

1 AN ACT relating to transportation.

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

3 ➔Section 1. KRS 186.230 is amended to read as follows:

4 The county clerk shall see that KRS 186.005 to 186.260 in his or her county are enforced.

5 In so doing, the clerk~~[he]~~ shall:

6 (1) Take all applications as provided in KRS 186.005 to 186.260;

7 (2) Issue the receipts on blanks furnished by the cabinet;

8 (3) Collect the fees due the state;

9 (4) Distribute the registration plates furnished by the Transportation Cabinet and  
10 Department of Vehicle Regulation and keep a complete public record of all  
11 registrations for the~~[his]~~ county, in the clerk's~~[his]~~ office;

12 (5) Report and remit each Monday to the Transportation Cabinet all moneys collected  
13 during the previous week, together with a duplicate of all receipts issued by the  
14 clerk's office~~[him]~~ during the same period. The clerk~~[He]~~ shall make all checks  
15 payable to the State Treasurer. Unless the clerk forwards duplicates of all receipts  
16 issued by the clerk's office~~[him]~~ during the reporting period with this~~[his]~~ report  
17 and remits the amount shown due by the report within seven (7) days after the  
18 report and remittance are due, the clerk~~[he]~~ shall pay a penalty of one percent (1%)  
19 per month or fraction thereof on the amount of money shown to be due on the  
20 report. The cabinet may in its discretion grant a county clerk a reasonable extension  
21 of time to file this~~[his]~~ report and remit all moneys, not to exceed ten (10) days for  
22 any one (1) report. The extension, however, must be requested prior to the end of  
23 the seven (7) day period and shall begin to run at the end of that~~[said]~~ period. All  
24 penalties collected under this provision shall be paid into the State Treasury as a  
25 part of the revenue collected under KRS 186.005 to 186.260;

26 (6) The clerk shall mail to the Transportation Cabinet one (1) duplicate of all receipts  
27 issued by the clerk's office~~[him]~~ within two (2) weeks of the date of issuance. The

1 Transportation Cabinet shall make the receipts pertaining to commercial vehicles  
2 available to the Department of Vehicle Regulation for use in assimilating data~~fr~~  
3 ~~therefrom~~;

4 (7) Account to the Transportation Cabinet for all registration plates and receipt forms  
5 consigned to the clerk's office~~him~~, at such time or times as the Transportation  
6 Cabinet may direct, and give the appropriate cabinet timely notice of a probable  
7 deficiency of plates or other supplies;

8 (8) Any county clerk, who in collecting the taxes and fees due the state or county clerk,  
9 accepts in payment thereof a check which is not honored upon presentment, shall  
10 have a lien on the vehicle for the amount of such check. This lien shall be  
11 subordinate to any prior perfected lien, either contractual or statutory;

12 (9) No person shall be permitted to sell, trade or transfer ownership of a motor vehicle  
13 if evidence is presented to the county clerk that any lien exists on the motor vehicle;  
14 and

15 (10) The county clerk shall not issue to any manufacturer or dealer any registration plate  
16 other than a manufacturer's or dealer's plate, or registration plate which is under a  
17 dealer assignment pursuant to KRS 186A.230, except when the dealer registers a  
18 motor vehicle under a U-Drive-It permit, without collecting designated registration  
19 fees and applicable taxes.

20 ➔Section 2. KRS 186.120 is amended to read as follows:

21 (1) If any motor vehicle other than a commercial vehicle upon which the license tax has  
22 been paid is destroyed by fire or accident, so that the vehicle is rendered entirely  
23 useless the owner shall be entitled to have refunded to him or her a part of the  
24 license fee paid in proportion~~by him proportionate~~ to the registration period for  
25 which the license was granted.

26 (2) If any commercial vehicle upon which the license tax has been paid is destroyed by  
27 fire or accident so that the vehicle is rendered entirely useless the owner is entitled

1 to have refunded to him that portion of the tax which he or she had  
2 previously~~[therefore]~~ paid allocable to the remaining complete quarters of the  
3 unexpired period for which the tax was paid.

4 (3) To obtain the refund, the owner whose motor vehicle has been destroyed shall apply  
5 to the Transportation Cabinet, submitting an~~[his]~~ affidavit and the affidavits of two  
6 (2) reputable persons, attesting to the fact that the vehicle has been destroyed, and  
7 the manner of destruction, and shall return the original license plates to the  
8 Transportation Cabinet. The Transportation Cabinet shall examine all applications  
9 and investigate the claims for refund, and if a claim is found to be correct, it shall  
10 approve it for payment, whereupon the Finance and Administration Cabinet shall  
11 draw a warrant upon the State Treasurer in favor of the owner of the destroyed  
12 vehicle, and charge the amount of it to the state road fund.