dealer to cover unaccountable losses, bad debts,
16 and handling and reporting the tax.

17 (2) No other excise or license tax shall be levied or assessed on liquefied petroleum gas
18 motor fuel by any political subdivision of the state, except the licenses under KRS
19 234.120.

20 (3) No provision of KRS 234.310 to 234.440 shall in any way affect the surtax imposed
21 on heavy equipment motor carriers under KRS 138.660.

22 ➔Section 31. KRS 234.380 is amended to read as follows:

23 Liquefied petroleum gas motor fuel dealers using, selling, and/or delivering liquefied
24 petroleum gas to motor vehicles, or into storage for use in motor vehicles, shall report and
25 pay the state tax at the rate levied in KRS 138.220~~[(1) and (2)]~~ on all such fuel to the
26 Department of Revenue. The dealer shall issue an invoice to the customer whenever the
27 sale or delivery is consummated giving the invoice date, name and address of the

1 customer, and number of taxable gallons sold or delivered. The number of taxable gallons
2 to be invoiced shall be determined in the following manner by the dealer:

- 3 (1) The metered gallons, if placed into a fuel tank of a motor vehicle;
- 4 (2) The metered gallons, if placed into storage, all of which is to be used or sold for use
5 in motor vehicles;
- 6 (3) The number of gallons to be used in motor vehicles, if the storage is for multiple
7 uses. The number of taxable gallons to be determined by the user and the dealer
8 based on the best estimate possible from mileage and efficiency records available;
9 or
- 10 (4) If the motor vehicle carburetor is connected to a fuel line leading from a fuel tank
11 where another, or other motors are supplied with fuel also, then the number of
12 gallons to be invoiced as taxable motor fuel shall be determined from mileage and
13 fuel efficiency records.

14 ➔Section 32. KRS 42.409 is amended to read as follows:

15 As used in KRS 42.410 and 45.760, unless the context requires otherwise:

- 16 (1) "State total personal income" means the measure of all income received by or on
17 behalf of persons in the Commonwealth, as most recently published in the Survey
18 of Current Business by the United States Department of Commerce, Bureau of
19 Economic Analysis.
- 20 (2) "Estimated state total personal income" means the personal income figure used by
21 the Governor's Office for Economic Analysis to generate final detailed revenue
22 estimates.
- 23 (3) "Total revenues" means revenues credited to the general fund and the road fund
24 consistent with the provisions of KRS 48.120, as well as any restricted agency fund
25 account from which debt service is expended.
- 26 (4) "Anticipated total revenues" means the official revenue estimates, as provided for in
27 KRS 48.120, projected for the general fund and the road fund, as well as any

- 1 restricted agency fund account from which debt service is expended.
- 2 (5) "Available revenues" means revenues credited to the general fund and the road fund
3 consistent with the provisions of KRS 48.120, as well as any restricted agency fund
4 account from which debt service is expended, minus any statutorily dedicated
5 receipts of the respective funds.
- 6 (6) "Anticipated available revenues" means official revenue estimates, as provided for
7 in KRS 48.120, projected for the general fund and the road fund, as well as any
8 restricted agency fund account from which debt service is expended, minus any
9 statutorily dedicated receipts of the respective funds.
- 10 (7) "Total assessed value of property" means state total net assessed value of property
11 for taxes due, as obtained from the Department of Revenue.
- 12 (8) "Per capita" means per unit of population, where population figures are the most
13 recent available from the University of Louisville, Kentucky State Data Center.
- 14 (9) "Appropriation-supported debt service" means the amount of an appropriation
15 identified to be expended for debt service purposes in the executive budget
16 recommendation, and the amount of an appropriation expended for debt services in
17 a completed fiscal year.
- 18 (10) "Appropriation-supported debt" means the outstanding principal of bonds issued by
19 all state agencies and all individuals, agencies, authorities, boards, cabinets,
20 commissions, corporations, or other entities of, or representing the Commonwealth
21 with the authority to issue bonds, and for which debt service is appropriated by the
22 General Assembly.
- 23 (11) "Nonappropriation-supported debt" means the outstanding principal of bonds issued
24 by all state agencies and all individuals, agencies, authorities, boards, cabinets,
25 commissions, corporations, or other entities of, or representing the Commonwealth
26 with the authority to issue bonds, and for which debt service is not appropriated by
27 the General Assembly.

- 1 (12) "Statutorily dedicated receipts" means revenues credited to the general fund and
2 road fund consistent with the provisions of KRS 48.120, as well as any restricted
3 agency fund account, which are required by an enacted statute to be used for a
4 specific purpose. Statutorily dedicated receipts include, but are not limited to, the
5 following:
- 6 (a) Receipts credited to the general fund which are subject to KRS 42.450 to
7 42.495, KRS 278.130 to 278.150, or KRS 350.139;
- 8 (b) Receipts credited to the road fund which are subject to ~~KRS 175.505,~~ KRS
9 177.320, KRS 177.365 to 177.369, KRS 177.9771 to 177.979, KRS 186.531,
10 or KRS 186.535; and
- 11 (c) Receipts credited to a restricted agency fund account in accordance with any
12 applicable statute.
- 13 (13) "True interest cost" means the bond yield according to issue price without a
14 reduction for related administrative costs, and is the same figure as the arbitrage
15 yield calculation described in the United States Tax Reform Act of 1986.
- 16 ➔Section 33. KRS 186.442 is amended to read as follows:
- 17 (1) The Transportation Cabinet shall, before issuing or renewing a Kentucky operator's
18 license, verify through the National Drivers Register that the person applying for an
19 initial or renewal Kentucky operator's license does not currently have his or her
20 operator's license or driving privilege suspended or revoked in another licensing
21 jurisdiction.
- 22 (2) If the person's operator's license or driving privilege is currently suspended or
23 revoked in another licensing jurisdiction for a traffic offense where the conviction
24 for the offense is less than five (5) years old, the Transportation Cabinet shall not
25 issue the person an initial or renewal Kentucky operator's license until the person
26 resolves the matter in the other licensing jurisdiction and complies with the
27 provisions of this chapter.

- 1 (3) A person whose operator's license has been suspended or revoked in another
2 licensing jurisdiction, or the holder of a Kentucky operator's license whose driving
3 privileges have been suspended in another licensing jurisdiction, may be issued a
4 Kentucky license, or may renew a Kentucky license if:
- 5 (a) The conviction causing the suspension or revocation is more than five (5)
6 years old;
- 7 (b) The conviction is for a traffic offense other than a felony traffic offense or a
8 habitual violator offense; and
- 9 (c) The person has been a resident of the Commonwealth for at least five (5)
10 years prior to the date of application for issuance or renewal.
- 11 (4) (a) A person applying for an operator's license under subsection (3) of this section
12 shall submit an application to the circuit clerk in the person's county of
13 residence, who shall electronically scan the application and supporting
14 documents, along with a photograph of the applicant captured in accordance
15 with KRS 186.4102(1), into the cabinet database.
- 16 (b) The circuit clerk shall review the person's documentation, including the
17 person's photograph, in the cabinet database. If the documentation is verified
18 as accurate, and if the person successfully completes any examinations
19 required under KRS 186.480 and pays the reinstatement fee required under
20 Section 15 of this Act~~[KRS 186.440]~~, the circuit clerk shall present the
21 applicant with a temporary operator's license, which shall be valid for thirty
22 (30) days, until a permanent operator's license is mailed to the applicant by the
23 Transportation Cabinet.
- 24 (5) A person issued a Kentucky operator's license in accordance with subsection (3) of
25 this section shall be issued an operator's license marked "Valid in Kentucky Only"
26 and shall sign a statement that the person understands that he or she may be subject
27 to arrest and detention if stopped by a law enforcement officer in another state while

1 operating a motor vehicle on this restricted license.

2 (6) If a person granted a license under subsection (3) of this section satisfies the
3 requirements to have the suspension or revocation in another state lifted, the person
4 shall apply to the circuit clerk to be issued a new license without the restrictions
5 outlined in subsection (3) of this section.

6 (7) The provisions of subsection (3) of this section shall not apply to a commercial
7 driver's license.

8 ➔Section 34. The following KRS sections are repealed:

9 138.228 Calculation of average wholesale price of gasoline.

10 138.4602 Determination of motor vehicle retail price for sales on or after September 1,
11 2009, and before July 1, 2014.

12 175.505 Debt payment acceleration fund -- Revenue source -- Use to accelerate payment
13 of turnpike authority debt.

14 ➔Section 35. Whereas, it is appropriate that adjustments to tax rates and revenue
15 sharing formulas take effect at the beginning of a fiscal year, an emergency is declared to
16 exist, and Sections 1 to 3 and 22 to 25 of this Act take effect July 1, 2020.

17 ➔Section 36. Sections 4, 5, and 7 to 12 of this Act take effect January 1, 2021.