

1 AN ACT relating to transportation and making an appropriation therefor.

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

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

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

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

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

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

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

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

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

14 ~~(3){(4)}~~ *At least twenty (20) days in advance of the first day of each fiscal year,*
 15 notification of:

16 *(a) The adjusted motor fuel tax rate for the upcoming fiscal year*~~{average~~
 17 ~~wholesale price}~~ shall be given to all licensed dealers; *and*

18 *(b) The adjusted electric vehicle highway user fee established in Section 4 of*
 19 *this Act shall be given to all county clerks*~~{ at least twenty (20) days in~~
 20 ~~advance of July 1 of each calendar year}.~~

21 ~~(4){(5)}~~ Dealers with a tax-paid gasoline or special fuel inventory at the time an
 22 *adjustment to the fuel tax rate under Section 3 of this Act*~~{average wholesale price~~
 23 ~~} becomes effective[,]~~ shall be subject to additional tax or appropriate tax credit to
 24 reflect the increase or decrease in the *fuel tax rate*~~{average wholesale price}~~ for the
 25 new *year*~~{quarter}~~. The department shall promulgate administrative regulations to
 26 ~~{properly}~~ administer this provision.

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

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

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

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

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

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

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

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

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

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

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

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

3 **(2) For the fiscal year beginning on July 1, 2021, and ending June 30, 2022:**

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

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

10 **(3) (a) For fiscal years beginning on or after July 1, 2022, the taxes shall be**
11 **adjusted annually to the nearest one-tenth of one cent (\$0.001), as provided**
12 **in this subsection, and shall be effective on the first day of the fiscal year.**

13 **(b) On or before June 1, 2022, and on or before each June 1 thereafter, the**
14 **department shall compare the most current quarterly National Highway**
15 **Construction Cost Index 2.0 (NHCCI 2.0) value and determine the**
16 **percentage change in relation to the NHCCI 2.0 value from the same**
17 **quarter for the previous year.**

18 **(c) 1. The taxes on July 1, 2022, and on July 1 of each fiscal year thereafter,**
19 **shall be adjusted by the change in the NHCCI 2.0 determined by**
20 **paragraph (b) of this subsection, unless the change is:**

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

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

27 **2. Notwithstanding subparagraph 1. of this paragraph, the tax rates shall**

1 not be less than the initial base rates identified in subsection (1) of
2 Section 1 and subsection(2)(a) of Section 2 of this Act.

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

- 5 (1) At the time of initial registration, and each year upon annual vehicle registration
6 renewal under Section 9 of this Act, the county clerk shall collect, from the
7 registrants of nonhybrid electric vehicles, the electric vehicle highway user fee
8 established under subsection (2) of this section, as adjusted by the calculations in
9 subsection (3) of this section.
- 10 (2) The base floor for the electric vehicle highway user fee shall be one hundred fifty
11 dollars (\$150).
- 12 (3) The Department of Revenue shall adjust the fee established in subsection (2) of
13 this section on the same schedule as the adjustments to the excise tax on gasoline
14 and special fuels under Section 3 of this Act, in the following manner:
- 15 (a) For each two-tenths of one cent (\$0.002) increase in the tax, as adjusted by
16 Section 3 of this Act, the fee outlined in this section shall increase one
17 dollar (\$1);
- 18 (b) For each two-tenths of one cent (\$0.002) decrease in the tax, as adjusted by
19 Section 3 of this Act, the fee outlined in this section shall decrease one
20 dollar (\$1); and
- 21 (c) Any adjustment of fees under this subsection shall not result in a decrease
22 below the base fee established in subsection (2) of this section.
- 23 (4) (a) Except as provided in paragraph (b) of this subsection, at the time of initial
24 registration, and each year upon annual vehicle registration renewal under
25 Section 9 of this Act, the county clerk shall collect a highway preservation
26 fee from the owners of certain noncommercial motor vehicles, based on the
27 combined city/highway fuel efficiency rating published by the United States

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

<u><i>Fuel Efficiency Rating</i></u>	<u><i>Highway Preservation Fee</i></u>
<u><i>30 – 39 Miles Per Gallon</i></u>	<u><i>\$35</i></u>
<u><i>40 Miles Per Gallon or more</i></u>	<u><i>\$40.</i></u>

6 *(b) The highway preservation fee under this subsection shall not be assessed on*
7 *nonhybrid electric motor vehicles subject to the electric vehicle highway*
8 *user fee established in this section.*

9 *(5) All electric vehicle highway usage fees and highway preservation fees collected*
10 *under this section shall be transferred to the road fund, as defined in KRS*
11 *48.010.*

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

13 As used in this chapter, unless otherwise indicated:

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

1 defined in paragraph (b) of subsection (8) of this section, which are self-propelled.
2 "Motor vehicle" shall not include a moped as defined in this section, but for
3 registration purposes shall include low-speed vehicles and military surplus vehicles
4 as defined in this section and vehicles operating under KRS 189.283;

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

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

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

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

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

1 the dealership's name. Rather, under these circumstances, ownership shall
2 transfer upon delivery of the vehicle to the purchaser, subject to any
3 applicable security interest;

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

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

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

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

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

1 vans which are not being used for commercial or business purposes, and motor
2 vehicles registered under KRS 186.060;

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

8 (13) "Special status individual" means:

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

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

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

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

- 1 (14) "Instruction permit" includes both motor vehicle instruction permits and motorcycle
2 instruction permits;
- 3 (15) "Motorcycle" means any motor driven vehicle that has a maximum speed that
4 exceeds fifty (50) miles per hour, has a seat or saddle for the use of the operator,
5 and is designed to travel on not more than three (3) wheels in contact with the
6 ground, including vehicles on which the operator and passengers ride in an enclosed
7 cab. Only for purposes of registration, "motorcycle" shall include a motor scooter,
8 an alternative-speed motorcycle, and an autocycle as defined in this section, but
9 shall not include a tractor or a moped as defined in this section;
- 10 (16) "Low-speed vehicle" means a motor vehicle that:
- 11 (a) Is self-propelled using an electric motor, combustion-driven motor, or a
12 combination thereof;
- 13 (b) Is four (4) wheeled; and
- 14 (c) Is designed to operate at a speed not to exceed twenty-five (25) miles per hour
15 as certified by the manufacturer;
- 16 (17) "Alternative-speed motorcycle" means a motorcycle that:
- 17 (a) Is self-propelled using an electric motor;
- 18 (b) Is three (3) wheeled;
- 19 (c) Has a fully enclosed cab and includes at least one (1) door for entry;
- 20 (d) Is designed to operate at a speed not to exceed forty (40) miles per hour as
21 certified by the manufacturer; and
- 22 (e) Is not an autocycle as defined in this section;
- 23 (18) "Multiple-vehicle driving range" means an enclosed area that is not part of a
24 highway or otherwise open to the public on which a number of motor vehicles may
25 be used simultaneously to provide driver training under the supervision of one (1) or
26 more driver training instructors;
- 27 (19) "Autocycle" means any motor vehicle that:

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

- 1 (a) Equipped with wheels greater than sixteen (16) inches in diameter;
- 2 (b) Equipped with an engine greater than fifty (50) cubic centimeters;
- 3 (c) Designed to operate at a speed not to exceed fifty (50) miles per hour;
- 4 (d) Equipped with brake horsepower of two (2) or greater; ~~and~~
- 5 (e) Equipped with a step-through frame or a platform for the operator's feet; and
- 6 (25) "Alternative technology," as used in KRS 186.400 to 186.640, means methods used
- 7 by the cabinet to facilitate the issuance of operator's licenses and personal
- 8 identification cards outside of the normal in-person application at a cabinet office,
- 9 including but not limited to a cabinet mobile unit or online services; and

10 **(26) "Nonhybrid electric vehicle" means a motor vehicle that is solely propelled by an**

11 **electric motor.**

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

- 13 (1) For purposes of maintaining driving history records of operators of motor vehicles
- 14 of the Commonwealth, the files of the Transportation Cabinet shall be used to
- 15 ascertain the driving history record of each person who is licensed to operate a
- 16 motor vehicle within the Commonwealth. Except as provided in subsection (2) of
- 17 this section, the Transportation Cabinet shall destroy, and shall not maintain,
- 18 records of moving traffic convictions that are more than five (5) years old.
- 19 Notwithstanding, for any licensee who now holds, who has applied for, or has ever
- 20 held a Class A, B, or C license issued pursuant to KRS 281A.170, the cabinet shall
- 21 keep conviction records indefinitely.
- 22 (2) The Transportation Cabinet shall not release information on the driving history
- 23 record of a person under the age of twenty-one (21) whose operator license has been
- 24 suspended pursuant to KRS 189A.010(6). The cabinet shall destroy, and shall not
- 25 maintain, the record of the suspension of a person's operator's license if the license
- 26 was suspended pursuant to KRS 189A.010(6), within five (5) working days of the
- 27 person's operator's license being reinstated. This subsection shall not apply to a

1 person who holds, or is required to hold, a commercial driver's license.

2 (3) The cabinet shall charge a fee of six dollars (\$6)~~three dollars (\$3)~~ for any driving
3 history record, ten cents (\$0.10) of which shall be deposited in a special account
4 within the road fund to be used exclusively by the Transportation Cabinet for the
5 state driver education program as designated in KRS 186.535.

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

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

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

25 (b)~~—The owner's registration receipt, if the motor vehicle was last registered in this~~
26 ~~state;~~

27 (c)~~—~~ A bill of sale and the previous registration receipt, if last registered in another

1 state where the law of that state does not require the owner of a motor vehicle
2 to obtain a certificate of title or ownership;

3 ~~(c)~~~~(d)~~ A certificate of title, if last registered in another state where the law of
4 that state requires the owner of a motor vehicle to obtain a certificate of title
5 or ownership;

6 ~~(d)~~~~(e)~~ An affidavit from an officer of a local government saying that the motor
7 vehicle has been abandoned and that the provisions of KRS 82.630 have been
8 complied with, for local governments which elect to use the provisions of
9 KRS 82.600 to 82.640; and

10 ~~(e)~~~~(f)~~ The application from a person who has brought a motor vehicle into the
11 Commonwealth from another state shall be accompanied by proof that the
12 motor vehicle is insured in compliance with KRS 304.39-080.

13 (2) After that, except as provided in subsection (6) of this section, the owner of any
14 motor vehicle registered under KRS 186.050(1) or (2) shall register his motor
15 vehicle on or before the date on which his certificate of registration expires. If,
16 before operating the motor vehicle in this state, the owner registers it at some later
17 date and pays the fee for the full year, he or she will be deemed to have complied
18 with the law. Insofar as the owner is concerned, registration with the clerk shall be
19 deemed to be registration with the cabinet.

20 (3) After that, the owner of any commercial vehicle registered under KRS 186.050(3) to
21 (14) shall register the commercial vehicle on or before April 1 of each year. If,
22 before operating a commercial vehicle in this state, the owner registers it at some
23 later date and pays the required fee, he or she will be deemed to have complied with
24 the law. Insofar as the owner is concerned, registration with the clerk shall be
25 deemed to be registration with the cabinet, except the owner of any commercial
26 motor vehicle to be registered pursuant to the International Registration Plan under
27 KRS 186.050(13) shall register the commercial motor vehicles on or before the last

1 day of the month of registration established pursuant to KRS 186.051(3).

2 (4) The application and documents presented therewith, including the sheriff's
3 certificate of inspection, shall be affixed to the Transportation Cabinet copy of the
4 certificate of title or registration and sent to the Transportation Cabinet by the clerk.

5 (5) (a) At least forty-five (45) days prior to the expiration of registration of any motor
6 vehicle previously registered in the Commonwealth as provided by KRS
7 186A.035, the owner of the vehicle shall be notified by mail on the same
8 notice required by KRS 134.805(5) of the date of expiration.

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

14 (c) Nonreceipt of the notice herein shall not constitute a defense to any
15 registration related offense.

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

20 1. The motor vehicle has been stored on a military base during the time of
21 deployment and has not been operated on the public highways during
22 that time; and

23 2. The vehicle's registration expired during the individual's absence.

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

1 (a) of this subsection.

2 (c) When an individual presents evidence of meeting the criteria under paragraph
3 (a) of this subsection when applying to renew the registration on the motor
4 vehicle, the county clerk shall, when applicable, treat the registration as a
5 prorated renewal under KRS 186.051, and charge the individual a registration
6 fee only for the number of months of the registration year the vehicle will be
7 used on the public highways.

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

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

1 ~~(4)~~ Any person requesting a certificate of registration or renewal of registration of any
2 type of motor vehicle shall have the opportunity to donate one dollar (\$1) to the
3 child care assistance account. The one dollar (\$1) donation shall be added to the
4 regular fee for vehicle registration. One donation may be made per issuance or
5 renewal of vehicle registration. Donation to the child care assistance account shall
6 be voluntary and may be refused by the applicant at the time of the issuance or
7 renewal of any vehicle registration.

8 ~~(4)~~~~(5)~~ The county clerk may retain five percent (5%) of fees collected for the child
9 care assistance account under subsection ~~(3)~~~~(4)~~ of this section. The remaining
10 funds shall be deposited into a trust and agency account in the State Treasury to the
11 credit of the Cabinet for Health and Family Services for the exclusive use as
12 follows:

- 13 (a) Funds shall be made available to the agencies that administer child care
14 subsidy funds; and
- 15 (b) Funds shall be used as determined by the cabinet for working families whose
16 income exceeds the state income eligibility limits for child day care
17 assistance.

18 ~~(5)~~~~(6)~~ **Except as provided in Section 10 of this Act**~~[Notwithstanding any other~~
19 ~~provision of law]~~, in addition to the registration fee provided for county clerks in
20 **subsection**~~[subsections] (1) and (3)]~~ of this section, an additional three dollars (\$3)
21 per registration shall be collected by the county clerk at the time of registration.
22 This additional fee shall be distributed as follows:

- 23 (a) One dollar (\$1) shall be placed in an agency fund to provide additional funds
24 exclusively for technological improvements or replacement of the AVIS
25 system. The operation and maintenance of AVIS shall remain as currently
26 provided for from the operational budget of the Transportation Cabinet and
27 shall not be reduced below the 2005-2006 funding level;

1 (b) One dollar (\$1) shall be placed in an agency trust fund to provide funds
 2 exclusively for technological improvements to the hardware and software in
 3 county clerk offices related to the collection and administration of road fund
 4 taxes. The Transportation Cabinet, in consultation with county clerks, shall
 5 allocate funds as necessary from this fund to be used for this exclusive
 6 purpose; and

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

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

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

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

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

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

1 (3) (a) All motor vehicles having a declared gross weight of vehicle and any towed
 2 unit of ten thousand (10,000) pounds or less, except those mentioned in
 3 subsections (1) and (2) of this section, are classified as commercial vehicles
 4 and the annual registration fee, except as provided in subsections (4) to (14) of
 5 this section, shall be twenty-two dollars (\$22)~~eleven dollars and fifty cents~~
 6 ~~(\$11.50)]~~.

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

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

27 (4) (a) 1. Any farmer owning a truck having a gross weight of twenty-six

1 thousand (26,000) pounds or less may have it registered as a farmer's
2 truck and obtain a license for twenty-two dollars (\$22)~~eleven dollars~~
3 ~~and fifty cents (\$11.50)~~. The applicant's signature upon the certificate of
4 registration and ownership shall constitute a certificate that he is a
5 farmer engaged in the production of crops, livestock, or dairy products,
6 that he owns a truck of the gross weight of twenty-six thousand (26,000)
7 pounds or less, and that during the next twelve (12) months the truck
8 shall not be used in for-hire transportation and may be used in
9 transporting persons, food, provender, feed, machinery, livestock,
10 material, and supplies necessary for his farming operation, and the
11 products grown on his farm.

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

25 (b) Any farmer owning a truck having a declared gross weight in excess of thirty-
26 eight thousand (38,000) pounds shall not be required to pay the fee set out in
27 subsection (3) of this section and, in lieu thereof, shall pay forty percent (40%)

1 of the fee set out in subsection (3) of this section and shall be exempt from
2 any fee charged under the provisions of KRS 281.752. The applicant's
3 signature upon the registration receipt shall be considered to be a certification
4 that he is a farmer engaged solely in the production of crops, livestock, or
5 dairy products, and that during the current registration year the truck will be
6 used only in transporting persons, food, provender, feed, and machinery used
7 in operating his farm and the products grown on his farm.

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

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

26 (6) Any church or religious organization owning a truck or bus used solely in
27 transporting persons to and from a place of worship or for other religious work may

1 have the truck or bus registered as a church bus and obtain a license for twenty-two
2 dollars (\$22)~~eleven dollars and fifty cents (\$11.50)]~~ by filing with the county clerk,
3 in addition to other information required, an affidavit stating that the truck or bus
4 will be used only for the transporting of persons to and from a place of worship, or
5 for other religious work, and that there has been printed on the truck or bus in large
6 letters the words "Church Bus," with the name of the church or religious
7 organization owning and using the truck or bus, and that during the next twelve (12)
8 months the truck or bus will be used only for the purpose stated.

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

20 (8) Motor vehicles having a declared gross weight in excess of eighteen thousand
21 (18,000) pounds, which when operated in this state are used exclusively for the
22 transportation of property within the limits of the city named in the affidavit
23 hereinafter required to be filed, or within ten (10) miles of the city limits of the city
24 if it is a city with a population equal to or greater than three thousand (3,000) based
25 upon the most recent federal decennial census, or within five (5) miles of its limits
26 if it is a city with a population of less than three thousand (3,000) based upon the
27 most recent federal decennial census, or anywhere within a county containing an

1 urban-county government, shall not be required to pay the fee as set out in
2 subsection (3) of this section, and in lieu thereof shall pay seventy-five percent
3 (75%) of the fee set forth in subsection (3) of this section and shall be exempt from
4 any fee charged under the provisions of KRS 281.752. Nothing in this section shall
5 be construed to limit any right of nonresidents to exemption from registration under
6 any other provisions of the laws granting reciprocity to nonresidents. Operations
7 outside of this state shall not be considered in determining whether or not the
8 foregoing mileage limitations have been observed. When claiming the right to the
9 reduced fee, the applicant's signature on the certificate of registration and ownership
10 shall constitute a certification or affidavit stating that the motor vehicle when used
11 within this state is used only for the transportation of property within the city to be
12 named in the affidavit and the area above set out and that the vehicle will not be
13 used outside of a city and the area above set out during the current registration
14 period.

15 (9) Motor vehicles having a declared gross weight in excess of eighteen thousand
16 (18,000) pounds, which are used exclusively for the transportation of primary forest
17 products from the harvest area to a mill or other processing facility, where such mill
18 or processing facility is located at a point not more than fifty (50) air miles from the
19 harvest area or which are used exclusively for the transportation of concrete blocks
20 or ready-mixed concrete from the point at which such concrete blocks or ready-
21 mixed concrete is produced to a construction site where such concrete blocks or
22 ready-mixed concrete is to be used, where such construction site is located at a point
23 not more than thirty (30) air miles from the point at which such concrete blocks or
24 ready-mixed concrete is produced shall not be required to pay the fee as set out in
25 subsection (3) of this section, and in lieu thereof, shall pay seventy-five percent
26 (75%) of the fee set out in subsection (3) of this section and shall be exempt from
27 any fee charged under the provisions of KRS 281.752. The applicant's signature

1 upon the certificate of registration and ownership shall constitute a certification that
2 the motor vehicle will not be used during the current registration period in any
3 manner other than that for which the reduced fee is provided in this section.

4 (10) Any owner of a commercial vehicle registered for a declared gross weight in excess
5 of eighteen thousand (18,000) pounds, intending to transfer same and desiring to
6 take advantage of the refund provisions of KRS 186.056(2), may reregister such
7 vehicle and obtain a "For Sale" certificate of registration and ownership for one
8 dollar (\$1). Title to a vehicle so registered may be transferred, but such registration
9 shall not authorize the operation or use of the vehicle on any public highway. No
10 refund may be made under the provisions of KRS 186.056(2) until such time as the
11 title to such vehicle has been transferred to the purchaser thereof. Provided,
12 however, that nothing herein shall be so construed as to prevent the seller of a
13 commercial vehicle from transferring the registration of such vehicle to any
14 purchaser thereof.

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

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

23 (13) (a) The Department of Vehicle Regulation is authorized to negotiate and execute
24 an agreement or agreements for the purpose of developing and instituting
25 proportional registration of motor vehicles engaged in interstate commerce, or
26 in a combination of interstate and intrastate commerce, and operating into,
27 through, or within the Commonwealth of Kentucky. The agreement or

1 agreements may be made on a basis commensurate with, and determined by,
2 the miles traveled on, and use made of, the highways of this Commonwealth
3 as compared with the miles traveled on and use made of highways of other
4 states, or upon any other equitable basis of proportional registration.
5 Notwithstanding the provisions of KRS 186.020, the cabinet shall promulgate
6 administrative regulations concerning the registration of motor vehicles under
7 any agreement or agreements made under this section and shall provide for
8 direct issuance by it of evidence of payment of any registration fee required
9 under such agreement or agreements. Any proportional registration fee
10 required to be collected under any proportional registration agreement or
11 agreements shall be in accordance with the taxes established in this section.

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

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

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

1 requirements:

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

4 (b) The applicant shall obtain permission in writing from the vehicle owner or
5 lessee on a form provided by the cabinet to use the vehicle and for the vehicle
6 to bear the special license plate.

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

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

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

26 **(a) Of a nonhybrid electric motor vehicle shall, at the time of registration, be**
27 **subject to the electric vehicle highway user fees established in Section 4 of**

1 *this Act; and*

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

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

5 (1) As used in this section and in KRS 186.043, 186.164, 186.166, 186.1722, and
 6 186.174:

7 (a) "Special license plate" means a unique license plate issued under this chapter
 8 to a group or organization that readily identifies the operator of the motor
 9 vehicle or motorcycle bearing the plate as a member of a group or
 10 organization, or a supporter of the work, goals, or mission of a group or
 11 organization. The term shall not include regular license plates issued under
 12 KRS 186.240;

13 (b) "Street rod" means a modernized private passenger motor vehicle
 14 manufactured prior to the year 1949, or designed or manufactured to resemble
 15 a vehicle manufactured prior to 1949;

16 (c) "SF" means the portion of an initial or renewal fee to obtain a special license
 17 plate that is dedicated for use by the Transportation Cabinet;

18 (d) "CF" means the *county clerk's fee for issuing a motor vehicle registration as*
 19 *established under subsection (1) of Section 8 of this Act*~~[portion of an initial~~
 20 ~~or renewal fee to obtain a special license plate that is dedicated for use by a~~
 21 ~~county clerk]. If a CF amount is charged for a license plate listed in this~~
 22 section, the applicant for that plate shall also pay the fees identified in
 23 *subsection (5) of Section 8 of this Act*~~[KRS 186.040(6)]. If a CF amount is~~
 24 not charged, the applicant shall not be required to pay those fees; and

25 (e) "EF" means the portion of an initial or renewal fee to obtain a special license
 26 plate that is mandated by this chapter to be dedicated for use by a particular
 27 group or organization.

- 1 (2) The initial purchase fee and renewal fee for a special license plate created under this
 2 chapter shall be as established in this subsection and includes the name of group or
 3 organization and the total initial and renewal fee required for the plate. The amount
 4 in parentheses indicates how the total fee is required to be divided:
- 5 (a) Disabled veterans who receive assistance to purchase a vehicle from the
 6 United States Department of Veterans' Affairs, veterans declared by the
 7 United States Department of Veterans' Affairs to be one hundred percent
 8 (100%) service-connected disabled, and recipients of the Congressional Medal
 9 of Honor:
- 10 1. Initial Fee: \$0 (\$0 SF/\$0 CF/\$0 EF).
 11 2. Renewal Fee: \$0 (\$0 SF/\$0 CF/\$0 EF).
- 12 (b) Former prisoners of war and survivors of Pearl Harbor:
- 13 1. Initial Fee: ~~\$35~~~~[\$23]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/\$5 EF to the
 14 veterans' program trust fund established under KRS 40.460).
 15 2. Renewal Fee: ~~\$8~~~~[\$6]~~ (\$0 SF/~~\$8~~~~[\$6]~~ CF/\$0 EF).
- 16 (c) Members of the Kentucky National Guard and recipients of the Purple Heart:
- 17 1. Initial Fee: ~~\$35~~~~[\$23]~~ (~~\$22~~~~[\$12]~~ SF/~~\$8~~~~[\$6]~~ CF/\$5 EF to the
 18 veterans' program trust fund established under KRS 40.460).
 19 2. Renewal Fee: ~~\$13~~~~[\$11]~~ (\$0 SF/~~\$8~~~~[\$6]~~ CF/\$5 EF to the
 20 veterans' program trust fund established under KRS 40.460).
- 21 (d) Members of the Civil Air Patrol; active, retired, veteran, reserve, or auxiliary
 22 members of the United States Army, Navy, Air Force, Marine Corps, or Coast
 23 Guard; Merchant Marines who served between December 7, 1941, and August
 24 15, 1945; recipients of the Silver Star Medal, or the Bronze Star Medal
 25 awarded for valor; persons who wish to receive Gold Star Mothers, Gold Star
 26 Fathers, or Gold Star Spouses license plates beyond the two (2) exempted
 27 from fees under KRS 186.041(6); individuals eligible for a special military

1 service academy license plate under KRS 186.041(8); and disabled veterans
2 who have been declared to be between fifty percent (50%) and ninety-nine
3 percent (99%) service-connected disabled by the United States Department of
4 Veterans' Affairs:

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

9 (e) Recipients of the Distinguished Service Cross, Navy Cross, or Air Force
10 Cross:

- 11 1. Initial Fee: ~~\$8~~^[\$6] (\$0 SF/~~\$8~~^[\$6] CF/\$0 EF).
- 12 2. Renewal Fee: ~~\$8~~^[\$6] (\$0 SF/~~\$8~~^[\$6] CF/\$0 EF).

13 (f) Disabled license plates:

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

16 (g) Historic vehicles:

- 17 1. Initial Fee for two plates: ~~\$58~~^[\$56] (\$50 SF/~~\$8~~^[\$6] CF/\$0 EF).
- 18 2. Renewal Fee: Do not renew annually.

19 (h) Members of Congress:

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

23 (i) Firefighters:

- 24 1. Initial Fee: ~~\$40~~^[\$18] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/~~\$10~~^[\$0] EF
25 **to the Kentucky Volunteer Firefighters Association**).
- 26 2. Renewal Fee: ~~\$40~~^[\$18] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/~~\$10~~^[\$0] EF
27 **to the Kentucky Volunteer Firefighters Association**).

- 1 (j) Emergency management:
 - 2 1. Initial Fee: ~~\$30~~^[\$31] (~~\$22~~^[\$25] SF/~~\$8~~^[\$6] CF/\$0 EF).
 - 3 2. Renewal Fee: ~~\$30~~^[\$18] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/\$0 EF).
- 4 (k) Fraternal Order of Police:
 - 5 1. Initial Fee: ~~\$40~~^[\$41] (~~\$22~~^[\$25] SF/~~\$8~~^[\$6] CF/\$10 EF to
 - 6 the Kentucky
 - 7 FOP Death Benefit Fund).
 - 8 2. Renewal Fee: ~~\$40~~^[\$28] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/\$10 EF to
 - 9 the Kentucky
 - 10 FOP Death Benefit Fund).
- 11 (l) Law Enforcement Memorial:
 - 12 1. Initial Fee: ~~\$40~~^[\$41] (~~\$22~~^[\$25] SF/~~\$8~~^[\$6] CF/\$10 EF to
 - 13 the Kentucky Law Enforcement Memorial Foundation, Inc.).
 - 14 2. Renewal Fee: ~~\$40~~^[\$28] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/\$10 EF to
 - 15 the Kentucky Law Enforcement Memorial Foundation, Inc.).
- 16 (m) Personalized plates:
 - 17 1. Initial Fee: ~~\$55~~^[\$43] (~~\$47~~^[\$37] SF/~~\$8~~^[\$6] CF/\$0 EF).
 - 18 2. Renewal Fee: ~~\$55~~^[\$43] (~~\$47~~^[\$37] SF/~~\$8~~^[\$6] CF/\$0 EF).
- 19 (n) Street rods:
 - 20 1. Initial Fee: ~~\$30~~^[\$43] (~~\$22~~^[\$37] SF/~~\$8~~^[\$6] CF/\$0 EF).
 - 21 2. Renewal Fee: ~~\$30~~^[\$18] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/\$0 EF).
- 22 (o) Nature plates:
 - 23 1. Initial Fee: ~~\$40~~^[\$28] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/\$10 EF to
 - 24 Kentucky Heritage Land Conservation Fund established under KRS
 - 25 146.570).
 - 26 2. Renewal Fee: ~~\$40~~^[\$28] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/\$10 EF to
 - 27 Kentucky Heritage Land Conservation Fund established under KRS

1 146.570).

2 (p) Amateur radio:

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

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

5 (q) Kentucky General Assembly:

6 1. Initial Fee: ~~\$45~~^[\$43] (\$37 SF/~~\$8~~^[\$6] CF/\$0 EF).

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

9 (r) Kentucky Court of Justice:

10 1. Initial Fee: ~~\$45~~^[\$43] (\$37 SF/~~\$8~~^[\$6] CF/\$0 EF).

11 2. Renewal Fee: ~~\$13~~^[\$11] (\$0 SF/~~\$8~~^[\$6] CF/\$5 EF to the
12 veterans' program trust fund established under KRS 40.460).

13 (s) Masons:

14 1. Initial Fee: ~~\$40~~^[\$31] (~~\$22~~^[\$25] SF/~~\$8~~^[\$6] CF/~~\$10~~^[\$0] EF
15 *to the Masonic Homes of Kentucky*).

16 2. Renewal Fee: ~~\$40~~^[\$18] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/~~\$10~~^[\$0] EF
17 *to the Masonic Homes of Kentucky*).

18 (t) Collegiate plates:

19 1. Initial Fee: ~~\$40~~^[\$53] (~~\$22~~^[\$37] SF/~~\$8~~^[\$6] CF/\$10 EF to
20 the general scholarship fund of the university whose name will be borne
21 on the plate).

22 2. Renewal Fee: ~~\$40~~^[\$28] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/\$10 EF to
23 the general scholarship fund of the university whose name will be borne
24 on the plate).

25 (u) Independent Colleges:

26 1. Initial Fee: ~~\$40~~^[\$41] (~~\$22~~^[\$25] SF/~~\$8~~^[\$6] CF/\$10 EF to
27 the Association of Independent Kentucky Colleges and Universities for

1 distribution to the general scholarship funds of the Association's
2 members).

3 2. Renewal Fee: ~~\$40~~^[\$28] (~~\$22~~^[\$12] SF/~~\$8~~^[\$6] CF/\$10 EF to
4 the Association of Independent Kentucky Colleges and Universities for
5 distribution to the general scholarship funds of the Association's
6 members).

7 (v) Child Victims:

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

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

12 (w) Kentucky Horse Council:

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

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

17 (x) Ducks Unlimited:

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

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

22 (y) Spay neuter:

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

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

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

- 1 1. Initial Fee: \$0 (\$0 SF/\$0 CF/ \$0 EF).
- 2 2. Renewal Fee: \$0 (\$0 SF/\$0 CF/ \$0 EF).
- 3 3. A person may receive a maximum of two (2) plates under this paragraph
- 4 free of charge and may purchase additional plates for fees as established
- 5 in subsection (2)(d) of this section.

6 (aa) I Support Veterans:

- 7 1. Initial Fee: \$40~~[\$28]~~ (\$22~~[\$12]~~ SF/\$8~~[\$6]~~ CF/\$10 EF to
- 8 the Kentucky Department of Veterans' Affairs).
- 9 2. Renewal Fee: \$35~~[\$23]~~ (\$22~~[\$12]~~ SF/\$8~~[\$6]~~ CF/\$5 EF to the
- 10 Kentucky Department of Veterans' Affairs).

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

- 12 1. Initial Fee: \$40~~[\$28]~~ (\$22~~[\$12]~~ SF/\$8~~[\$6]~~ CF/\$10 EF to
- 13 the veterans' program trust fund established under KRS 40.460).
- 14 2. Renewal Fee: \$35~~[\$23]~~ (\$22~~[\$12]~~ SF/\$8~~[\$6]~~ CF/\$5 EF to the
- 15 veterans' program trust fund established under KRS 40.460).

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

- 17 ~~1. Initial Fee: \$41 (\$25 SF/\$6 CF/\$10 EF).~~
- 18 ~~2. Renewal Fee: \$41 (\$25 SF/\$6 CF/\$10 EF).~~

19 ~~(ad)]Special license plates established under KRS 186.164[on or after June 27,~~
20 ~~2019]:~~

- 21 1. Initial Fee: \$41 (\$25 SF/\$6 CF/\$10 EF).
- 22 2. Renewal Fee: \$41 (\$25 SF/\$6 CF/\$10 EF).
- 23 ~~[1. Initial Fee: \$40 (\$24 SF/\$6 CF/\$10 EF).~~
- 24 ~~2. Renewal Fee \$28 (\$12 SF/\$6 CF/\$10 EF).]~~

- 25 (3) Any special license plate may be combined with a personalized license plate for a
- 26 twenty-five dollar (\$25) state fee in addition to all other fees for the particular
- 27 special license plate established in this section and in KRS 186.164(3). The twenty-

1 five dollar (\$25) fee required under this subsection shall be divided between the
2 cabinet and the county clerk of the county where the applicant is applying for the
3 license plate with the cabinet receiving twenty dollars (\$20) and the county clerk
4 receiving five dollars (\$5).

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

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

14 (1) (a) If the owner loses his or her copy of a registration or transfer receipt, he or she
15 may obtain a duplicate from the county clerk who issued the present owner's
16 copy of the receipt by presenting the clerk proof of insurance on the motor
17 vehicle in compliance with KRS 304.39-080, and by filing an affidavit, upon a
18 form furnished by the cabinet. The owner shall pay to the clerk a fee of three
19 dollars (\$3), except proof of insurance shall not be required for duplicates
20 applied for by motor vehicle dealers as defined in KRS 190.010.

21 (b) When the owner's copy of any registration or transfer receipt shows that the
22 spaces provided thereon for noting and discharging security interests have
23 been exhausted, the owner may apply to the county clerk who issued the
24 receipt in order to obtain a duplicate thereof. The owner shall surrender his or
25 her copy of the current receipt to the clerk and provide proof of insurance on
26 the motor vehicle in compliance with KRS 304.39-080, before a duplicate
27 may be issued. The owner shall pay the clerk a fee of three dollars (\$3), except

1 proof of insurance shall not be required for duplicates applied for by motor
2 vehicle dealers as defined in KRS 190.010.

3 (c) Any security interest which has been discharged as shown by the records of
4 the clerk or upon the owner's copy of the current receipt shall be omitted from
5 the duplicate receipt to be issued by the clerk.

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

22 (3) If the owner moves from one (1) county into another county of the Commonwealth,
23 he or she may obtain a registration plate bearing the name of the county of
24 residence. In order to obtain a new registration plate, the owner shall surrender his
25 or her current registration receipt and current registration plate to the county clerk.
26 Upon being provided with proof of insurance on the motor vehicle in compliance
27 with KRS 304.39-080, the clerk shall provide the owner with a new registration

1 receipt and plate bearing the county name. The surrendered receipt and plate shall
2 be forwarded to the Transportation Cabinet. The fee for this registration shall be
3 five dollars (\$5) of which the clerk shall be entitled to three dollars (\$3) and the
4 cabinet shall be entitled to two dollars (\$2).

- 5 (4) If the owner's registration is revoked as a result of the provisions set forth in KRS
6 186A.040, the owner may have his or her registration reinstated by the county clerk
7 who issued the present owner's copy of the receipt by presenting the clerk proof of:
- 8 (a) Insurance on the motor vehicle in compliance with KRS 304.39-080 and by
9 filing an affidavit upon a form furnished by the cabinet; or
 - 10 (b) A valid compliance or exemption certificate in compliance with KRS 224.20-
11 720 or issued under the authority of an air pollution control district under KRS
12 224.20-760.

13 (5) The owner of a motor vehicle that has the vehicle's registration revoked ~~under KRS~~
14 ~~186.290~~ shall pay to the clerk a fee of twenty dollars (\$20), which shall be equally
15 divided between the county clerk and the cabinet.

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

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

- 20 (1) It shall be the duty of the cabinet to carry out the provisions of KRS 186.005 to
21 186.260, and:
- 22 (a) Prepare and furnish to the clerk in each county a sufficient supply of all forms
23 and blanks provided for in KRS 186.005 to 186.260. The forms for receipts
24 shall be designated for the writing of not less than triplicate copies, the
25 originals of which shall be numbered consecutively for each county, the
26 second and third copies bearing the same number as the original. Receipts to
27 be used as duplicates for lost receipts, as provided in KRS 186.180(1), shall

1 be in duplicate only, and shall not be numbered;

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

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

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

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

- 26 (a) The word "Kentucky" shall be centered above the county name in which the
27 plate is issued;

- 1 (b) The words "Bluegrass State" shall be centered at the top of the plate above the
2 registration number; and
- 3 (c) The name of the county in which the plate is issued shall be centered in the
4 lower portion of the plate below the registration number and shall be printed
5 in letters that are the same size as those used to print the word "Kentucky."
6 ~~[Beginning January 1, 1993,]~~ The Transportation Cabinet shall provide for the
7 issuance of reflectorized plates for all motor vehicles, ~~[, and shall collect a fee,~~
8 ~~in addition to the fee set out in KRS Chapter 186 and KRS 281.631, of]~~ Fifty
9 cents (\$0.50) **of the state registration fee charged under Sections 9 and 10 of**
10 **this Act or license fee charged under KRS 281.631** ~~[- The fifty cents (\$0.50)~~
11 ~~fee to reflectorize license plates]~~ shall be used by the cabinet as provided in
12 subsection (3) of this section;
- 13 (3) The reflectorized license plate program fund is established in the state road fund
14 and appropriated on a continual basis to the cabinet to administer the moneys as
15 provided in this subsection. ~~[The]~~ Fifty cents (\$0.50) **from each registration** fee
16 collected by the cabinet ~~[to reflectorize license plates]~~ shall be deposited into the
17 program fund and used to issue reflectorized license plates. If at the end of a fiscal
18 year, money remains in the program fund, it shall be retained in the fund and shall
19 not revert to the state road fund. The interest and income earned on money in the
20 program fund shall also be retained in the program fund to carry out the provisions
21 of this subsection. The Transportation Cabinet shall begin issuing the new
22 reflectorized license plate under the provisions of this subsection on January 1,
23 2003, and shall continue to issue a new reflectorized license plate on a schedule to
24 be determined at the discretion of the cabinet in the years thereafter;
- 25 (4) Except as directed under subsection (3) of this section, the Transportation Cabinet
26 shall receive all moneys forwarded by the clerk in each county and turn it over to
27 the State Treasurer for the benefit of the state road fund;

1 (5) The Transportation Cabinet shall require an accounting by the clerk in each county
2 for any moneys received by him under the provisions of this chapter, after the
3 deduction of his fees under this chapter, and for all receipts, forms, plates, and
4 insignia consigned to him. The Auditor of Public Accounts, pursuant to KRS
5 43.071, shall annually audit each county clerk concerning his responsibilities for the
6 collection of various fees and taxes associated with motor vehicles. The secretary of
7 the Transportation Cabinet, with the advice, consultation, and approval of the
8 Auditor, shall develop and implement an inventory and accounting system which
9 shall insure that the audits mandated in KRS 43.071 are performed in accordance
10 with generally accepted auditing standards. The Transportation Cabinet shall pay for
11 the audits mandated by KRS 43.071; and

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

14 ➔Section 13. KRS 186.531 is amended to read as follows:

15 (1) As used in this section:

16 (a) "AOC Fund" means the circuit court clerk salary account created in KRS
17 27A.052;

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

19 (c) "IP" means instruction permit;

20 (d) "License Fund" or "LF" means the KYTC photo license account created in
21 KRS 174.056;

22 (e) "MC" means motorcycle;

23 (f) "MC Fund" or "MCF" means the motorcycle safety education program fund
24 established in KRS 15A.358;

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

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

27 (2) The fees imposed for voluntary travel ID operator's licenses, instruction permits,

1 and personal identification cards shall be as follows. The fees received shall be
 2 distributed as shown in the table. The fees shown, unless otherwise noted, are for an
 3 eight (8) year period:

4 Card Type	Fee	LF	GF	MCF
5 OL (initial/renewal)	\$48	\$48	\$0	\$0
6 OL (Under 21) (Up to 4 years)	\$18	\$18	\$0	\$0
7 Any OL, MC, or combination				
8 (duplicate/corrected)	\$15	\$13.25	\$1.75	\$0
9 Motor vehicle IP (3 years)	\$18	\$16	\$2	\$0
10 Motorcycle IP (1 year)	\$18	\$13	\$1	\$4
11 Motorcycle OL (initial/renewal)	\$48	\$38	\$0	\$10
12 Combination vehicle/MC OL				
13 (initial/renewal)	\$58	\$48	\$0	\$10
14 PIDC (initial/renewal)	\$28	\$25	\$3	\$0
15 PIDC (duplicate/corrected)	\$15	\$13.50	\$1.50	\$0

16 (3) Except as provided in subsection (11) of this section, the fees imposed for standard
 17 operator's licenses, instruction permits, and personal identification cards shall be as
 18 follows:

19 (a) If the identity document is issued through a circuit clerk's office, the fees
 20 received shall be distributed as shown in the table. The fees shown, unless
 21 otherwise noted, are for an eight (8) year period:

22 Card	Fee	Road	License	AOC	GF	MC
23 Type		Fund	Fund	Fund		Fund
24 OL						
25 (initial/renewal)	\$43	\$28	\$7	\$8	\$0	\$0
26 OL (Under 21)						
27 (Up to 4 years)	\$15	\$7.50	\$4	\$3.50	\$0	\$0

1	Any OL, MC OL						
2	or combination						
3	(duplicate /corrected)	\$15	\$5.25	\$4	\$4	\$1.75	\$0
4	Motor vehicle IP						
5	(3 years)	\$15	\$5	\$4	\$4	\$2	\$0
6	Motorcycle IP						
7	(1 year)	\$15	\$5	\$4	\$1	\$1	\$4
8	Motorcycle OL						
9	(initial/renewal)	\$43	\$17.50	\$8	\$7.50	\$0	\$10
10	Combination						
11	vehicle/MC OL						
12	(initial/renewal)	\$53	\$25	\$7	\$11	\$0	\$10
13	PIDC						
14	(initial/renewal)	\$23	\$8	\$8	\$4	\$3	\$0
15	PIDC						
16	(duplicate/corrected)	\$15	\$6	\$4	\$3.50	\$1.50	\$0
17	PIDC						
18	(no fixed address)						
19	KRS 186.4122(5) and						
20	186.4123(5)	\$10	\$0	\$5	\$5	\$0	\$0

21 (b) If the identity document is issued through a Transportation Cabinet office, the
 22 fees received shall be distributed as shown in the table. The fees shown,
 23 unless otherwise noted, are for an eight (8) year period:

24	Card Type	Fee	LF	GF	MCF
25	OL(initial/renewal)	\$43	\$43	\$0	\$0
26	OL (Under 21) (Up to 4 years)	\$15	\$15	\$0	\$0
27	Any OL, MC, or combination				

1	(duplicate/corrected)	\$15	\$13.25	\$1.75	\$0
2	Motor vehicle IP (3 years)	\$15	\$13	\$2	\$0
3	Motorcycle IP (1 year)	\$15	\$10	\$1	\$4
4	Motorcycle OL (initial/renewal)	\$43	\$33	\$0	\$10
5	Combination vehicle/MC OL				
6	(initial/renewal)	\$53	\$43	\$0	\$10
7	PIDC (initial/renewal)	\$23	\$20	\$3	\$0
8	PIDC (duplicate/corrected)	\$15	\$13.50	\$1.50	\$0
9	PIDC (no fixed address) under				
10	KRS 186.4122(5)/186.4123(5)	\$10	\$10	\$0	\$0

11 (4) The fee for a second or subsequent duplicate personal identification card for a
 12 person who does not have a fixed, permanent address, as allowed under KRS
 13 186.4122(5) and 186.4123(5), shall be the same as for a duplicate regular personal
 14 identification card.

15 (5) The fee for a four (4) year original or renewal license issued pursuant to KRS
 16 186.4101 shall be fifty percent (50%) of the amount shown in subsections (2) and
 17 (3) of this section. The distribution of fees shown in subsections (2) and (3) of this
 18 section shall also be reduced by fifty percent (50%) for licenses that are issued for
 19 four (4) years.

20 (6) Any fee for any identity document applied for using alternative technology under
 21 KRS 186.410 and 186.4122 shall be distributed in the same manner as a document
 22 applied for in person with the cabinet.

23 (7) (a) An applicant for an original or renewal operator's license, permit, commercial
 24 driver's license, motorcycle operator's license, or personal identification card
 25 shall be requested by the cabinet to make a donation to promote an organ
 26 donor program.

27 (b) The donation under this subsection shall be added to the regular fee for an

1 original or renewal motor vehicle operator's license, permit, commercial
2 driver's license, motorcycle operator's license, or personal identification card.
3 One (1) donation may be made per issuance or renewal of a license or any
4 combination thereof.

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

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

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

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

19 (9) (a) Except for individuals exempted under paragraph (c) of this subsection, an
20 applicant for relicensing after revocation or suspension shall pay a
21 reinstatement fee of ***one hundred dollars (\$100)***~~forty dollars (\$40)~~.

22 (b) The reinstatement fee under this subsection shall be distributed by the State
23 Treasurer as follows:

24 1. ***Ten dollars (\$10)***~~Thirty five dollars (\$35)~~ shall be deposited into the
25 photo license account;~~and~~

26 2. Five dollars (\$5) shall be deposited into a trust and agency fund to be
27 used in defraying the costs and expenses of administering a driver

1 improvement program for problem drivers; and

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

3 (c) This subsection shall not apply to:

4 1. Any person whose license was suspended for failure to meet the
5 conditions set out in KRS 186.411 when, within one (1) year of
6 suspension, the driving privileges of the individual are reinstated; or

7 2. A student who has had his or her license revoked pursuant to KRS
8 159.051.

9 (10) Beginning July 1, 2020, as payment for any fee identified in this section, the
10 cabinet:

11 (a) Shall accept cash and personal checks; and

12 (b) May accept other methods of payment in accordance with KRS 45.345.

13 (11) There shall be no fee assessed for the initial, renewal, or duplicate standard personal
14 identification card to an individual, if the individual:

15 (a) Does not possess a valid operator's license or a commercial driver's license;
16 and

17 (b) Is at least eighteen (18) years of age on or before the next regular election.

18 ➔Section 14. KRS 281A.150 is amended to read as follows:

19 (1) Every person seeking a commercial driver's license or a commercial driver's
20 instruction permit shall first apply in person to the cabinet. The application shall be
21 in the form prescribed by KRS 281A.140 as provided by the cabinet. Except as
22 provided in KRS 281A.160(6), each time a person applies for a commercial driver's
23 license, an instruction permit, or seeks to upgrade or change his or her commercial
24 driver's license, the person shall be required to:

25 (a) Update the application; and

26 (b) Submit the appropriate fee to the cabinet.

27 (2) In addition to the fees for an operator's license under KRS 186.531, the cabinet shall

- 1 set fees by administrative regulation, pursuant to KRS Chapter 13A, for the
2 following applications that shall not exceed:
- 3 (a) Forty dollars (\$40) for each application for a commercial driver's license. The
4 fee shall be based on the class, type of license, endorsement, restriction, or
5 tests to be taken;
 - 6 (b) Thirty-five dollars (\$35) for each application for a commercial driver's
7 instruction permit;
 - 8 (c) Fifteen dollars (\$15) for each application for a change or addition in class or
9 type of license, endorsement, or restriction; and
 - 10 (d) Forty dollars (\$40) for each application for a duplicate if it is the first
11 duplicate applied for within the time period for which the original license was
12 issued. Sixty dollars (\$60) for a second or subsequent duplicate applied for
13 within the time period for which the original license was issued. The fees
14 required for a duplicate shall be in addition to fees charged under subsection
15 (2)(c) of this section.
- 16 (3) In addition to the fees for an operator's license KRS 186.531, the cabinet shall set
17 fees by administrative regulation, pursuant to KRS Chapter 13A, for the following
18 commercial driver's licenses that shall not exceed:
- 19 (a) Forty-five dollars (\$45) for each initial or renewal of a commercial driver's
20 license;
 - 21 (b) Sixty dollars (\$60) for each transfer of a commercial driver's license; and
 - 22 (c) Thirty dollars (\$30) for each initial or renewal of a commercial driver's license
23 with an "S" endorsement.
- 24 (4) All fees remitted to the cabinet shall be nonrefundable regardless of whether the
25 applicant completes the requirements for a commercial driver's license or is tested.
- 26 (5) All fees collected for the issuance of a commercial driver's license or a commercial
27 driver's instruction permit shall be deposited into trust and agency accounts to be

1 used exclusively for the administration and implementation of this chapter, except
 2 as prescribed in subsection (6) of this section. The accounts shall not lapse but shall
 3 be continuing from year to year.

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

9 (7) Any applicant who seeks reinstatement of his or her commercial driving privilege
 10 after a suspension, withdrawal, revocation, or disqualification shall pay a
 11 reinstatement fee of ***one hundred dollars (\$100)***~~fifty dollars (\$50)~~ in addition to
 12 those fees required by subsection (2) of this section and shall satisfy the
 13 requirements of KRS 281A.160. This fee shall not be required if his or her
 14 commercial driving privilege was withdrawn only as a result of the withdrawal of
 15 his or her privilege to drive a noncommercial motor vehicle.

16 (8) Beginning July 1, 2020, as payment for any fee identified in this section, the
 17 cabinet:

18 (a) Shall accept cash and personal checks; and

19 (b) May accept other methods of payment in accordance with KRS 45.345.

20 ➔Section 15. KRS 186A.130 is amended to read as follows:

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

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

27 (2) Each application for a replacement or corrected certificate of title shall be ***ten***

1 dollars (\$10)~~[six dollars (\$6)]~~, of which the county clerk shall retain four dollars
 2 (\$4) and the Transportation Cabinet shall receive six dollars (\$6)~~[two dollars (\$2)]~~.

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

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

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

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

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

17 ➔Section 16. KRS 186A.245 is amended to read as follows:

18 (1) If a certificate of title is lost, stolen, mutilated, or destroyed or becomes illegible,
 19 the owner or legal representative of the owner named in the certificate shall
 20 promptly make application to the county clerk for and may obtain a duplicate, upon
 21 furnishing information satisfactory to the Department of Vehicle Regulation. The
 22 duplicate certificate of title shall contain appropriate words or symbols to indicate
 23 that it is a duplicate. Each application for a duplicate certificate of title shall be ten
 24 dollars (\$10)~~[six dollars (\$6)]~~, of which the county clerk shall retain four dollars
 25 (\$4), and the Transportation Cabinet six dollars (\$6)~~[two dollars (\$2)]~~. Each
 26 application for a duplicate certificate of title for an all-terrain vehicle shall be ten
 27 dollars (\$10), of which the county clerk shall retain four dollars (\$4) and the

1 Transportation Cabinet shall receive six dollars (\$6). It shall be mailed to the owner.

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

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

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

11 ➔Section 17. KRS 186.574 is amended to read as follows:

12 (1) The Transportation Cabinet shall establish a state traffic school for new drivers and
13 for traffic offenders. The school shall be composed of uniform education and
14 training elements designed to create a lasting influence on new drivers and a
15 corrective influence on traffic offenders. District Courts may in lieu of assessing
16 penalties for traffic offenses, other than for KRS 189A.010, sentence offenders to
17 state traffic school and no other.

18 (2) If a District Court stipulates in its judgment of conviction that a person attend state
19 traffic school, the court shall indicate this in the space provided on the abstract of
20 conviction filed with the Transportation Cabinet. Upon receipt of an abstract, the
21 Transportation Cabinet, or its representative, shall schedule the person to attend
22 state traffic school. Failure of the person to attend and satisfactorily complete state
23 traffic school in compliance with the court order, may be punished as contempt of
24 the sentencing court. The Transportation Cabinet shall not assess points against a
25 person who satisfactorily completes state traffic school. However, if the person
26 referred to state traffic school holds or is required to hold a commercial driver's
27 license, the underlying offense shall appear on the person's driving history record.

- 1 (3) The Transportation Cabinet shall supervise, operate, and administer state traffic
2 school, and shall promulgate administrative regulations pursuant to KRS Chapter
3 13A governing facilities, equipment, courses of instruction, instructors, and records
4 of the program. In the event a person sentenced under subsection (1) of this section
5 does not attend or satisfactorily complete state traffic school, the Transportation
6 Cabinet may deny that person a license or suspend the license of that person until he
7 reschedules attendance or completes state traffic school, at which time a denial or
8 suspension shall be rescinded.
- 9 (4) Persons participating in the state traffic school as provided in this section shall pay a
10 fee of fifty dollars (\$50)~~fifteen dollars (\$15)~~ to defray the cost of operating the
11 school, except that if enrollment in state traffic school is to satisfy the requirement
12 of KRS 186.410(4)(c), a fee shall not be assessed. Any funds collected pursuant to
13 KRS 186.535(1) that are dedicated to the photo license account for use in the state
14 driver education program may be used for the purposes of state traffic school.
- 15 (5) The following procedures shall govern persons attending state traffic school
16 pursuant to this section:
- 17 (a) A person convicted of any violation of traffic codes set forth in KRS Chapters
18 177, 186, or 189, and who is otherwise eligible, may in the sole discretion of
19 the trial judge, be sentenced to attend state traffic school. Upon payment of the
20 fee required by subsection (4) of this section, and upon successful completion
21 of state traffic school, the sentence to state traffic school shall be the person's
22 penalty in lieu of any other penalty, except for the payment of court costs;
- 23 (b) Except as provided in KRS 189.990(28), a person shall not be eligible to
24 attend state traffic school who has been cited for a violation of KRS Chapters
25 177, 186, or 189 that has a penalty of mandatory revocation or suspension of
26 an offender's driver's license;
- 27 (c) Except as provided in KRS 189.990(28), a person shall not be eligible to

1 attend state traffic school for any violation if, at the time of the violation, the
2 person did not have a valid driver's license or the person's driver's license was
3 suspended or revoked by the cabinet;

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

8 (e) The cabinet shall notify the sentencing court regarding any person who was
9 sentenced to attend state traffic school who was ineligible to attend state
10 traffic school. A court notified by the cabinet pursuant to this paragraph shall
11 return the person's case to an active calendar for a hearing on the matter. The
12 court shall issue a summons for the person to appear and the person shall
13 demonstrate to the court why an alternative sentence should not be imposed.

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

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

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

22 1. May charge a reasonable fee to program participants, which shall only
23 be used for payment of county attorney office operating expenses; and

24 2. Shall, by October 1 of each year, report to the Prosecutors Advisory
25 Council the fee charged for the county attorney-operated traffic safety
26 program and the total number of traffic offenders diverted into the
27 county attorney-operated traffic safety program for the preceding fiscal

1 year categorized by traffic offense.

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

8 (e) Each participant in a county attorney-operated traffic safety program shall, in
9 addition to the fee payable to the county attorney and the fee required by
10 paragraph (d) of this subsection, pay a thirty dollar (\$30) fee to the county
11 attorney in lieu of court costs. On a monthly basis, the county attorney shall
12 forward the fees collected pursuant to this paragraph to the Finance and
13 Administration Cabinet to be distributed as follows:

- 14 1. Ten and eight-tenths percent (10.8%) to the spinal cord and head injury
15 research trust fund created in KRS 211.504;
- 16 2. Nine and one-tenth percent (9.1%) to the traumatic brain injury trust
17 fund created in KRS 211.476;
- 18 3. Five and eight-tenths percent (5.8%) to the special trust and agency
19 account set forth in KRS 42.320(2)(f) for the Department of Public
20 Advocacy;
- 21 4. Five and seven-tenths percent (5.7%) to the crime victims compensation
22 fund created in KRS 49.480;
- 23 5. One and two-tenths percent (1.2%) to the Justice and Public Safety
24 Cabinet to defray the costs of conducting record checks on prospective
25 firearms purchasers pursuant to the Brady Handgun Violence Prevention
26 Act and for the collection, testing, and storing of DNA samples;
- 27 6. Sixteen and eight-tenths percent (16.8%) to the county sheriff in the

- 1 county from which the fee was received;
- 2 7. Nine and one-tenth percent (9.1%) to the county treasurer in the county
- 3 from which the fee was received to be used by the fiscal court for the
- 4 purposes of defraying the costs of operation of the county jail and the
- 5 transportation of prisoners;
- 6 8. Thirty-three and two-tenths percent (33.2%) to local governments in
- 7 accordance with the formula set forth in KRS 24A.176(5); and
- 8 9. Eight and three-tenths percent (8.3%) to the Cabinet for Health and
- 9 Family Services for the implementation and operation of a telephonic
- 10 behavioral health jail triage system as provided in KRS 210.365 and
- 11 441.048.

12 ➔Section 18. KRS 189.270 is amended to read as follows:

- 13 (1) The department may issue permits for the operation of motor vehicles,
- 14 manufactured homes, recreational vehicles, boats, or any other vehicle transporting
- 15 a nondivisible load, whose gross weight including load, height, width, or length
- 16 exceeds the limits prescribed by this chapter or which in other respects fail to
- 17 comply with the requirements of this chapter. Permits may be issued by the
- 18 department for stated periods, special purposes, and unusual conditions, and upon
- 19 terms in the interest of public safety and the preservation of the highways as the
- 20 department may require.
- 21 (2) (a) Except as provided in subsection (8) of this section, the department may, at
- 22 the request of an applicant, issue a single-trip permit regardless of the type of
- 23 vehicle or equipment being transported that exceeds the weight or dimension
- 24 limits established by this chapter if the load being transported is a nondivisible
- 25 load.
- 26 (b) Except as provided in paragraph (c) of this subsection, each^[a] single-trip
- 27 permit shall cost one hundred fifty dollars (\$150).

- 1 (c) A single-trip permit for a load which exceeds two hundred thousand
2 (200,000) pounds shall cost one thousand five hundred dollars
3 (\$1,500)~~sixty dollars (\$60) for each overweight or overdimensional permit~~
4 ~~requested~~.
- 5 (3) (a) Except as provided in subsection (8) of this section, the department may, at
6 the request of an applicant, issue an annual permit regardless of the type of vehicle
7 or equipment being transported that exceeds the weight or dimension limits
8 established by this chapter if the load being transported is a nondivisible load.
- 9 (b) The vehicle operating under a permit issued under this subsection shall not
10 exceed sixteen (16) feet in width exclusive of usual and ordinary overhang,
11 one hundred twenty (120) feet in length including a towing vehicle and trailer
12 combination, thirteen (13) feet six (6) inches in height, or one hundred sixty
13 thousand (160,000) pounds.
- 14 (c) Except as provided in subsections (4), (7), and (8) of this section, an annual
15 permit for loads less than or equal to fourteen (14) feet in width shall cost six
16 hundred twenty-five dollars (\$625)~~two hundred fifty dollars (\$250)~~. An
17 annual permit for loads exceeding fourteen (14) feet in width shall cost one
18 thousand two hundred fifty dollars (\$1,250)~~five hundred dollars (\$500)~~.
- 19 (4) An annual permit to transport farm equipment less than fourteen (14) feet in width
20 shall cost eighty dollars (\$80). An annual permit to transport farm equipment that
21 exceeds fourteen (14) feet in width from a dealership to a farm, from a farm to a
22 dealership, or from a dealership to a dealership shall cost one hundred fifty dollars
23 (\$150).
- 24 (5) Permits issued under this section shall be for nondivisible loads and shall be valid
25 statewide; however, the department may, as a condition of issuing an annual or
26 single-trip permit, limit the overweight or overdimensional vehicle to specified
27 routes, exclude certain highways, or even cancel an applicant's permit if an

1 unreasonable risk of accident or an unreasonable impedance of the flow of traffic
2 would result from the presence of the overweight or overdimensional vehicle. A
3 person who applies for, and accepts, a permit issued under this section is
4 acknowledging that the Kentucky Transportation Cabinet is not guaranteeing safe
5 passage of vehicles by issuing the permit. A person who applies for, and accepts, a
6 permit issued under this section agrees to measure all clearances of highway
7 structures, both laterally and vertically, prior to passage of the person's vehicles
8 along the routes specified in the permit. A person who applies for, and accepts, a
9 permit issued under this section is classified as a bare licensee whose duty is to
10 assume sole risk involved in using Kentucky's highways without warranty of
11 accuracy.

12 (6) Subject to the limitations of subsection (12) of this section, the department shall
13 promulgate administrative regulations under KRS Chapter 13A to establish
14 requirements for escort vehicles, safety markings, and other safety restrictions
15 governing the operation of an overweight or overdimensional vehicle. The
16 department shall provide each applicant for an annual or single-trip permit issued
17 under this section a copy of all restrictions associated with the overweight or
18 overdimensional permit at no charge to the applicant. The department shall be
19 prohibited from raising the permit fee established in subsections (2) and (3) of this
20 section by levying additional fees for an overweight or overdimensional permit
21 through the administrative regulation process.

22 (7) (a) Notwithstanding KRS 189.269, the department may, at the request of an
23 applicant who is a transporter of manufactured housing, issue an annual permit that
24 exceeds the weight or dimension limits established by this chapter if the load being
25 transported is a nondivisible load.

26 (b) The vehicle operated shall not exceed sixteen (16) feet in width exclusive of
27 usual and ordinary overhang, one hundred twenty (120) feet in length

1 including a towing vehicle and trailer combination, fifteen (15) feet in height,
2 or one hundred sixty thousand (160,000) pounds.

3 (c) The cost for an annual permit issued under this subsection shall be:

4 1. One thousand five hundred dollars (\$1,500) for loads greater than
5 fourteen (14) feet in width or greater than thirteen (13) feet six (6)
6 inches in height; and

7 2. Five hundred dollars (\$500) for loads less than or equal to fourteen (14)
8 feet in width and less than or equal to thirteen (13) feet six (6) inches in
9 height.

10 (d) The holder of a permit issued under this subsection shall, when transporting a
11 manufactured home:

12 1. Abide by all escort requirements, safety markings, and other safety
13 restrictions governing overweight and overdimensional vehicles; and

14 2. Equip each truck operating under a permit with global positioning
15 system technology that keeps a record of locations traveled. The travel
16 records of trucks operating under a permit shall be open to inspection by
17 the Transportation Cabinet.

18 (e) Any person with a permit under this subsection who operates a vehicle greater
19 than thirteen (13) feet six (6) inches in height while operating in a restricted
20 area designated by the Transportation Cabinet shall be fined one thousand
21 dollars (\$1,000).

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

25 (9) The department may require the applicant to give bond, with approved surety, to
26 indemnify the state or counties against damage to highways or bridges resulting
27 from use by the applicant. The operation of vehicles in accordance with the terms of

1 the permit issued under this section shall not constitute a violation of this chapter if
2 the operator has the permit, or an authenticated copy of it, in his possession.

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

8 (11) A person shall not operate any vehicle in violation of the terms of the permit issued
9 under this section.

10 (12) (a) The cabinet shall not promulgate administrative regulations pursuant to this
11 section that restrict the time or days of the week when a permit holder may
12 operate on the highway, except that travel may be limited from 6 a.m. to 9
13 a.m. and 3 p.m. to 6 p.m. Monday through Friday. In addition to the
14 restrictions established in this paragraph, any manufactured home being
15 transported by permit issued under this section shall not travel on any highway
16 after daylight hours Monday through Saturday, or at any time on Sunday.

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

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

25 1. For a single vehicle and load in excess of twelve (12) feet in width being
26 operated on a two (2) lane highway, no more than one (1) lead vehicle
27 shall be required;

- 1 2. For a single vehicle and load in excess of twelve (12) feet in width being
2 operated on a four (4) lane highway, no more than one (1) trail vehicle
3 shall be required;
- 4 3. For a single vehicle and load in excess of eighty-five (85) feet in length
5 being operated on a two (2) lane highway, no more than one (1) lead
6 vehicle shall be required;
- 7 4. For more than one (1) vehicle and load in excess of twelve (12) feet in
8 width or eighty-five (85) feet in length being operated as a convoy on a
9 two (2) lane highway, no more than one (1) lead vehicle shall be
10 required;
- 11 5. A lead escort vehicle on a two (2) lane highway under this paragraph
12 may also serve as a tow vehicle;
- 13 6. Any distance for lead or trail escort vehicles shall contain provisions
14 allowing for a variance from that distance due to safety or road
15 conditions; and
- 16 7. A vehicle or its escort shall be required to bear a sign declaring that the
17 vehicle is oversized or be required to use lights, flashers, or flags, but a
18 vehicle or its escort shall not be required to do both.

19 ➔SECTION 19. A NEW SECTION OF KRS CHAPTER 174 IS CREATED TO
20 READ AS FOLLOWS:

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

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

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

27 **(a) To provide assistance to transit programs in the state by helping to offset the**

1 loss of toll credits;

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

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

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

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

8 (5) Any interest earnings of the fund shall become part of the fund and shall not
 9 lapse.

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

13 ➔Section 20. KRS 177.320 is amended to read as follows:

14 (1) Twenty-two and two-tenths percent (22.2%) of all funds arising from the imposition
 15 of taxes provided by KRS 138.220~~[(1) and (2)]~~, 138.660(1) and (2) and 234.320
 16 shall be set aside for the construction, reconstruction and maintenance of secondary
 17 and rural roads and for no other purpose, and shall be expended for said purposes by
 18 the Transportation Cabinet of the Commonwealth of Kentucky according to the
 19 terms and conditions prescribed in KRS 177.330 to 177.360.

20 (2) (a) 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 28 of
 23 this Act is less than or equal to eight hundred twenty-five million dollars
 24 (\$825,000,000)~~[On or after July 1, 1980]~~, eighteen and three-tenths percent
 25 (18.3%) of those~~[all]~~ funds~~[arising from the imposition of taxes provided by~~
 26 ~~KRS 138.220(1) and (2), 138.660(1) and (2), and 234.320]~~ shall be set aside
 27 for the construction, reconstruction and maintenance of county roads and

1 bridges provided by KRS 179.410 and 179.415.

2 **(b) In any fiscal year in which the amount of funds available for revenue**
 3 **sharing arising from the implementation of taxes provided by Section 1 of**
 4 **this Act, subsections (1) and (2) of Section 2 of this Act, and Section 28 of**
 5 **this Act is greater than eight hundred twenty-five million dollars**
 6 **(\$825,000,000), the following amounts shall be set aside for the**
 7 **construction, reconstruction, and maintenance of county roads and bridges**
 8 **provided by KRS 179.410 and 179.415:**

9 **1. One hundred fifty million nine hundred seventy-five thousand dollars**
 10 **(\$150,975,000); and**

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

13 (3) All funds set aside in subsection (2) of this section for the construction,
 14 reconstruction and maintenance of county roads and bridges shall be allocated to the
 15 county in accordance with the formula established in KRS 177.360(1) pursuant to
 16 KRS 179.410.

17 (4) ~~{On or after July 1, 1986, }~~One-tenth of one percent (0.1%) of all funds arising from
 18 the imposition of taxes provided by KRS 138.220~~{(1) and (2)}~~, 138.660 and
 19 234.320 shall be set aside for the purposes and functions of the Kentucky
 20 Transportation Center as established by KRS 177.375 to 177.380, except that the
 21 receipts provided to the center by this subsection shall not exceed one hundred
 22 ninety thousand dollars (\$190,000) for any fiscal year.

23 ➔Section 21. KRS 177.365 is amended to read as follows:

24 (1) **(a) In any fiscal year in which the amount of funds available for revenue**
 25 **sharing arising from the implementation of taxes provided by Section 1 of**
 26 **this Act, subsections (1) and (2) of Section 2 of this Act, and Section 28 of**
 27 **this Act is less than or equal to eight hundred twenty-five million dollars**

1 ~~(\$825,000,000)~~ ~~[On and after July 1, 1980]~~, seven and seven-tenths percent
 2 (7.7%) of those funds ~~[all amounts received from the imposition of the taxes~~
 3 ~~provided for in KRS 138.220(1) and (2), 138.660(1) and (2) and 234.320]~~
 4 shall be set aside by the Finance and Administration Cabinet for the
 5 construction, reconstruction and maintenance of urban roads and streets and
 6 for no other purpose.

7 **(b) In any fiscal year in which the amount of funds available for revenue**
 8 **sharing arising from the implementation of taxes provided by Section 1 of**
 9 **this Act, subsections (1) and (2) of Section 2 of this Act, and Section 28 of**
 10 **this Act is greater than eight hundred twenty-five million dollars**
 11 **(\$825,000,000), the following amounts shall be set aside by the Finance and**
 12 **Administration Cabinet for the construction, reconstruction, and**
 13 **maintenance of urban roads and streets and for no other purpose:**

14 **1. Sixty-three million five hundred twenty-five thousand dollars**
 15 **(\$63,525,000); and**

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

18 (2) As used in this section unless the context requires otherwise "construction,"
 19 "reconstruction," and "maintenance" mean the supervising, inspecting, actual
 20 building, and all expenses incidental to the construction, reconstruction, or
 21 maintenance of a road or street, including planning, locating, surveying, and
 22 mapping or preparing roadway plans, acquisition of rights-of-way, relocation of
 23 utilities, lighting and the elimination of other hazards such as roadway grade
 24 crossings, and all other items defined in the Department of Highways, design,
 25 operations, and construction manuals.

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

1 tracts.

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

5 ➔Section 22. KRS 138.4603 is amended to read as follows:

- 6 (1) (a) ~~[Effective]~~For sales on or after ***the effective date of this Act***~~[July 1, 2014]~~, of:
7 1. ~~[New motor vehicles;~~
8 2. ~~—]~~Dealer demonstrator vehicles;
9 ***2.***~~[3.]~~Previous model year motor vehicles; and
10 ***3.***~~[4.]~~U-Drive-It motor vehicles that have been transferred within one hundred
11 eighty (180) days of being registered as a U-Drive-It and that have less
12 than five thousand (5,000) miles;

13 the retail price shall be determined by reducing the amount of total
14 consideration given by the trade-in allowance of any motor vehicle traded in
15 by the buyer.

16 ***(b) For sales of new motor vehicles on or after the effective date of this Act, the***
17 ***retail price shall be determined by reducing the amount of total***
18 ***consideration given by the trade-in allowance of any motor vehicles traded***
19 ***in by the buyer, up to a maximum of twenty-five thousand dollars (\$25,000)***
20 ***in total.***

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

23 ***(d)***~~[(b)]~~ The retail price shall not include that portion of the price of the vehicle
24 attributable to equipment or adaptive devices necessary to facilitate or
25 accommodate an operator or passenger with physical disabilities.

26 (2) (a) The value of the purchased motor vehicle offered for registration and the
27 value of the vehicle offered in trade shall be attested to in a notarized

1 affidavit.

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

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

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

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

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

14 ➔Section 23. KRS 176.080 is amended to read as follows:

15 (1) Each bidder shall accompany his bid with a bond or certified check payable to the
16 State Treasurer for a reasonable sum, fixed by the department, guaranteeing that he
17 will enter into a contract with the department for doing the work if the work is
18 awarded to him.

19 (2) Bids shall be opened publicly at the time and place designated in the invitation for
20 bids. At the time the bids are opened, the department shall announce the
21 department's engineer's estimate and make it a part of the department's records
22 pertaining to the letting of any highway construction project contract for which bids
23 were received. Each bid, together with the name of the bidder and the department's
24 engineer's estimate, shall be recorded and open to public inspection.

25 (3) Subject to the limitations of subsection (4) of this section, the contract shall be
26 awarded to the lowest and best bidder. The department may require bonds from any
27 contractor to secure the performance of any contract or may require security by any

1 other means it deems advisable.

2 (4) (a) Except as provided in paragraph (b) of this subsection, for a contract for
 3 which there is a single bid, and that bid exceeds the department's engineer's
 4 estimate, the department shall reject the bid and advertise for new bids.

5 (b) If the secretary of the cabinet certifies that a contract is for a project that is
 6 of an urgent or emergency nature, the department may award the contract
 7 to a bidder whose bid that meets the description in paragraph (a) of this
 8 subsection.

9 (c) The Transportation Cabinet shall, on a quarterly basis, transmit
 10 electronically to the General Assembly through the Legislative Research
 11 Commission a report on all contracts awarded under the provisions of
 12 paragraph (b) of this subsection.

13 (5) The department may reject any bid when it finds it for the best interest of the state
 14 to do so. When all bids are rejected, the department shall advertise for new bids as
 15 in the first place.

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

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

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

23 ➔Section 25. KRS 138.695 is amended to read as follows:

24 (1) Every licensee subject to the tax imposed by subsections (1) and (2) of KRS
 25 138.660 shall be entitled to a credit for each quarterly period beginning on and after
 26 July 1, 1980, equivalent to the tax rate levied in KRS 138.220~~[(1) and (2)]~~ on
 27 gasoline and special fuels purchased by such licensee during such period for use in

1 its operations, provided such gasoline and special fuels were purchased in Kentucky
2 during the same period and the tax imposed by KRS 138.220~~[(1) and (2)]~~, 138.565,
3 and 234.320 has been paid. Evidence of the payment of such tax in such form as
4 may be required by or satisfactory to the cabinet shall be furnished by each such
5 licensee claiming the credit herein allowed.

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

10 (3) If the credit or credits referred to in subsections (1) and (2) of this section would
11 expire solely by reason of the lapse of time allowed in subsection (2) of this section,
12 then the balance of any credit shall be refunded to the licensee, provided application
13 therefor and all necessary information shall be filed with the cabinet within sixty
14 (60) days after the time the credit would otherwise expire as provided in subsection
15 (2) of this section, except a credit shall not be refunded to the licensee, where, as
16 estimated by the cabinet, the cost to the cabinet of making the refund would exceed
17 the amount of the refund.

18 (4) In order to facilitate administration of the credits and refunds allowed herein, the
19 cabinet shall prescribe what records must be kept by the licensee or any other
20 person and the cabinet shall also prescribe the form and content of said records and
21 any reports to be made relative thereto.

22 ➔Section 26. KRS 138.210 is amended to read as follows:

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

24 (1) "Accountable loss" means loss or destruction of "received" gasoline or special fuel
25 through wrecking of transportation conveyance, explosion, fire, flood or other
26 casualty loss, or contaminated and returned to storage. The loss shall be reported
27 within thirty (30) days after discovery of the loss to the department in a manner and

1 form prescribed by the department, supported by proper evidence which in the sole
2 judgment of the department substantiates the alleged loss or contamination and
3 which is confirmed in writing to the reporting dealer by the department. The
4 department may make any investigation deemed necessary to establish the bona fide
5 claim of the loss;

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

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

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

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

18 ~~(4)}~~~~(6)}~~ "Dealer" means any person who is:

19 (a) Regularly engaged in the business of refining, producing, distilling,
20 manufacturing, blending, or compounding gasoline or special fuels in this
21 state;

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

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

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

27 (e) In the case of gasoline, receiving or accepting delivery within this state of

1 gasoline for resale within this state in amounts of not less than an average of
2 one hundred thousand (100,000) gallons per month during any prior
3 consecutive twelve (12) months' period, when in the opinion of the
4 department, the person has sufficient financial rating and reputation to justify
5 the conclusion that he or she will pay all taxes and comply with all other
6 obligations imposed upon a dealer; or

7 (f) Regularly exporting gasoline or special fuels;

8 ~~(5)~~~~(7)~~ "Department" means the Department of Revenue;

9 ~~(6)~~~~(8)~~ "Diesel fuel" means any liquid other than gasoline that, without further
10 processing or blending, is suitable for use as a fuel in a diesel powered highway
11 vehicle. Diesel fuel does not include unblended kerosene, No. 5, and No. 6 fuel oil
12 as described in ASTM specification D 396 or F-76 Fuel Naval Distillate MILL-F-
13 166884;

14 ~~(7)~~~~(9)~~ "Dyed diesel fuel" means diesel fuel that is required to be dyed under United
15 States Environmental Protection Agency rules for high sulfur diesel fuel, or is dyed
16 under the Internal Revenue Service rules for low sulfur fuel, or pursuant to any
17 other requirements subsequently set by the United States Environmental Protection
18 Agency or the Internal Revenue Service;

19 ~~(8)~~~~(10)~~ "Financial instrument" means a bond issued by a corporation authorized to do
20 business in Kentucky, a line of credit, or an account with a financial institution
21 maintaining a compensating balance;

22 ~~(9)~~~~(11)~~ "Gasoline" means all liquid fuels, including liquids ordinarily, practically, and
23 commercially usable in internal combustion engines for the generation of power,
24 and all distillates of and condensates from petroleum, natural gas, coal, coal tar,
25 vegetable ferments, and all other products so usable which are produced, blended,
26 or compounded for the purpose of operating motor vehicles, showing a flash point
27 of 110 degrees Fahrenheit or below, using the Elliott Closed Cup Test, or when

1 tested in a manner approved by the United States Bureau of Mines, are prima facie
2 commercially usable in internal combustion engines. The term "gasoline" as used
3 herein shall include casing head, absorption, natural gasoline, and condensates when
4 used without blending as a motor fuel, sold for use in motors direct, or sold to those
5 who blend for their own use, but shall not include: propane, butane, or other
6 liquefied petroleum gases, kerosene, cleaner solvent, fuel oil, diesel fuel, crude oil
7 or casing head, absorption, natural gasoline and condensates when sold to be
8 blended or compounded with other less volatile liquids in the manufacture of
9 commercial gasoline for motor fuel, industrial naphthas, rubber solvents, Stoddard
10 solvent, mineral spirits, VM and P & naphthas, turpentine substitutes, pentane,
11 hexane, heptane, octane, benzene, benzine, xylol, toluol, aromatic petroleum
12 solvents, alcohol, and liquefied gases which would not exist as liquids at a
13 temperature of sixty (60) degrees Fahrenheit and a pressure of 14.7 pounds per
14 square inch absolute, unless the products are used wholly or in combination with
15 gasoline as a motor fuel;

16 (10)~~[(12)]~~ "Motor vehicle" means any vehicle, machine, or mechanical contrivance
17 propelled by an internal combustion engine and licensed for operation and operated
18 upon the public highways and any trailer or semitrailer attached to or having its
19 front end supported by the motor vehicles;

20 (11)~~[(13)]~~ "Public highways" means every way or place generally open to the use of the
21 public as a matter or right for the purpose of vehicular travel, notwithstanding that
22 they may be temporarily closed or travel thereon restricted for the purpose of
23 construction, maintenance, repair, or reconstruction;

24 ~~[(14) (a)]~~ "Quarterly survey value" means a value determined by the department for each
25 calendar quarter of the weighted average per gallon wholesale price of
26 gasoline, determined from information available through independent
27 statistical surveys of gasoline prices or, if requested, from information

1 ~~furnished by licensed gasoline dealers. The department shall determine, within~~
2 ~~twenty (20) days following the end of the first month of each calendar quarter,~~
3 ~~the weighted average of per gallon wholesale selling prices of gasoline for the~~
4 ~~previous month. That value shall be the quarterly survey value for the~~
5 ~~beginning of the following calendar quarter.~~

6 ~~(b) "Quarterly survey value" shall be determined exclusive of any federal gasoline~~
7 ~~tax and any fee on imported oil imposed by the Congress of the United~~
8 ~~States;}~~

9 (12)~~[(15)]~~ "Received" or "received gasoline" or "received special fuels" shall have the
10 following meanings:

11 (a) Gasoline and special fuels produced, manufactured, or compounded at any
12 refinery in this state or acquired by any dealer and delivered into or stored in
13 refinery, marine, or pipeline terminal storage facilities in this state shall be
14 deemed to be received when it has been loaded for bulk delivery into tank cars
15 or tank trucks consigned to destinations within this state. For the purpose of
16 the proper administration of this chapter and to prevent the evasion of the tax
17 and to enforce the duty of the dealer to collect the tax, it shall be presumed
18 that all gasoline and special fuel loaded by any licensed dealer within this state
19 into tank cars or tank trucks is consigned to destinations within this state,
20 unless the contrary is established by the dealer, pursuant to administrative
21 regulations prescribed by the department; and

22 (b) Gasoline and special fuels acquired by any dealer in this state, and not
23 delivered into refinery, marine, or pipeline terminal storage facilities, shall be
24 deemed to be received when it has been placed into storage tanks or other
25 containers for use or subject to withdrawal for use, delivery, sale, or other
26 distribution. Dealers may sell gasoline or special fuels to licensed bonded
27 dealers in this state in transport truckload, carload, or cargo lots, withdrawing

1 it from refinery, marine, pipeline terminal, or bulk storage tanks, without
2 paying the tax. In these instances, the licensed bonded dealer purchasing the
3 gasoline or special fuels shall be deemed to have received that fuel at the time
4 of withdrawal from the seller's storage facility and shall be responsible to the
5 state for the payment of the tax thereon;

6 ~~(13)~~~~(16)~~ "Refinery" means any place where gasoline or special fuel is refined,
7 manufactured, compounded, or otherwise prepared for use;

8 ~~(14)~~~~(17)~~ "Retail filling station" means any place accessible to general public vehicular
9 traffic where gasoline or special fuel is or may be placed into the fuel supply tank of
10 a licensed motor vehicle;

11 ~~(15)~~~~(18)~~ "Special fuels" means and includes all combustible gases and liquids capable
12 of being used for the generation of power in an internal combustion engine to propel
13 vehicles of any kind upon the public highways, including diesel fuel, and dyed
14 diesel fuel used exclusively for nonhighway purposes in off-highway equipment and
15 in nonlicensed motor vehicles, except that it does not include gasoline, aviation jet
16 fuel, kerosene unless used wholly or in combination with special fuel as a motor
17 fuel, or liquefied petroleum gas as defined in KRS 234.100;

18 ~~(16)~~~~(19)~~ "Storage" means all gasoline and special fuels produced, refined, distilled,
19 manufactured, blended, or compounded and stored at a refinery storage or delivered
20 by boat at a marine terminal for storage, or delivered by pipeline at a pipeline
21 terminal, delivery station, or tank farm for storage; **and**

22 ~~(17)~~~~(20)~~ "Transporter" means any person who transports gasoline or special fuels on
23 which the tax has not been paid or assumed~~[-; and~~

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

25 ~~(a) Prior to April 1, 2015, one dollar and seventy eight and six tenths cents~~
26 ~~(\$1.786) per gallon; and~~

27 ~~(b) On and after April 1, 2015, two dollars and seventeen and seven tenths cents~~

1 ~~(\$2.177) per gallon.~~

2 ➔Section 27. KRS 138.270 is amended to read as follows:

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

8 (b) To cover evaporation, shrinkage, unaccountable losses, collection costs, bad
9 debts, and handling and reporting the tax, each dealer shall be allowed
10 compensation equal to two and one-fourth percent (2.25%) of the net tax due
11 the Commonwealth pursuant to KRS 138.210 to 138.490 before all allowable
12 tax credits, except the credit authorized pursuant to KRS 138.358. No
13 compensation shall be allowed if the completed tax return and payment are
14 not submitted to the department within the time prescribed by KRS 138.210 to
15 138.490.

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

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

27 ➔Section 28. KRS 234.320 is amended to read as follows:

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

9 (2) No other excise or license tax shall be levied or assessed on liquefied petroleum gas
10 motor fuel by any political subdivision of the state, except the licenses under KRS
11 234.120.

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

14 ➔Section 29. KRS 234.380 is amended to read as follows:

15 Liquefied petroleum gas motor fuel dealers using, selling, and/or delivering liquefied
16 petroleum gas to motor vehicles, or into storage for use in motor vehicles, shall report and
17 pay the state tax at the rate levied in KRS 138.220~~[(1) and (2)]~~ on all such fuel to the
18 Department of Revenue. The dealer shall issue an invoice to the customer whenever the
19 sale or delivery is consummated giving the invoice date, name and address of the
20 customer, and number of taxable gallons sold or delivered. The number of taxable gallons
21 to be invoiced shall be determined in the following manner by the dealer:

22 (1) The metered gallons, if placed into a fuel tank of a motor vehicle;

23 (2) The metered gallons, if placed into storage, all of which is to be used or sold for use
24 in motor vehicles;

25 (3) The number of gallons to be used in motor vehicles, if the storage is for multiple
26 uses. The number of taxable gallons to be determined by the user and the dealer
27 based on the best estimate possible from mileage and efficiency records available;

1 or

2 (4) If the motor vehicle carburetor is connected to a fuel line leading from a fuel tank
3 where another, or other motors are supplied with fuel also, then the number of
4 gallons to be invoiced as taxable motor fuel shall be determined from mileage and
5 fuel efficiency records.

6 ➔Section 30. KRS 42.409 is amended to read as follows:

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

8 (1) "State total personal income" means the measure of all income received by or on
9 behalf of persons in the Commonwealth, as most recently published in the Survey
10 of Current Business by the United States Department of Commerce, Bureau of
11 Economic Analysis.

12 (2) "Estimated state total personal income" means the personal income figure used by
13 the Governor's Office for Economic Analysis to generate final detailed revenue
14 estimates.

15 (3) "Total revenues" means revenues credited to the general fund and the road fund
16 consistent with the provisions of KRS 48.120, as well as any restricted agency fund
17 account from which debt service is expended.

18 (4) "Anticipated total revenues" means the official revenue estimates, as provided for in
19 KRS 48.120, projected for the general fund and the road fund, as well as any
20 restricted agency fund account from which debt service is expended.

21 (5) "Available revenues" means revenues credited to the general fund and the road fund
22 consistent with the provisions of KRS 48.120, as well as any restricted agency fund
23 account from which debt service is expended, minus any statutorily dedicated
24 receipts of the respective funds.

25 (6) "Anticipated available revenues" means official revenue estimates, as provided for
26 in KRS 48.120, projected for the general fund and the road fund, as well as any
27 restricted agency fund account from which debt service is expended, minus any

1 statutorily dedicated receipts of the respective funds.

2 (7) "Total assessed value of property" means state total net assessed value of property
3 for taxes due, as obtained from the Department of Revenue.

4 (8) "Per capita" means per unit of population, where population figures are the most
5 recent available from the University of Louisville, Kentucky State Data Center.

6 (9) "Appropriation-supported debt service" means the amount of an appropriation
7 identified to be expended for debt service purposes in the executive budget
8 recommendation, and the amount of an appropriation expended for debt services in
9 a completed fiscal year.

10 (10) "Appropriation-supported debt" means the outstanding principal of bonds issued by
11 all state agencies and all individuals, agencies, authorities, boards, cabinets,
12 commissions, corporations, or other entities of, or representing the Commonwealth
13 with the authority to issue bonds, and for which debt service is appropriated by the
14 General Assembly.

15 (11) "Nonappropriation-supported debt" means the outstanding principal of bonds issued
16 by all state agencies and all individuals, agencies, authorities, boards, cabinets,
17 commissions, corporations, or other entities of, or representing the Commonwealth
18 with the authority to issue bonds, and for which debt service is not appropriated by
19 the General Assembly.

20 (12) "Statutorily dedicated receipts" means revenues credited to the general fund and
21 road fund consistent with the provisions of KRS 48.120, as well as any restricted
22 agency fund account, which are required by an enacted statute to be used for a
23 specific purpose. Statutorily dedicated receipts include, but are not limited to, the
24 following:

25 (a) Receipts credited to the general fund which are subject to KRS 42.450 to
26 42.495, KRS 278.130 to 278.150, or KRS 350.139;

27 (b) Receipts credited to the road fund which are subject to ~~KRS 175.505,~~ KRS

1 177.320, KRS 177.365 to 177.369, KRS 177.9771 to 177.979, KRS 186.531,
2 or KRS 186.535; and

3 (c) Receipts credited to a restricted agency fund account in accordance with any
4 applicable statute.

5 (13) "True interest cost" means the bond yield according to issue price without a
6 reduction for related administrative costs, and is the same figure as the arbitrage
7 yield calculation described in the United States Tax Reform Act of 1986.

8 ➔Section 31. 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 32. Sections 1 to 3 and 20 to 23 of this Act take effect July 1, 2021.

15 ➔Section 33. Sections 4, 5, and 7 to 12 of this Act take effect January 1, 2022.