

1 AN ACT relating to motor vehicles.

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

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

5 *(1) Beginning July 1, 2027:*

6 *(a) 1. Except as provided in subparagraph 2. of this paragraph, a lienholder*
7 *shall use the electronic title application and registration system to*
8 *submit liens and lien documents.*

9 *2. This paragraph shall not apply to lienholders who are not normally*
10 *engaged in the business of financing motor vehicles or manufactured*
11 *homes and are exempted by the department; and*

12 *(b) 1. Except as provided in subparagraph 2. of this paragraph, a motor*
13 *vehicle dealer licensed under KRS Chapter 190 or a manufactured*
14 *home retailer licensed under KRS Chapter 227 shall use the electronic*
15 *title application and registration system and the centralized lien*
16 *management system to submit title, registration, and lien documents.*

17 *2. This paragraph shall not apply to any motor vehicle dealer who*
18 *submits less than twenty-five (25) title applications annually.*

19 *(2) The Transportation Cabinet shall:*

20 *(a) Work with county clerks, motor vehicle dealers, manufactured home*
21 *retailers, lenders, and other entities to construct and test systems to enable*
22 *full implementation of the electronic title application and registration*
23 *system and the centralized lien management system prior to July 1, 2027;*
24 *and*

25 *(b) Ensure that the electronic title application and registration system and the*
26 *centralized lien management system are operational by January 1, 2027.*

27 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 186A IS CREATED TO

1 READ AS FOLLOWS:

2 **Beginning January 1, 2027:**

3 **(1) Upon application for title under this chapter, the title shall not be mailed to the**
 4 **owner of the vehicle or manufactured home, but shall instead be held in AVIS;**

5 **(2) The certificate of title shall be considered to be physically held by the lienholder**
 6 **for the purposes of compliance with state and federal odometer disclosure**
 7 **requirements, and a paper title shall not be required. The title may be in digital or**
 8 **electronic format;**

9 **(3) Lienholders may request a printed title by submitting a request electronically**
 10 **through the electronic title application and registration system and paying the**
 11 **title print fees under Section 4 of this Act; and**

12 **(4) Upon lien satisfaction in the system of record in AVIS, the owner may request a**
 13 **printed copy of the title by submitting an application to the county clerk and**
 14 **paying the title print fees under Section 4 of this Act.**

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

17 **The Transportation Cabinet shall promulgate administrative regulations in accordance**
 18 **with KRS Chapter 13A to establish fees to be paid to the cabinet and county clerks for**
 19 **services provided in the process of titling and registering motor vehicles under this**
 20 **chapter and KRS Chapter 186A.**

21 ➔Section 4. KRS 186A.130 is amended to read as follows:

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

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

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

1 be six dollars (\$6), of which the county clerk shall retain four dollars (\$4) and
 2 the Transportation Cabinet shall receive two dollars (\$2). If a corrected
 3 certificate must be issued because of an error of the county clerk or the
 4 Department of Vehicle Regulation, there shall be no charge.

5 **(c) Each application for a printed title shall be six dollars (\$6), of which the**
 6 **county clerk shall retain four dollars (\$4) and the Transportation Cabinet**
 7 **shall receive two dollars (\$2);**

8 ~~(2)(3)~~ Each application for a speed title shall be twenty-five dollars (\$25), of which
 9 the county clerk shall retain five dollars (\$5) and the Transportation Cabinet shall
 10 receive twenty dollars (\$20); ~~and~~

11 ~~(3)(4)~~ (a) Each application for a certificate of title for an all-terrain vehicle shall
 12 be fifteen dollars (\$15), of which the county clerk shall retain six dollars (\$6)
 13 and the Transportation Cabinet shall receive nine dollars (\$9).

14 (b) Each application for a ~~replacement or~~ corrected certificate of title for an all-
 15 terrain vehicle shall be ten dollars (\$10), of which the county clerk shall retain
 16 four dollars (\$4) and the Transportation Cabinet shall receive six dollars (\$6).
 17 If a corrected certificate must be issued because of an error of the county clerk
 18 or the Department of Vehicle Regulation, there shall be no charge.

19 **(c) Each application for a printed title for an all-terrain vehicle shall be six**
 20 **dollars (\$6), of which the county clerk shall retain four dollars (\$4) and the**
 21 **Transportation Cabinet shall receive two dollars (\$2).**

22 ➔Section 5. KRS 134.805 is amended to read as follows:

23 (1) The county clerk shall be allowed by the Department of Revenue, for collecting
 24 state ad valorem taxes on motor vehicles **and manufactured homes**, a commission
 25 of four percent (4%) on state taxes collected.

26 (2) The county clerk shall be allowed by the county treasurer, for collecting county and
 27 special district ad valorem taxes on motor vehicles **and manufactured homes**, a

1 commission of four percent (4%) on county and special taxes collected.

2 (3) The county clerk shall be allowed a commission of four percent (4%) of the school
3 district taxes collected.

4 (4) ~~[Effective January 1, 1985,]~~The county clerk shall be allowed a commission of
5 four percent (4%) of the city or urban-county government taxes collected.

6 (5) (a) For the convenience and benefit of the Commonwealth's citizens and to
7 maximize ad valorem tax collections, county clerks shall be responsible for
8 causing the preparation and **distribution**~~[mailing]~~ of a notice of ad valorem
9 taxes due to the January 1 owner, as defined in KRS 186.010(7)(a) and (c), of
10 each motor vehicle **or manufactured home** no later than forty-five (45) days
11 prior to the ad valorem tax and registration renewal due date in each calendar
12 year.

13 (b) When a vehicle **or manufactured home** is transferred in any year before the
14 ad valorem taxes on that vehicle **or manufactured home** have been paid, a
15 notice of taxes due shall be sent within ten (10) working days after the date of
16 transfer or notice of transfer to the owner as of January 1 of that year.

17 (c) When ad valorem taxes on a vehicle **or manufactured home** become
18 delinquent for sixty (60) days, as defined by KRS 134.810, a second notice
19 shall be sent within ten (10) working days to the January 1 owner of record.
20 The notice shall inform the delinquent owner of the lien provisions provided
21 by KRS 134.810 on all vehicles **or manufactured homes** owned or acquired
22 by the owner of the vehicle **or manufactured home** at the time the tax liability
23 arose.

24 (d) ~~The~~~~[These]~~ notices **required under this subsection** shall be calculated,
25 prepared, and **distributed**~~[mailed first class]~~ on behalf of county clerks by
26 ~~the~~ AVIS. **The notices required under this subsection shall be sent by:**

27 **1. Email, if the owner has provided an email address to the**

1 **Transportation Cabinet in AVIS;**

2 **2. Text message, if the owner has provided a mobile phone number to the**

3 **Transportation Cabinet in AVIS; or**

4 **3. First-class mail.**

5 **(e)** Nonreceipt of the notices required **under this subsection**~~herein~~ shall not
6 constitute any defense against applicable penalty, interest, lien fees, or costs
7 recovery.

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

9 (1) Before the owner of a motor vehicle, or street-legal special purpose vehicle as
10 defined in KRS 186.077, may operate it or permit its operation upon a highway, the
11 owner shall apply for registration in accordance with administrative regulations
12 promulgated by the cabinet, except that a person who purchases a motor vehicle, or
13 brings a motor vehicle into the Commonwealth from another state shall make
14 application for registration within fifteen (15) days. The bill of sale or assigned title
15 must be in the motor vehicle during this fifteen (15) day period. If the owner of a
16 motor vehicle is an individual and resides in the Commonwealth, the motor vehicle
17 shall be registered with the county clerk of the county in which he or she resides. If
18 the owner of a motor vehicle does not reside in the Commonwealth, the motor
19 vehicle shall be registered with the county clerk of the county in which the motor
20 vehicle is principally operated. If the owner of a motor vehicle is other than an
21 individual and resides in the Commonwealth, the motor vehicle shall be registered
22 with the county clerk of either county. The application when presented to the
23 county clerk for registration shall be accompanied by:

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

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

- 1 (c) A bill of sale and the previous registration receipt, if last registered in another
2 state where the law of that state does not require the owner of a motor vehicle
3 to obtain a certificate of title or ownership;
- 4 (d) A certificate of title, if last registered in another state where the law of that
5 state requires the owner of a motor vehicle to obtain a certificate of title or
6 ownership;
- 7 (e) An affidavit from an officer of a local government saying that the motor
8 vehicle has been abandoned and that the provisions of KRS 82.630 have been
9 complied with, for local governments which elect to use the provisions of
10 KRS 82.600 to 82.640;
- 11 (f) The application from a person who has brought a motor vehicle into the
12 Commonwealth from another state shall be accompanied by proof that the
13 motor vehicle is insured in compliance with KRS 304.39-080; and
- 14 (g) Proof of insurance in compliance with KRS 186.077 if the application is for
15 the registration of a street-legal special purpose vehicle.
- 16 (2) After that, except as provided in subsection (6) of this section, the owner of any
17 motor vehicle registered under KRS 186.050(1) or (2) shall register his or her motor
18 vehicle on or before the date on which his or her certificate of registration expires.
19 If, before operating the motor vehicle in this state, the owner registers it at some
20 later date and pays the fee for the full year, he or she will be deemed to have
21 complied with the law. Insofar as the owner is concerned, registration with the clerk
22 shall be deemed to be registration with the cabinet.
- 23 (3) After that, the owner of any commercial vehicle registered under KRS 186.050(3)
24 to (14) shall register the commercial vehicle on or before April 1 of each year. If,
25 before operating a commercial vehicle in this state, the owner registers it at some
26 later date and pays the required fee, he or she will be deemed to have complied with
27 the law. Insofar as the owner is concerned, registration with the clerk shall be

1 deemed to be registration with the cabinet, except the owner of any commercial
2 motor vehicle to be registered pursuant to the International Registration Plan under
3 KRS 186.050(13) shall register the commercial motor vehicles on or before the last
4 day of the month of registration established pursuant to KRS 186.051(3).

5 (4) The application and documents presented for registration~~[therewith]~~, including the
6 sheriff's certificate of inspection, shall, along with~~[be affixed to]~~ the Transportation
7 Cabinet copy of the certificate of title or registration, be~~[and]~~ sent to the
8 Transportation Cabinet by the clerk.

9 (5) At least forty-five (45) days prior to the expiration of registration of any motor
10 vehicle previously registered in the Commonwealth as provided by KRS 186A.035,
11 the owner of the vehicle shall be notified~~[by mail]~~ on the same notice required by
12 KRS 134.805(5) of the date of expiration. In addition, the department shall provide
13 appropriate forms and information to permit renewal of motor vehicle registration
14 to be completed by mail. Any registration renewal by mail shall require payment of
15 an additional two dollar (\$2) fee which shall be received by the county clerk.
16 Nonreceipt of the notice under this subsection~~[herein]~~ shall not constitute a defense
17 to any registration related offense.

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

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

26 (b) An individual who meets the criteria in paragraph (a) of this subsection shall
27 not be convicted or cited for driving a vehicle with expired registration within

1 thirty (30) days after the individual's return to the Commonwealth if the
2 individual can provide proof of meeting the eligibility criteria under paragraph
3 (a) of this subsection.

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

10 (7) The provisions of this section shall not apply to vehicles or manufactured homes
11 for which permanent registration has been obtained pursuant to KRS 186A.127.

12 ➔Section 7. KRS 64.012 is amended to read as follows:

13 (1) The county clerk shall receive for the following services the following fees:

14 (a) 1. Recording and indexing of a:

15 a. Deed of trust or assignment for the benefit of creditors;

16 b. Deed;

17 c. Deed of assignment;

18 d. File-stamped copy of documents set forth in KRS 14A.2-040(1) or
19 (2) that have been filed first with the Secretary of State;

20 e. Real estate option;

21 f. Power of attorney;

22 g. Revocation of power of attorney;

23 h. Lease which is recordable by law;

24 i. Deed of release of a mortgage or lien under KRS 382.360;

25 j. United States lien;

26 k. Release of a United States lien;

27 l. Release of any recorded encumbrance other than state liens;

- 1 m. Lis pendens notice concerning proceedings in bankruptcy;
- 2 n. Lis pendens notice;
- 3 o. Mechanic's and artisan's lien under KRS Chapter 376;
- 4 p. Assumed name;
- 5 q. Notice of lien issued by the Internal Revenue Service;
- 6 r. Notice of lien discharge issued by the Internal Revenue Service;
- 7 s. Original, assignment, amendment, or continuation financing
- 8 statement;
- 9 t. Making a record for the establishment of a city, recording the plan
- 10 or plat thereof, and all other service incident;
- 11 u. Survey of a city, or any part thereof, or any addition to or
- 12 extensions of the boundary of a city;
- 13 v. Recording with statutory authority for which no specific fee is set,
- 14 except a military discharge;
- 15 w. Will or other probate document pursuant to KRS Chapter 392 or
- 16 394;
- 17 x. Court ordered name change pursuant to KRS Chapter 401;
- 18 y. Land use restriction according to KRS 100.3681; and
- 19 z. Filing with statutory authority for which no specific fee is set.

20 For all items in this subsection if the entire thereof does not exceed

21 five (5) pages\$33.00

22 And, for all items in this subsection exceeding five (5) pages,

23 for each additional page\$3.00

24 And, for all items in this subsection for each additional reference

25 relating to same instrument\$4.00

26 2. The thirty-three dollar (\$33) fee imposed by this subsection shall be

27 divided as follows:

- 1 (n) Marriage license, indexing, recording, and issuing certificate thereof\$26.50
- 2 (o) Every order concerning the establishment, changing, closing, or
- 3 discontinuing of roads, to be paid out of the county levy when
- 4 the road is established, changed, closed, or discontinued, and by
- 5 the applicant when it is not\$3.00
- 6 (p) Registration of licenses for professional persons required to register
- 7 with the county clerk\$10.00
- 8 (q) Certified copy of any record\$5.00
- 9 Plus fifty cents (\$.50) per page after three (3) pages
- 10 (r) Filing certification required by KRS 65.070(2)(a)\$5.00
- 11 (s) Filing notification and declaration and petition of candidates
- 12 for Commonwealth's attorney.....\$200.00
- 13 (t) Filing notification and declaration and petition of candidates for county
- 14 and independent boards of education\$20.00
- 15 (u) Filing notification and declaration and petition of candidates for
- 16 boards of soil and water conservation districts\$20.00
- 17 (v) Filing notification and declaration and petition of candidates for
- 18 other office\$50.00
- 19 (w) Filing declaration of intent to be a write-in candidate for office\$50.00
- 20 (x) Filing petitions for elections, other than nominating petitions\$50.00
- 21 (y) Notarizing any signature, per signature\$2.00
- 22 (z) Filing bond for receiving bodies under KRS 311.310\$10.00
- 23 (aa) Noting the assignment of a certificate of delinquency and recording
- 24 and indexing the encumbrance under KRS 134.126 or 134.127\$27.00
- 25 (ab) Filing a going-out-of-business permit under KRS 365.445\$50.00
- 26 (ac) Filing a renewal of a going-out-of-business permit under KRS 365.445 \$50.00
- 27 (ad) Filing and processing a transient merchant permit under KRS 365.680 . \$25.00

- 1 (ae) Recording and indexing a real estate mortgage:
- 2 1. For a mortgage that does not exceed thirty (30) pages.....\$63.00
- 3 2. And, for a mortgage that exceeds thirty (30) pages, for each additional
- 4 page\$3.00

- 5 (af) Filing or recording a lien or release of lien by a consolidated local
- 6 government, urban-county government, unified local government, or city of
- 7 any class\$20.00

8 (2) The sixty-three dollar (\$63) fee imposed by subsection (1)(ae) of this section shall
 9 be divided as follows:

- 10 (a) Fifty-seven dollars (\$57) shall be retained by the county clerk; and
- 11 (b) Six dollars (\$6) shall be paid to the affordable housing trust fund established
- 12 in KRS 198A.710 and shall be remitted by the county clerk within ten (10)
- 13 days following the end of the quarter in which the fee was received. Each
- 14 remittance to the affordable housing trust fund shall be accompanied by a
- 15 summary report on a form prescribed by the Kentucky Housing Corporation.

16 (3) (a) For services related to the permanent storage of records listed in paragraphs
 17 (a), (g), (n), and (ae) of subsection (1) of this section, the clerk shall be
 18 entitled to receive a reimbursement of ten dollars (\$10).

19 (b) In counties or a county containing an urban-county government, charter
 20 county government, or unified local government:

- 21 1. This fee shall:
- 22 a. Not be paid annually to the fiscal court under KRS 64.152;
- 23 b. Not be paid to the Finance and Administration Cabinet under KRS
- 24 64.345;
- 25 c. Be accumulated and transferred to the fiscal court or the legislative
- 26 body of an urban-county government on a monthly basis within
- 27 ten (10) days following the end of the month;

- 1 d. Be maintained by the fiscal court or the legislative body of an
2 urban-county government in a separate bank account and
3 accounted for in a separate fund; and
- 4 e. Not lapse to the general fund of the county or urban-county
5 government.
- 6 2. The moneys accumulated from this fee shall be held in perpetuity by the
7 fiscal court or the legislative body of an urban-county government for
8 the county clerk's exclusive use for:
- 9 a. Equipment related to the permanent storage of and access to
10 records, including deed books, binders, shelves, microfilm
11 equipment, and fireproof equipment;
- 12 b. Hardware for the permanent storage of and access to records,
13 including computers, servers, and scanners;
- 14 c. Software for the permanent storage of and access to records,
15 including vendor services and consumer subscription fees;
- 16 d. Personnel costs for the permanent storage of and access to records,
17 including overtime costs for personnel involved in the digitization
18 of records; and
- 19 e. Cloud storage and cybersecurity services for the permanent storage
20 of and access to records.
- 21 3. Notwithstanding KRS 68.275, claims by a county clerk that are for the
22 approved expenditures in subparagraph 2. of this paragraph shall be paid
23 by the county judge/executive or the chief executive officer of an urban-
24 county government by a warrant drawn on the fund and co-signed by the
25 treasurer of the county or urban-county government.
- 26 4. No later than July 1 of each year, each county fiscal court or legislative
27 body of an urban-county government shall submit a report to the

1 Legislative Research Commission detailing the receipts, expenditures,
2 and any amounts remaining in the fund.

3 (c) In a county containing a consolidated local government:

4 1. The fee shall not:

5 a. Be paid to the Finance and Administration Cabinet under KRS
6 64.345; or

7 b. Lapse to the general fund of the consolidated local government.

8 2. The moneys accumulated from this fee shall be held in perpetuity by the
9 county clerk in a separate fund to be used exclusively for:

10 a. Equipment related to the permanent storage of and access to
11 records, including deed books, binders, shelves, microfilm
12 equipment, and fireproof equipment;

13 b. Hardware for the permanent storage of and access to records,
14 including computers, servers, and scanners;

15 c. Software for the permanent storage of and access to records,
16 including vendor services and consumer subscription fees;

17 d. Personnel costs for the permanent storage of and access to records,
18 including overtime costs for personnel involved in the digitization
19 of records; and

20 e. Cloud storage and cybersecurity services for the permanent storage
21 of and access to records.

22 3. No later than July 1 of each year, the county clerk shall submit a report
23 to the consolidated local government and the Legislative Research
24 Commission detailing the receipts, expenditures, and any amounts
25 remaining in the fund.

26 ➔Section 8. KRS 186A.005 is amended to read as follows:

27 As used in this chapter:

- 1 (1) "Approved entity" means:
- 2 (a) A motor vehicle dealer licensed under KRS Chapter 190 that applies to and is
- 3 approved by the Transportation Cabinet to facilitate the title application or
- 4 salvage title application process through the electronic title application and
- 5 registration system;
- 6 (b) A state or federal financial institution chartered under the laws of this state,
- 7 any other state, or the United States as a bank insured by the Federal Deposit
- 8 Insurance Corporation (FDIC), bank holding company, trust company, credit
- 9 union, savings and loan association, or a holding company or service
- 10 corporation subsidiary thereof, or any agent of any of the entities listed in this
- 11 paragraph;
- 12 (c) An owner of a fleet as defined in this section that applies to and is approved
- 13 by the Transportation Cabinet to facilitate renewal of registration or
- 14 maintenance of permanent registration under KRS 186A.127 through the
- 15 electronic title application and registration system; and
- 16 (d) A retailer of manufactured homes, mobile homes, or recreational vehicles, as
- 17 defined in KRS 227.550, that applies to and is approved by the Transportation
- 18 Cabinet to facilitate the title application process through the electronic title
- 19 application and registration system;
- 20 (2) "Cabinet" means the Transportation Cabinet;
- 21 (3) "Electronic title application and registration system" means a system established
- 22 under KRS 186A.017 by which title applications, salvage title applications, title lien
- 23 statements, other supporting documents, signatures, and fees are input and
- 24 transmitted through the title application and registration process in an electronic
- 25 format;
- 26 (4) "Fleet" means:
- 27 (a) A group of at least one hundred fifty (150) U-Drive-It vehicles owned by the

- 1 holder of a U-Drive-It certificate; or
- 2 (b) A group of at least ten (10) nonapportioned commercial motor vehicles owned
- 3 by a company and used for business purposes;~~and~~
- 4 (5) **"Manufactured home" has the same meaning as in KRS 227.550;**
- 5 **(6) "Termination statement" means a statement allowing a lien to be released that is**
- 6 **transmitted by:**
- 7 **(a) A form promulgated by the cabinet through administrative regulations in**
- 8 **accordance with KRS Chapter 13A; or**
- 9 **(b) A letter from a lender that is dated, signed, and notarized, on letterhead with**
- 10 **the name and logo of the lender, that includes the:**
- 11 **1. Name of the owner of the vehicle or manufactured home;**
- 12 **2. Identification number of the vehicle or manufactured home;**
- 13 **3. Filing date of the lien; and**
- 14 **4. Lien file number assigned at the time of the filing of the lien; and**
- 15 **(7) "Title lien statement" means a document or electronic submission, submitted by a**
- 16 secured party or authorized agent, to the cabinet through any county clerk's office in
- 17 the Commonwealth, to note the security interest on the certificate of title, or to
- 18 amend or terminate a security interest on the certificate of title.
- 19 ➔Section 9. KRS 186.045 is amended to read as follows:
- 20 (1) A perfected security interest in a motor vehicle **or manufactured home** that has
- 21 been satisfied by payment in full shall be deemed to have been discharged if one (1)
- 22 or both of the following events has occurred:
- 23 (a) The funds to pay in full and discharge the security interest have been provided
- 24 to the secured party in the form of a cashier's check, certified check, or wire
- 25 transfer; or
- 26 (b) The debt has been paid to a secured party who is no longer in existence or has
- 27 failed to file the necessary documents to discharge the lien.

- 1 (2) If payment in full has been made under subsection (1)(a) of this section, the
2 discharge of the lien shall be made not later than ten (10) days from the receipt of
3 the payment.
- 4 (3) When a security interest has been paid in full and a termination statement, as
5 defined in Section 8 of this Act, or discharge has not been filed, the debtor may
6 petition the Circuit Court in the county of the debtor's residence to order the
7 discharge of the security interest. The debtor shall present written evidence to the
8 Circuit Court that the security interest has been paid in full. If the evidence
9 presented to the Circuit Court proves to the court's satisfaction that the security
10 interest has been paid in full, the court shall order the county clerk to note the
11 termination on the title and to remove the lien from the Automated Vehicle
12 Information System (AVIS). A copy of the court's order shall immediately be sent
13 to the county clerk in the county where the security interest was originally filed and
14 the county clerk shall discharge the security interest and remove the lien
15 information from AVIS in accordance with the provisions of this section.
- 16 (4) Whenever a security interest has been discharged, other than by proceedings under
17 Part 6 of Article 9 of KRS Chapter 355 or similar proceedings, the secured party
18 shall:
- 19 (a) 1. For a security interest perfected prior to January 1, 2025:
- 20 a. Deliver an authenticated termination statement in the manner
21 required by KRS 355.9-513 to the county clerk of the county in
22 which the title lien statement was submitted; or
- 23 b. Have a county clerk from another county submit by fax or other
24 form of electronic communication available and acceptable to both
25 sender and recipient, and verified verbally or by electronically
26 assigned identification as being from the sending clerk, and which
27 is able to be copied to an electronic or paper file, on that county

1 clerk's letterhead, an authenticated termination statement in the
2 manner required by KRS 355.9-513 to the county clerk of the
3 county in which the title lien statement was submitted. The county
4 clerk, upon receipt of the authenticated termination statement in
5 the manner prescribed under this paragraph, shall verify the
6 legitimacy of the document; or

- 7 2. For a security interest perfected on or after January 1, 2025, submit an
8 authenticated termination statement to a county clerk in the same
9 manner as a title lien statement under KRS 186A.195; and
- 10 (b) Deliver a copy of the termination statement to the debtor or the debtor's
11 transferee.

12 For failure to file the termination statement within the allowable time, the secured
13 party shall be subject to the penalty provided in KRS 186.990(1). Except as
14 provided in subsection (3) of this section, within five (5) days after the receipt of
15 these documents, the county clerk shall enter the filing into the system of record.
16 The county clerk shall then file the termination statement in the place from which
17 the title lien statement was removed. Termination statements shall be retained in the
18 clerk's files for a period of two (2) years subsequent to the date of filing a statement,
19 at which time they may be destroyed. The fee for these services are included in the
20 provisions of KRS 186A.190.

- 21 (5) Upon presentation of an owner's title showing a security interest to the county clerk
22 of a county where the termination statement was not delivered, the county clerk
23 shall access AVIS~~[the automated system]~~ to determine whether a record of
24 termination of the security interest has been entered into AVIS~~[the automated~~
25 ~~system]~~ by the county clerk where the termination statement was delivered by the
26 secured party as provided in KRS 186A.210. If a record of termination has been
27 entered into AVIS~~[the automated system]~~, the county clerk of the county where the

1 termination statement was not delivered shall note the discharge of the security
2 interest on the certificate of title by noting that the termination statement has been
3 delivered, the county where it was delivered, and placing the seal of the county
4 clerk thereon and may rely on AVIS~~[the automated system]~~ to do so. If a record of
5 termination has not been entered into AVIS~~[the automated system]~~, the county clerk
6 of the county other than where the termination statement was delivered shall not
7 make any notation upon the certificate of title that the security interest has been
8 discharged or that a termination statement has been delivered to the county where
9 the title lien statement was submitted.

- 10 (6) Whenever any secured party repossesses a vehicle or manufactured home titled in
11 Kentucky, for which a security interest is in existence at the time of repossession,
12 and disposes of the vehicle or manufactured home pursuant to the provisions of
13 KRS Chapter 355, the secured party shall present, within fifteen (15) days after the
14 disposition, the vehicle's license plate if the plate has not been retained by the
15 previous owner, an affidavit in a form prescribed by the department, proof of
16 notification of all interested parties pursuant to KRS 186A.190 and 355.9-611, and
17 a termination statement or proof that a termination statement has been filed. The
18 new owner shall pay to the county clerk all applicable fees for titling and
19 transferring the vehicle or manufactured home into his or her name. Upon receipt
20 of the documents, the county clerk who issued the lien shall then omit from the new
21 title application any information relating to the security interest under which the
22 vehicle or manufactured home was repossessed or any security interest subordinate
23 thereto. However, any security interest, as shown by the title which is superior to
24 the one under which the vehicle or manufactured home was repossessed, shall be
25 shown on the title issued by the clerk unless the prior secured party has discharged
26 the security interest in the clerk's office or proof of termination is submitted, if the
27 prior security interest was discharged in another clerk's office.

- 1 (7) Whenever any vehicle or manufactured home brought into Kentucky is required to
2 be titled and the vehicle or manufactured home is then subject to a security interest
3 in another state as shown by the out-of-state documents presented to the clerk, the
4 county clerk is prohibited from processing the application for title on the vehicle or
5 manufactured home unless the owner obtains from the secured party a financing
6 statement or title lien statement and presents same to the clerk along with the fees
7 required in KRS 186A.190. The clerk shall note the out-of-state security interest on
8 the certificate of title. This provision does not apply to vehicles required to be
9 registered in Kentucky under forced registration provisions under KRS 186.145.
- 10 (8) The fees provided for in this section are in addition to any state fee provided for by
11 law.
- 12 (9) Any person violating any provision of this section or any person refusing to
13 surrender a certificate of title registration and ownership or transfer certificate upon
14 request of any person entitled thereto, is subject to the penalties provided in
15 subsection (1) of KRS 186.990.
- 16 (10) The county clerk is prohibited from noting any security interest on a certificate of
17 title on any vehicle or manufactured home subject to the provisions of KRS
18 Chapter 186A if a certificate of title therefor is presented to the clerk which has all
19 the spaces provided thereon for noting security interests fully exhausted. The owner
20 is responsible for ensuring that a discharge is noted on the certificate of title for
21 each security interest and then a duplicate title as provided for in KRS 186A.180
22 shall be obtained from the clerk by the owner of the vehicle or manufactured
23 home.
- 24 (11) Security interests in vehicles or manufactured homes sold to or owned by residents
25 of other states shall be perfected in the state of the nonresident and repossession of
26 the vehicle or manufactured home shall be taken pursuant to the laws of that state,
27 unless:

- 1 (a) 1. The vehicle is principally operated in Kentucky; or
 2 2. *The manufactured home is located in Kentucky;*
 3 (b) The vehicle or manufactured home is properly titled in Kentucky under KRS
 4 Chapter 186A; and
 5 (c) The security interest is authorized to be noted on the certificate of title by the
 6 county clerk under KRS Chapter 186A.

7 (12) A county clerk who accepts an authenticated termination statement and complies
 8 with the verification requirements of subsection (4)(a)1.b. of this section shall be
 9 held harmless from any liability arising from fraudulent termination statements.

10 **(13) Any active lien that is recorded in AVIS on the effective date of this section if this**
 11 **Act shall not be considered to be stripped because of the county status.**

12 ➔Section 10. KRS 186A.200 is amended to read as follows:

13 (1) With respect to a vehicle or manufactured home previously titled in the name of its
 14 debtor, the secured party shall, within thirty (30) days after execution of the security
 15 agreement, submit a title lien statement in accordance with KRS 186A.195.

16 ~~(2) [For failure to present the title lien statement within the time prescribed by~~
 17 ~~subsection (1) of this section, the secured party shall pay a penalty of two dollars~~
 18 ~~(\$2) to the county clerk as a prerequisite for noting the security interest on the title.~~

19 ~~(3) [The county clerk shall enter the information required by KRS 186A.190(9) into the~~
 20 ~~system of record established under KRS 186A.195, enabling the cabinet to record~~
 21 ~~the lien in the system of record and produce a title.~~

22 ➔SECTION 11. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
 23 READ AS FOLLOWS:

24 **(1) In addition to any payment method authorized by law and notwithstanding any**
 25 **statute to the contrary, a county clerk may accept the following methods of**
 26 **payment to collect taxes, state fees, and county clerk fees under this chapter and**
 27 **KRS Chapters 138 and 186A:**

- 1 (a) Credit card;
- 2 (b) Debit card;
- 3 (c) Electronic check;
- 4 (d) Automated clearinghouse (ACH) debit; or
- 5 (e) Any other electronic payment method upon the prior written approval of
6 both the Finance and Administration Cabinet and the State Treasurer.
- 7 (2) (a) Any fees charged to a county clerk by the provider of the payment services
8 listed in subsection (1) of this section shall be deemed to represent collection
9 expenses and may be considered normal operating expenses of the county
10 clerk, or the county clerk may collect convenience fees from users to recover
11 their costs of delivering services.
- 12 (b) Any fee that is charged by a county clerk pursuant to this section shall, as to
13 the payor, be deemed an additional amount of the taxes, state fees, and
14 county clerk fees collected and not a collection expense, separate fee, or
15 separate charge.
- 16 (3) In addition to any payment method authorized by law and notwithstanding any
17 statute to the contrary, a county clerk may pay internal clerk's office accounts,
18 the Transportation Cabinet, other state agencies, and taxing districts using
19 automated clearinghouse (ACH) debit.

20 ➔Section 12. KRS 186.230 is amended to read as follows:

21 The county clerk shall see that KRS 186.005 to 186.260~~[in his county]~~ are enforced. In
22 so doing, the clerk~~[he]~~ shall:

- 23 (1) Take all applications as provided in KRS 186.005 to 186.260;
- 24 (2) Issue the receipts on blanks furnished by the cabinet;
- 25 (3) Collect the fees due the state;
- 26 (4) Distribute the registration plates furnished by the Transportation Cabinet and
27 Department of Vehicle Regulation and keep a complete public record of all

1 registrations for the[his] county[,] in the clerk's[his] office;

2 (5) (a) Report and remit each Monday to the Transportation Cabinet all moneys
3 collected during the previous week, together with an electronic copy[a
4 duplicate] of all receipts issued by the clerk[him] during the same period. The
5 clerk[He] shall make all forms of payment[checks] payable to the State
6 Treasurer.

7 (b) If[Unless] the clerk fails to file the report and remit the moneys required
8 under this subsection[forwards duplicates of all receipts issued by him during
9 the reporting period with his report and remits the amount shown due by the
10 report] within seven (7) days after the report and remittance are due, the
11 clerk[he] shall pay a penalty of one percent (1%) per month or fraction
12 thereof on the amount of money shown to be due on the report.

13 (c) The cabinet may[in its discretion] grant a county clerk an[a reasonable]
14 extension of up to ten (10) days[time] to file the[his] report and remit all
15 moneys[not to exceed ten (10) days for any one (1) report]. The extension[
16 however] must be requested prior to the end of the seven (7) day period and
17 shall begin to run at the end of that[said] period.

18 (d) All penalties collected under this subsection[provision] shall be paid into the
19 State Treasury as a part of the revenue collected under KRS 186.005 to
20 186.260;

21 (6)[The clerk shall mail to the Transportation Cabinet one (1) duplicate of all receipts
22 issued by him within two (2) weeks of the date of issuance. The Transportation
23 Cabinet shall make the receipts pertaining to commercial vehicles available to the
24 Department of Vehicle Regulation for use in assimilating data therefrom;

25 (7) Account to the Transportation Cabinet for all registration plates and receipt forms
26 consigned to the clerk[him], at such time or times as the Transportation Cabinet
27 may direct, and give the appropriate cabinet timely notice of a probable deficiency

1 of plates or other supplies;

2 ~~(7)~~⁽⁸⁾ **Place a lien on any vehicle or manufactured home for which the**~~[Any]~~
 3 county clerk,~~[who]~~ in collecting the taxes and fees due the state or county clerk,
 4 accepts in payment~~[thereof]~~ a check which is not honored upon presentment. **The**~~[,~~
 5 ~~shall have a]~~ lien on the vehicle **or manufactured home under this subsection shall**
 6 **be** for the amount of **the**~~[such]~~ check. **A**~~[This]~~ lien **under this subsection** shall be
 7 subordinate to any prior perfected lien, either contractual or statutory;

8 ~~(8)~~⁽⁹⁾ **Not permit a**~~[No]~~ person~~[shall be permitted]~~ to sell, trade, or transfer
 9 ownership of a motor vehicle **or manufactured home** if evidence is presented to the
 10 county clerk that any lien exists on the motor vehicle **or manufactured home**; and

11 ~~(9)~~⁽¹⁰⁾ ~~[The county clerk shall]~~Not issue to any manufacturer or dealer any
 12 registration plate other than a manufacturer's or dealer's plate, or registration plate
 13 which is under a dealer assignment pursuant to KRS 186A.230, except when the
 14 dealer registers a motor vehicle under a U-Drive-It permit, without collecting
 15 designated registration fees and applicable taxes.

16 ➔Section 13. KRS 138.464 is amended to read as follows:

17 (1) The county clerk shall report each Monday to the department all moneys collected
 18 during the previous week~~[, together with a duplicate of all receipts issued by him~~
 19 ~~during the same period].~~

20 (2) ~~[(a) For collections prior to August 1, 2010,]~~The clerk shall deposit motor vehicle
 21 **and manufactured home** usage tax and sales and use tax collections **in accordance**
 22 **with**~~[not later than the next business day following receipt in a Commonwealth of~~
 23 ~~Kentucky, department account in a bank designated as a depository for state funds.~~
 24 ~~The clerk may be required to then cause the funds to be transferred from the local~~
 25 ~~depository bank to the State Treasury in whatever manner and at times prescribed~~
 26 ~~by the commissioner of the department or his designee.~~

27 ~~(b) For collections on or after August 1, 2010, the provisions of] KRS 131.155[shall~~

1 apply].

2 (3) ~~Failure to forward duplicates of all receipts issued during the reporting period or~~
 3 ~~failure to file the weekly report of moneys collected within seven (7) working days~~
 4 ~~after the report is due shall subject the clerk to a penalty of two and one-half percent~~
 5 ~~(2.5%) of the amount of moneys collected during the reporting period for each~~
 6 ~~month or fraction thereof until the documents are filed.~~

7 (4) Failure to deposit or, if required, transfer collections as required ***in subsection (2)***
 8 ***of this section*** ~~above~~ shall subject the clerk to a penalty of two and one-half
 9 percent (2.5%) of the amount not deposited or, if required, not transferred for each
 10 day until the collections are deposited or transferred as required above. The penalty
 11 for failure to deposit or transfer money collected shall not be less than fifty dollars
 12 (\$50) nor more than five hundred dollars (\$500) per day.

13 (4) ~~(5)~~ The penalties provided in this section shall not apply if the failure of the clerk
 14 is due to reasonable cause.

15 (5) ~~(6)~~ The department may in its discretion grant a county clerk a reasonable
 16 extension of time to file ~~the~~ ***his*** report or make any transfer of deposits as required
 17 ***in subsection (2) of this section*** ~~above~~. The extension, however, must be requested
 18 prior to the end of the seven (7) day period and shall begin to run at the end of said
 19 period.

20 (6) ~~(7)~~ All penalties collected under this ***section*** ~~provision~~ shall be paid into the
 21 State Treasury as a part of the revenue collected under KRS 138.450 to 138.729 and
 22 139.778.

23 ➔Section 14. KRS 186A.035 is amended to read as follows:

24 (1) (a) Except for vehicles described in paragraph (b) of this subsection, all motor
 25 vehicles, including motorcycles, with a gross vehicular weight of ten thousand
 26 (10,000) pounds or less, first registered, or for which the registration is
 27 renewed, shall be placed in a system of year-round registration based upon the

1 birth date of the owner, in order to distribute the work of registering motor
2 vehicles as uniformly as practicable throughout the twelve (12) months of the
3 year.

4 (b) Owners of the following motor vehicles may elect to register these vehicles on
5 an annual registration schedule of April 1 to March 31:

- 6 1. Farm vehicles registered under KRS 186.050(4); or
- 7 2. Motor vehicles with a gross vehicular weight of ten thousand (10,000)
8 pounds or less that are owned by a business.

9 (2) (a) If the owner of a motor vehicle is other than an individual, the month in which
10 the owning entity came into being shall be used for purposes of this section.

11 (b) Except for motor vehicles jointly owned~~[by spouses]~~ under paragraph (c) of
12 this subsection, if a motor vehicle is jointly owned:

- 13 1. One (1) of the owners, who is a resident of Kentucky, shall be identified
14 as the designated owner;
- 15 2. The designated owner shall indicate to the county clerk his or her birth
16 date to be used for purposes of this section;~~[and]~~
- 17 3. If the circumstances of ownership change and the designated owner is
18 no longer an owner of the motor vehicle or no longer a resident of
19 Kentucky, another owner may title the motor vehicle in his or her name
20 if that owner is a resident of Kentucky. If none of the remaining owners
21 are a resident of Kentucky, one (1) of the owners shall title the vehicle
22 in that owner's state of residence; and

23 **4. Joint owners under this paragraph may designate that the title will**
24 **transfer upon death of another owner. Upon the death of one (1) of**
25 **the owners, the jointly owned vehicle or manufactured home shall**
26 **transfer to the surviving owner free from payment of a title application**
27 **fee. The surviving owner shall include a copy of the death certificate**

1 *with the application for a new title. If the surviving owner wishes to*
 2 *obtain a printed copy of the title, the owner shall apply to the county*
 3 *clerk and pay the fee for a printed title in Section 4 of this Act.*

4 (c) If a motor vehicle *or manufactured home* is jointly owned by a married
 5 couple, the ownership shall exist as a joint tenancy with right of survivorship,
 6 unless the registration expressly states to the contrary and gives an alternative
 7 specific status. One (1) of the owners shall indicate to the county clerk his or
 8 her birth date to be used for purposes of this section. Upon the death of one
 9 (1) of the spouses, the jointly-owned vehicle *or manufactured home* shall
 10 transfer to the surviving spouse free from payment of *a title application*
 11 *fee*~~[any state required transfer fees]~~. The surviving spouse shall include a
 12 copy of the death certificate with the application for a new title. *If the*
 13 *surviving spouse wishes to obtain a printed copy of the title, the owner shall*
 14 *apply to the county clerk and pay the fee for a printed title in Section 4 of*
 15 *this Act.*

16 (d) A certificate of title:

17 1. May bear the connector "AND" to designate joint ownership. If the
 18 "AND" connector is used, the signatures of all owners shall be required
 19 to transfer the certificate of title;

20 2. May bear the connector "OR" to designate joint ownership. If the "OR"
 21 connector is used, the signature of only one (1) owner shall be required
 22 to transfer the certificate of title; and

23 3. Shall not bear the connector "AND/OR" to designate joint ownership. If
 24 a title produced prior to June 27, 2025, bears the connector "AND/OR,"
 25 the cabinet and the county clerk shall follow the procedures in
 26 subparagraph 1. of this paragraph in transferring the certificate of title,
 27 unless directed otherwise by a court.

- 1 (3) The certificate of registration and license plate issued for a motor vehicle first
2 registered, renewed, or titled in this state shall be valid until the expiration date on
3 the registration receipt, unless revoked in accordance with KRS 186A.040 or
4 canceled by the cabinet in accordance with KRS Chapter 186 or this chapter. Any
5 transaction relating to registration or registration renewal which would cause an
6 unexpired Kentucky motor vehicle license plate to be surrendered shall have that
7 unexpired fee prorated or credited against any additional fee required by a
8 subsequent registration.
- 9 (4) Except for vehicles registered under subsection (1)(b) of this section, KRS 186.041,
10 186.042, and 186.162 that have a specified, universal expiration date, after a motor
11 vehicle has been initially placed in the system of year-round registration, the owner
12 shall renew the registration annually during the owner's birth month, either by
13 making application to the county clerk or on the cabinet's website, and paying the
14 fee required for twelve (12) consecutive months of registration, which shall take
15 effect on the first day of the month succeeding the owner's birth month and shall
16 expire on the last day of the owner's next birth month. The county clerk shall collect
17 the fees set forth in KRS 186.040(1) and (6) for each renewal.
- 18 (5) At least forty-five (45) days prior to the expiration of the registration of any motor
19 vehicle previously registered in the Commonwealth as provided by subsection (1)
20 of this section, the owner of the vehicle shall be notified~~[by mail or email]~~ on the
21 same notice required by KRS 134.805(5) of the date of expiration. Nonreceipt of
22 the notice required by this subsection shall not constitute a defense to any
23 registration-related offense.
- 24 (6) Any owner who fails to renew the registration of a motor vehicle during the month
25 in which the previous registration expired shall, if he or she applies for renewal of
26 the registration in some later month, pay the same fees that would have been
27 required if the registration had been renewed in the month which the previous

1 registration expired, and, if applicable, the reinstatement fee for a cancelled
2 registration required under KRS 186.040.

3 (7) Fees which must be prorated in carrying out the intent of this section shall be
4 prorated on the basis of twelfths of the annual registration fee. Any vehicle or
5 manufactured home which is registered at any time during a month shall pay the
6 fee required for that whole month plus any additional months of registration
7 purchased consistent with the intent of the section.

8 (8) The county clerk shall ensure that the certificate of registration issued to an owner
9 displays the month and year in which the registration period begins and the month
10 and year of its expiration, and shall issue to the owner a decal or decals
11 corresponding to the month and year of expiration shown in the certificate of
12 registration which shall be placed upon the corresponding license plate by the
13 owner in the manner required by administrative regulations of the Department of
14 Vehicle Regulation.

15 ➔Section 15. KRS 186A.060 is amended to read as follows:

16 (1) The Department of Vehicle Regulation is directed to develop, in cooperation with
17 county clerks, auto dealers, manufactured home retailers, and the Department of
18 Revenue, Department of Insurance, and Department of Kentucky State Police, the
19 forms required to record all information pertinent to the registration, titling, and
20 taxation of a vehicle or manufactured home.

21 (2) The Department of Vehicle Regulation shall make every effort to minimize and
22 reduce the amount of paperwork required to apply for, or transfer, a vehicle or
23 manufactured home title. When possible, the title document itself shall be used as
24 the primary form used to effect a transfer of vehicle or manufactured home
25 ownership. The title document shall contain space exclusively reserved for a
26 minimum of two (2) dealer assignments.

27 (3) When no in-state title exists, forms shall be designed by the department that require

1 only the appropriate and essential information to effect the application for title.

- 2 (4) (a) The department shall constantly review the information needs of government
3 agencies and other organizations with the goal of reducing or eliminating
4 unnecessary documentation. Information being sought for application for title
5 relevant to, but not limited to, vehicle ***or manufactured home*** identification,
6 owner, buyer, usage tax, county clerk, or inspector shall be set forth by the
7 cabinet in such a way as to promote flexibility in reaching this goal.
- 8 (b) Subject to the limitations of paragraph (c) of this subsection, an applicant for a
9 motor vehicle title shall be required to provide his or her Kentucky operator's
10 license number, Kentucky personal identification card number, or Social
11 Security number as part of the application process.
- 12 (c) If a motor vehicle is jointly owned, one (1) of the owners, who is a resident of
13 Kentucky, shall be identified as the designated owner, and only the designated
14 owner shall be required to provide his or her Kentucky operator's license
15 number, Kentucky personal identification card number, or Social Security
16 number as part of the application process.
- 17 (d) Any vehicle ***or manufactured home*** owned by a business that is licensed by
18 the Secretary of State shall be titled and registered using a Federal Employer
19 Identification Number.
- 20 (e) An applicant for a motor vehicle registration shall be required to provide his
21 or her Kentucky operator's license, ***Kentucky personal identification card***, or
22 Social Security number as part of the application process.
- 23 (f) ***An applicant for a manufactured home registration shall be required to***
24 ***provide his or her Kentucky operator's license, Kentucky personal***
25 ***identification card, Social Security number, or any identification***
26 ***permissible by federal law for a lender to make a loan on a manufactured***
27 ***home under federal and state home lending laws.***

1 (g) If a motor vehicle has situs and is principally operated in Kentucky, and the
2 owner does not reside in the Commonwealth, the motor vehicle shall be
3 registered with the owner's Social Security number and out-of-state operator's
4 license number.

5 (5) The use of an electronic medium shall be employed so that forms can be printed by
6 the automated system. Existing statutory language in this chapter and KRS Chapter
7 186 pertaining to application, signature, forms, or application transfer record may
8 be construed to be electronic in nature at the discretion of the cabinet as provided
9 for by administrative regulation.

10 (6) Any person who knowingly enters, or attests to the entry of, false or erroneous
11 information in pursuit of a certificate of title shall be guilty of forgery in the second
12 degree.

13 ➔Section 16. KRS 186.077 is amended to read as follows:

14 (1) As used in this section:

15 (a) "Local government" means a city, county, charter county government, urban-
16 county government, consolidated local government, or unified local
17 government;

18 (b) 1. "Special purpose vehicle" means an all-terrain vehicle, utility terrain
19 vehicle, minitruck, pneumatic-tired military vehicle, or full-size special
20 purpose-built vehicle, including a vehicle that is self-constructed or built
21 by the original equipment manufacturer and a vehicle that has been
22 modified.

23 2. "Special purpose vehicle" does not include a low-speed vehicle as
24 defined in KRS 186.010; and

25 (c) 1. "Street-legal special purpose vehicle" means a special purpose vehicle
26 that meets the requirements of this section and is equipped with all of
27 the following:

- 1 a. One (1) or more headlamps;
- 2 b. One (1) or more tail lamps;
- 3 c. One (1) or more brake lamps;
- 4 d. A trail lamp or other lamp constructed and placed to illuminate the
- 5 registration plate with a white light;
- 6 e. One (1) or more red reflectors on the rear of the vehicle;
- 7 f. An amber electric turn system, one (1) on each side of the front of
- 8 the vehicle;
- 9 g. Amber or red electric turn signals on the rear of the vehicle;
- 10 h. A braking system, other than a parking brake;
- 11 i. A horn or other warning device;
- 12 j. A working muffler;
- 13 k. Rearview mirrors on the right and left side of the driver;
- 14 l. A windshield, unless the operator of the vehicle wears eye
- 15 protection while operating the vehicle;
- 16 m. A speedometer, illuminated for nighttime operation;
- 17 n. A roll bar or roll cage;
- 18 o. For multi-passenger vehicles, a seatbelt assembly that conforms to
- 19 the federal motor vehicle safety standard provided in 49 C.F.R.
- 20 sec. 571.209 for each designated seating position; and
- 21 p. Tires that have at least two thirty-seconds ($2/32$) of an inch or
- 22 greater tire tread.
- 23 2. "Street-legal special purpose vehicle" does not include a low-speed
- 24 vehicle as defined in KRS 186.010 or a vehicle primarily used for farm
- 25 or agricultural activities.
- 26 (2) A person shall not operate a street-legal special purpose vehicle on a highway if:
- 27 (a) The highway is located within the jurisdictional boundaries of a local

- 1 government where the operation of special purpose vehicles has not been
2 allowed by local ordinance;
- 3 (b) The highway is a controlled-access system, including but not limited to an
4 interstate or parkway; or
- 5 (c) The United States Department of Agriculture prohibits special purpose
6 vehicles where the highway is located.
- 7 (3) Nothing in this section authorizes the operation of a street-legal special purpose
8 vehicle in an area that is not open to motor vehicle use.
- 9 (4) Street-legal special purpose vehicles are prohibited from traveling a distance greater
10 than twenty (20) miles on a highway displaying centerline pavement markings.
- 11 (5) Minitrucks shall not be operated as street-legal special purpose vehicles on a
12 highway that has been constructed pursuant to a federal highway program.
- 13 (6) Except as otherwise provided in this section, a street-legal special purpose vehicle
14 shall:
- 15 (a) Be registered in accordance with KRS 186.020;
- 16 (b) Be insured by the owner or operator for the payment of tort liabilities in the
17 same form and amounts as set forth in KRS 304.39-110 for motorcycles; and
- 18 (c) Comply with all other requirements in this chapter.
- 19 (7) Upon registration of any street-legal special purpose vehicle under KRS 186.020,
20 the county clerk shall issue the owner a motorcycle registration plate for the
21 vehicle.
- 22 (8) Street-legal special purpose vehicles shall have an inspection completed by a
23 certified inspector as required by KRS 186A.115.
- 24 (9) An applicant renewing his or her registration for a street-legal special purpose
25 vehicle pursuant to KRS 186.020 shall ***be considered to have certified***~~certify~~ that
26 the street-legal special purpose vehicle still meets all of the equipment requirements
27 in subsection (1)(c)1. of this section.

1 (10) The Transportation Cabinet shall promulgate administrative regulations in
2 accordance with KRS Chapter 13A to implement this section.

3 ➔Section 17. KRS 186.170 is amended to read as follows:

4 (1) (a) Except as provided in this subsection and KRS 186A.127 and 186.045, the
5 owner shall have the receipt issued by the cabinet through the county clerk
6 constantly in his possession, and shall display the registration plate
7 conspicuously upon the rear of the motor vehicle, except that the registration
8 plate upon a semitrailer-tractor shall be displayed upon the front of the tractor.

9 (b) The owner's copy, or a reproduced copy thereof, of the registration receipt of
10 every motor vehicle, except motorcycles, licensed under KRS 186.050 shall
11 be kept in the vehicle at all times and shall be available for inspection.

12 (c) Plates shall be kept legible at all times and the rear plate shall be illuminated
13 when being operated during the hours designated in KRS 189.030. No rim,
14 frame, or other covering around the plate shall in any way obscure or cover
15 any lettering or decal on the plate~~]; except that, any owner who objects to the~~
16 ~~display of a trademark of a private corporation which appears on the~~
17 ~~registration plate shall be entitled to receive a set of decals from the county~~
18 ~~clerk in his or her county of residence to cover the trademark of the private~~
19 ~~corporation. The owner may apply for the decal by presenting his or her~~
20 ~~certificate of registration either at the time of registration renewal or later. The~~
21 ~~county clerk shall charge a three dollar (\$3) clerk's fee for issuing the decal~~
22 ~~set if it is applied for a time other than at registration renewal].~~

23 (d) If the cabinet has prescribed that plates shall continue in use, it shall each
24 year, in addition to the registration receipt, select and give to the owner as
25 further evidence of registration some insignia which may conveniently be
26 attached permanently and conspicuously to the motor vehicle during each
27 registration year. It shall be the duty of the owner to attach the insignia in the

1 prescribed manner and no person may operate a motor vehicle unless the
2 insignia is affixed upon it. The cabinet shall have placed on the insignia either
3 figures, letters, writing, marks, or a combination thereof, which indicate that
4 the motor vehicle has been registered and which in conjunction with the
5 records of the cabinet make identity of the registrant readily ascertainable.

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

8 (3) At the discretion of the vehicle owner, the title to a motor vehicle may be held in
9 the system and subsequently printed and mailed to the owner at the owner's request.

10 ➔Section 18. KRS 235.066 is amended to read as follows:

11 At least thirty (30) days prior to the expiration of registration of any motorboat previously
12 registered in the Commonwealth as provided by KRS 235.070, the owner of the
13 motorboat shall be notified~~[by mail]~~ on the same notice required by KRS 134.805(5) of
14 the date of expiration. In addition, the Transportation Cabinet shall provide appropriate
15 forms and information to permit renewal of motorboat registration to be completed by
16 mail. Any registration renewal by mail shall require payment of an additional two dollars
17 (\$2) fee which shall be received by the county clerk. Nonreceipt of the notice herein shall
18 not constitute a defense to any registration related offense.

19 ➔Section 19. KRS 142.010 is amended to read as follows:

20 (1) The following taxes shall be paid:

21 (a) A tax of four dollars and fifty cents (\$4.50) on each marriage license;

22 (b) A tax of four dollars (\$4) on each power of attorney to convey real or personal
23 property;

24 (c) A tax of four dollars (\$4) on each mortgage, financing statement, or security
25 agreement and on each notation of a security interest on a certificate of title
26 under KRS 186A.190;

27 (d) A tax of four dollars (\$4) on each conveyance of real property; and

- 1 (e) A tax of four dollars (\$4) on each lien or conveyance of coal, oil, gas, or other
2 mineral right or privilege.
- 3 (2) The tax imposed by this section shall be collected by each county clerk as a
4 prerequisite to the issuance of a marriage license or the original filing of an
5 instrument subject to the tax. Subsequent assignment of the original instrument
6 shall not be cause for additional taxation under this section. This section shall not
7 be construed to require any tax upon a deed of release of a lien retained in a deed or
8 mortgage.
- 9 (3) **(a) Except as provided in paragraph (b) of this subsection,** taxes imposed under
10 this section shall be reported and paid to the Department of Revenue by each
11 county clerk within ten (10) days following the end of the calendar month in
12 which instruments subject to tax are filed or marriage licenses issued. Each
13 remittance shall be accompanied by a summary report on a form prescribed by
14 the department.
- 15 **(b) The tax on the notation of a security interest on a certificate of title under**
16 **KRS 186A.190 shall be reported and paid through AVIS and the electronic**
17 **title application and registration system established under KRS 186A.017, in**
18 **accordance with the procedures set forth in Section 12 of this Act.**
- 19 (4) Any county clerk who violates any of the provisions of this section shall be subject
20 to the uniform civil penalties imposed pursuant to KRS 131.180. In every case, any
21 tax not paid on or before the due date shall bear interest at the tax interest rate as
22 defined in KRS 131.010(6) from the date due until the date of payment.
- 23 (5) (a) One dollar (\$1) of the amount collected under each paragraph of subsection
24 (1) of this section shall be placed in an agency fund in the Department for
25 Libraries and Archives to be used exclusively for the purpose of preserving
26 and retaining public records by continuing the local records grant program
27 active in the Department for Libraries and Archives.

1 (b) Ninety percent (90%) of all funds allocated to the Department for Libraries
2 and Archives under paragraph (a) of this subsection for the local records grant
3 program shall be set aside for grants to county clerks and distributed annually,
4 except as provided in paragraph (c) of this subsection.

5 (c) If there are insufficient grant applications from county clerks for the
6 Department for Libraries and Archives to distribute ninety percent (90%) of
7 all funds allocated under paragraph (a) of this subsection, the Department for
8 Libraries and Archives may grant those funds to other agencies.

9 ➔Section 20. KRS 189.010 is amended to read as follows:

10 As used in this chapter:

11 (1) "Department" means the Department of Highways;

12 (2) "Crosswalk" means:

13 (a) That part of a roadway at an intersection within the connections of the lateral
14 lines of the sidewalks on opposite sides of the highway measured from the
15 curbs or in the absence of curbs, from the edges of the traversable roadway; or

16 (b) Any portion of a roadway at an intersection or elsewhere distinctly indicated
17 for pedestrian crossing by lines or other markings on the surface;

18 (3) "Highway" means any public road, street, avenue, alley or boulevard, bridge,
19 viaduct, or trestle and the approaches to them and includes private residential roads
20 and parking lots covered by an agreement under KRS 61.362, off-street parking
21 facilities offered for public use, whether publicly or privately owned, except for-
22 hire parking facilities listed in KRS 189.700;

23 (4) "Intersection" means:

24 (a) The area embraced within the prolongation or connection of the lateral curb
25 lines, or, if none, then the lateral boundary lines of the roadways of two (2)
26 highways which join one another, but do not necessarily continue, at
27 approximately right angles, or the area within which vehicles traveling upon

- 1 different highways joining at any other angle may come into conflict; or
- 2 (b) Where a highway includes two (2) roadways thirty (30) feet or more apart,
3 then every crossing of each roadway of such divided highway by an
4 intersecting highway shall be regarded as a separate intersection. If the
5 intersecting highway also includes two (2) roadways thirty (30) feet or more
6 apart, every crossing of two (2) roadways of the highways shall be regarded as
7 a separate intersection. The junction of a private alley with a public street or
8 highway shall not constitute an intersection;
- 9 (5) "Manufactured home" has the same meaning as defined in KRS 186.650;
- 10 (6) "Motor truck" means any motor-propelled vehicle designed for carrying freight or
11 merchandise. It shall not include self-propelled vehicles designed primarily for
12 passenger transportation but equipped with frames, racks, or bodies having a load
13 capacity of not exceeding one thousand (1,000) pounds;
- 14 (7) "Operator" means the person in actual physical control of a vehicle;
- 15 (8) "Pedestrian" means any person afoot or in a wheelchair;
- 16 (9) "Right-of-way" means the right of one (1) vehicle or pedestrian to proceed in a
17 lawful manner in preference to another vehicle or pedestrian approaching under
18 such circumstances of direction, speed, and proximity as to give rise to danger of
19 collision unless one grants precedence to the other;
- 20 (10) "Roadway" means that portion of a highway improved, designed, or ordinarily used
21 for vehicular travel, exclusive of the berm or shoulder. If a highway includes two
22 (2) or more separate roadways, the term "roadway" as used herein shall refer to any
23 roadway separately but not to all such roadways collectively;
- 24 (11) "Safety zone" means the area or space officially set apart within a roadway for the
25 exclusive use of pedestrians and which is protected or is so marked or indicated by
26 adequate signs as to be plainly visible at all times while set apart as a safety zone;
- 27 (12) "Semitrailer" means a vehicle designed to be attached to, and having its front end

- 1 supported by, a motor truck or truck tractor, intended for the carrying of freight or
2 merchandise and having a load capacity of over one thousand (1,000) pounds;
- 3 (13) "Truck tractor" means any motor-propelled vehicle designed to draw and to support
4 the front end of a semitrailer. The semitrailer and the truck tractor shall be
5 considered to be one (1) unit;
- 6 (14) "Sharp curve" means a curve of not less than thirty (30) degrees;
- 7 (15) "State Police" includes any agency for the enforcement of the highway laws
8 established pursuant to law;
- 9 (16) "Steep grade" means a grade exceeding seven percent (7%);
- 10 (17) "Trailer" means any vehicle designed to be drawn by a motor truck or truck-tractor,
11 but supported wholly upon its own wheels, intended for the carriage of freight or
12 merchandise and having a load capacity of over one thousand (1,000) pounds;
- 13 (18) "Unobstructed highway" means a straight, level, first-class road upon which no
14 other vehicle is passing or attempting to pass and upon which no other vehicle or
15 pedestrian is approaching in the opposite direction, closer than three hundred (300)
16 yards;
- 17 (19) (a) "Vehicle" includes:
- 18 1. All agencies for the transportation of persons or property over or upon
19 the public highways of the Commonwealth; and
- 20 2. All vehicles passing over or upon the highways.
- 21 (b) "Motor vehicle" includes all vehicles, as defined in paragraph (a) of this
22 subsection, except:
- 23 1. Road rollers;
- 24 2. Road graders;
- 25 3. Farm tractors;
- 26 4. Vehicles on which power shovels are mounted;
- 27 5. Construction equipment customarily used only on the site of

- 1 construction and which is not practical for the transportation of persons
2 or property upon the highways;
- 3 6. Vehicles that travel exclusively upon rails;
- 4 7. Vehicles propelled by electric power obtained from overhead wires
5 while being operated within any municipality or where the vehicles do
6 not travel more than five (5) miles beyond the city limits of any
7 municipality;
- 8 8. Vehicles propelled by muscular power; and
- 9 9. Electric low-speed scooters;
- 10 (20) "Reflectance" means the ratio of the amount of total light, expressed in a
11 percentage, which is reflected outward by the product or material to the amount of
12 total light falling on the product or material;
- 13 (21) "Sunscreening material" means a product or material, including film, glazing, and
14 perforated sunscreening, which, when applied to the windshield or windows of a
15 motor vehicle, reduces the effects of the sun with respect to light reflectance or
16 transmittance;
- 17 (22) "Transmittance" means the ratio of the amount of total light, expressed in a
18 percentage, which is allowed to pass through the product or material, including
19 glazing, to the amount of total light falling on the product or material and the
20 glazing;
- 21 (23) "Window" means any device designed for exterior viewing from a motor vehicle,
22 except the windshield, any roof-mounted viewing device, and any viewing device
23 having less than one hundred fifty (150) square inches in area;
- 24 (24) "All-terrain vehicle" means any motor vehicle used for recreational off-road use;
- 25 (25) "Nondivisible load," as pertains to state highways that are not part of the national
26 truck network established pursuant to 23 C.F.R. pt. 658, means a load or vehicle,
27 that if separated into smaller loads or vehicles:

- 1 (a) Compromises the intended use of the vehicle, making it unable to perform the
 2 function for which it was intended;
- 3 (b) Destroys the value of the load or vehicle, making it unusable for its intended
 4 purpose; or
- 5 (c) Requires more than four (4) work hours to dismantle and reassemble using
 6 appropriate equipment;

7 (26) "Electric low-speed scooter" means a device that:

- 8 (a) Weighs less than one hundred (100) pounds;
- 9 (b) Is equipped with wheels;
- 10 (c) Is equipped with handlebars;
- 11 (d) Is equipped with a brake adequate enough to stop and park the device;
- 12 (e) Is designed to be stood or sat upon;
- 13 (f) Is propelled by an electric motor, human power, or both; and
- 14 (g) Is designed to operate at a maximum speed of twenty (20) miles per hour, on a
 15 paved level surface, with or without human propulsion;~~and~~

16 (27) "Highway work zone" means that portion of a highway and the affected area
 17 adjacent to a lane, berm, or shoulder, including a sidewalk, upon which
 18 construction, reconstruction, resurfacing, maintenance, inspection, or other work of
 19 that nature is being conducted by a government agency, private contractor, or utility
 20 company; and

21 **(28) "Weigh station bypass system" means an intelligent transportation system that**
 22 **offers weigh station bypass, safety alerts, and related services to enhance the**
 23 **efficiency and safety of commercial motor carrier operations.**

24 ➔Section 21. KRS 189.231 is amended to read as follows:

- 25 (1) The secretary of transportation may install and maintain traffic control devices upon
 26 state-maintained highways in such manner as is reasonably necessary to promote
 27 the safety and convenience of the traveling public.

1 (2) The driver of any vehicle shall obey the instructions of any applicable official
2 traffic control device or state-approved weigh station bypass system~~[applicable~~
3 ~~thereto]~~ unless otherwise directed by a traffic or police officer, subject to the
4 exceptions granted the driver of an authorized emergency vehicle.

5 (3) The secretary of transportation may restrict or regulate traffic upon state-maintained
6 highways in such a manner as is reasonably necessary to promote the safety of the
7 traveling public.

8 ➔Section 22. KRS 186.416 is amended to read as follows:

9 (1) If a resident of the Commonwealth currently serving in the United States military is
10 stationed or assigned to a base or other location outside the boundaries of the
11 Commonwealth, the resident, or the resident's spouse or dependents, may:

12 (a) Update his or her license electronically or by mail to include a motorcycle
13 operator's endorsement on an existing operator's license; or

14 (b) Renew a Class D operator's license issued under this section by mail. If the
15 resident, or his or her spouse or dependents, was issued an "under 21"
16 operator's license, upon the date of the license holder's twenty-first birthday,
17 the "under 21" operator's license may be renewed for an operator's license that
18 no longer contains the outdated reference to being "under 21."

19 (2) A resident of the Commonwealth renewing an operator's license by mail under
20 subsection (1) of this section may have a personal designee apply to the cabinet on
21 behalf of the resident to renew the resident's operator's license. An operator's
22 license for which an endorsement is being added electronically or by mail, or which
23 is being renewed by mail under subsection (1) of this section shall be issued a
24 license bearing the applicant's historical photo if there is a photo on file. If there is
25 no photo on file, the license shall be issued without a photograph and shall show in
26 the space provided for the photograph the legend "valid without photo and
27 signature."

- 1 (3) (a) 1. If a resident of the Commonwealth has been serving in the United States
2 military stationed or assigned to a base or other location outside the
3 boundaries of the Commonwealth and has allowed his or her operator's
4 license to expire, he or she shall, within ninety (90) days of returning to
5 the Commonwealth, be permitted to renew his or her license without
6 having to take a written test or road test.
- 7 2. The spouse or dependent of a person identified in subparagraph 1. of
8 this paragraph shall be afforded the same consideration identified in that
9 subparagraph regarding the renewal of an expired operator's license.
- 10 (b) A person who meets the criteria in paragraph (a) of this subsection shall not
11 be convicted or cited for driving on an expired license prior to license renewal
12 during the ninety (90) days after the person's return to the Commonwealth if
13 the person can provide proof of his or her out-of-state service and dates of
14 assignment.
- 15 (c) A person who meets the criteria in paragraph (a) of this subsection and who
16 does not renew his or her license within ninety (90) days of returning to the
17 Commonwealth shall be required to comply with the provisions of this
18 chapter governing renewal of a license that has expired.}]
- 19 ~~(d) If a resident of the Commonwealth has been issued an "under 21" or "under~~
20 ~~21 CDL" operator's license and the person is unable to renew the license on~~
21 ~~the date of his or her twenty first birthday, the "under 21" or "under 21 CDL"~~
22 ~~operator's license shall be valid for ninety (90) days beyond the date of the~~
23 ~~person's twenty first birthday.}]~~
- 24 (4) (a) Any person who served in the active Armed Forces of the United States,
25 including the Coast Guard, and any member of the National Guard or Reserve
26 Component who completed the member's term of service and was released,
27 separated, discharged, or retired therefrom under either an honorable

1 discharge or a general under honorable conditions discharge may, at the time
 2 of initial application or application for renewal or duplicate, request that an
 3 operator's license or a personal identification card issued under this chapter
 4 bear the word "veteran" on the face or the back of the license or personal
 5 identification card.

6 (b) The designation shall be in a style and format considered appropriate by the
 7 Transportation Cabinet. Prior to obtaining a designation requested under this
 8 subsection, the applicant shall present to the cabinet as proof of eligibility, an
 9 original or copy of his or her:

- 10 1. Unexpired Veteran Identification Card or Veteran Health Identification
- 11 Card issued by the United States Department of Veterans Affairs;
- 12 2. DD-2, DD-214, DD-256, DD-257, or NGB-22 form; or
- 13 3. Unexpired Geneva Conventions Identification Card issued by the United
- 14 States Department of Defense.

15 The cabinet shall not be liable for fraudulent or misread forms presented.

16 (5) The cabinet shall promulgate administrative regulations in accordance with KRS
 17 Chapter 13A to establish forms and procedures for facilitating the addition of a
 18 motorcycle endorsement to an existing operator's license, both electronically and by
 19 mail, in accordance with subsection (1) of this section.

20 ➔Section 23. KRS 186A.555 is amended to read as follows:

21 (1) **Notwithstanding**~~[the provisions of]~~ KRS 186A.500 to 186A.550~~[notwithstanding]~~,
 22 the owner of a motor vehicle that has been damaged solely by hail shall have the
 23 regular title of the vehicle branded as follows "Hail Damage" if:

- 24 (a) The vehicle is in a condition that it can be legally operated on the highway;
- 25 (b) The total estimated or actual cost of parts and labor to rebuild or reconstruct
- 26 the vehicle to its pre-hail condition exceeds seventy-five percent (75%) of the
- 27 retail value of the vehicle, as prescribed by a nationally accepted used car

- 1 valuation guide or tool identified under KRS 304.20-110; and
- 2 (c) The owner intends to retain ownership of the vehicle.
- 3 (2) A person seeking to have the title of a vehicle branded for hail damage under
4 subsection (1) of this section shall present the sheriff with a statement from the
5 person's insurance company that the damage exceeds seventy-five percent (75%) of
6 the retail value of the vehicle and is solely the result of hail damage, and shall have
7 the vehicle inspected by the sheriff of the county in which the vehicle is registered.
8 Upon completion of inspection of the vehicle, the sheriff shall indicate on the
9 vehicle transaction record form if he or she has received a statement from the
10 person's insurance company that the damage to the vehicle is the result of hail
11 damage and if the total estimated or actual cost of parts and labor to rebuild or
12 reconstruct the vehicle to its pre-hail condition exceeds seventy-five percent (75%)
13 of the retail value of the vehicle, as prescribed by a nationally accepted used car
14 valuation guide or tool identified under KRS 304.20-110. The sheriff shall be paid a
15 fee of fifteen dollars (\$15)~~five dollars (\$5)~~ to conduct an inspection under this
16 subsection.
- 17 (3) Upon completion of the inspection required under subsection (2) of this section, a
18 person shall take the vehicle transaction record form and the title to the vehicle to
19 the office of the county clerk in the county in which the vehicle is registered. If the
20 sheriff has certified on the vehicle transaction record form that the damage to the
21 vehicle is the result of hail damage and if the total estimated or actual cost of parts
22 and labor to rebuild or reconstruct the vehicle to its pre-hail condition exceeds
23 seventy-five percent (75%) of the retail value of the vehicle, as prescribed by a
24 nationally accepted used car valuation guide or tool identified under KRS 304.20-
25 110, the ~~title shall not be surrendered to the clerk, but the clerk shall stamp on the~~
26 ~~face of the title "Hail Damage". The~~ clerk shall ~~also~~ enter into the Automated
27 Motor Vehicle Registration System (AVIS) the information required to brand ~~that~~

1 the title with a~~[has been branded in the clerk's office]~~ "Hail Damage" brand. The
2 county clerk shall be paid a fee of three dollars (\$3) to carry out~~[the provisions of]~~
3 this subsection.

4 (4) A title branded "Hail Damage" under the provisions of subsection (3) of this section
5 shall retain the brand for as long as the person holds title to the vehicle, and upon
6 the sale or transfer of the vehicle, the new title issued shall continue to carry the
7 brand "Hail Damage."~~[Damage].~~

8 (5) An insurance company shall not render payment on a vehicle damaged solely by
9 hail in excess of seventy-five percent (75%) of the retail value of the vehicle until
10 the title has been branded "Hail Damage."~~[Damage].~~

11 ➔Section 24. KRS 177.979 is amended to read as follows:

12 (1) Any person engaged in the mining, processing, transporting or sale of coal that
13 provides for the transportation of coal in vehicles exceeding the maximum weight
14 limits on the state-maintained system shall enter into a cooperative agreement with
15 the Department of Highways, or give bond for damages as required by the
16 cabinet~~[provided by KRS 189.271]~~, if a road to be used is not part of the extended
17 weight coal or coal by-products haul road system. However, if a resolution issued
18 pursuant to KRS 177.9771(9) on a road with a maximum allowable gross weight of
19 eighty thousand (80,000) pounds is approved by the Transportation Cabinet, a
20 cooperative agreement shall not be required. Such cooperative agreements shall
21 provide for an equitable apportionment of the incremental costs for design,
22 maintenance, construction, or reconstruction of those roads and bridges, except
23 those roads and bridges which are part of the federal interstate highway system,
24 resulting from the transportation of coal by trucks transporting coal in excess of the
25 maximum weight limits on the state-maintained system and covered by the
26 cooperative agreement. Nothing contained herein shall affect~~[effect]~~ the continuing
27 validity of any existing agreement.

- 1 (2) Notwithstanding KRS Chapter 143, the total tax contributions from any person
2 entering into a cooperative agreement, as specified in this section, shall not exceed,
3 in the aggregate, the sum of five thousand dollars (\$5,000) per mile per year on
4 those roads covered by the cooperative agreement, but shall equal a minimum of
5 one thousand two hundred dollars (\$1,200) per motor vehicle hauling coal over
6 those cooperative road segments over three (3) miles in length, but such
7 contribution shall not exceed ten cents (\$0.10) per ton of coal hauled on cooperative
8 roads per year from an individual coal operator unless otherwise agreed to by the
9 operator. The Transportation Cabinet may allow any person, under the cooperative
10 agreement, to provide for the design, approved maintenance, construction, or
11 reconstruction provided for in subsection (1) of this section in accordance with
12 guidelines or standards prescribed by the cabinet. In the event any person exceeds
13 his annual total tax contribution as authorized under a cooperative agreement, such
14 person may petition the commissioner of vehicle regulation for a carry over for
15 future years liability. All funds collected pursuant to this section shall be expended
16 on those roads covered by the cooperative agreement.
- 17 (3) Notwithstanding ~~any provision of~~ KRS 177.976 to 177.981, the Commonwealth
18 shall not be relieved of expending its normal routine maintenance on all roads
19 covered by the cooperative agreements.
- 20 (4) Any person who entered into a cooperative agreement may terminate it upon
21 submitted written notice to the Department of Highways.
- 22 (5) If the person requesting termination of the cooperative agreement has reported to
23 the Transportation Cabinet that fifty thousand (50,000) or more tons of coal have
24 been transported over the road covered by the cooperative agreement, the
25 Transportation Cabinet shall immediately, by official order or emergency
26 administrative regulation, add the road segment to the list of roads currently
27 comprising the extended weight coal or coal by-products haul road system.

1 **(6) The Transportation Cabinet shall promulgate administrative regulations in**
2 **accordance with KRS Chapter 13A to establish bonding requirements for**
3 **subsection (1) of this section.**

4 ➔Section 25. KRS 189.272 is amended to read as follows:

5 The District Court where the offense occurred shall have venue and jurisdiction with the
6 courts of this Commonwealth of all prosecutions for violations of the weight provisions
7 of KRS 189.221, 189.222, 189.226, 189.230, 189.270, **189.2713, and 189.2717**~~and~~
8 ~~189.271~~.

9 ➔Section 26. KRS 189.990 is amended to read as follows:

10 (1) Any person who violates any of the provisions of KRS 189.020 to 189.040,
11 subsection (1) or (4) of KRS 189.050, KRS 189.060 to 189.080, subsections (1) to
12 (3) of KRS 189.090, KRS 189.100, 189.110, 189.130 to 189.160, subsections (2) to
13 (4) of KRS 189.190, KRS 189.200, 189.285, subsection (1) or (2) of KRS 189.290,
14 189.300 to 189.360, KRS 189.380, KRS 189.400 to 189.430, KRS 189.450 to
15 189.458, KRS 189.4595 to 189.480, subsection (1) of KRS 189.520, KRS 189.540,
16 KRS 189.570 to 189.590, except subsection (1)(b) or (6)(b) of KRS 189.580, KRS
17 189.345, subsection (6) of KRS 189.456, and 189.960 shall be fined not less than
18 twenty dollars (\$20) nor more than one hundred dollars (\$100) for each offense.
19 Any person who violates subsection (1)(a) of KRS 189.580 shall be fined not less
20 than twenty dollars (\$20) nor more than two thousand dollars (\$2,000) or
21 imprisoned in the county jail for not more than one (1) year, or both, unless the
22 accident involved death or serious physical injury and the person knew or should
23 have known of the death or serious physical injury, in which case the person shall
24 be guilty of a Class D felony. Any person who violates paragraph (c) of subsection
25 (5) of KRS 189.390 shall be fined not less than eleven dollars (\$11) nor more than
26 thirty dollars (\$30). Neither court costs nor fees shall be taxed against any person
27 violating paragraph (c) of subsection (5) of KRS 189.390.

1 (2) (a) 1. Except as provided in subparagraph 2. of this paragraph, any person
2 who violates the weight provisions of KRS 189.212, 189.221, 189.222,
3 189.226, 189.230, 189.270, or 189.2713 shall be fined two cents (\$0.02)
4 per pound for each pound of excess load when the excess is five
5 thousand (5,000) pounds or less. When the excess exceeds five thousand
6 (5,000) pounds the fine shall be two cents (\$0.02) per pound for each
7 pound of excess load, but the fine levied shall not be less than one
8 hundred dollars (\$100) and shall not be more than five hundred dollars
9 (\$500).

10 2. Any person who violates a posted bridge weight limit on a state-
11 maintained bridge that is more than seventy-five (75) years old shall be
12 fined:

13 a. Five hundred dollars (\$500) for the first offense;

14 b. One thousand dollars (\$1,000) for the second offense within a one
15 (1) year period; and

16 c. Two thousand dollars (\$2,000) for any subsequent offense within a
17 one (1) year period.

18 The Transportation Cabinet shall erect signs warning drivers of the
19 increased fines in this subparagraph. Signs erected under this
20 subparagraph shall be placed in such a manner that drivers are given
21 adequate warning in order to exit the road prior to crossing the bridge. If
22 warning signs are not erected in accordance with this subparagraph, the
23 fines in this subparagraph shall not apply and violators shall be fined
24 under subparagraph 1. of this paragraph.

25 ~~(b) Any person who violates the provisions of KRS 189.271 and is operating on a~~
26 ~~route designated on the permit shall be fined one hundred dollars (\$100);~~
27 ~~otherwise, the penalties in paragraph (a) of this subsection shall apply.~~

1 ~~(e)}~~ Any person who violates any provision of subsection (2) or (3) of KRS
2 189.050, subsection (4) of KRS 189.090, KRS 189.221 to 189.230, 189.270,
3 189.2713, 189.280, or the dimension provisions of KRS 189.212, for which
4 another penalty is not specifically provided shall be fined not less than ten
5 dollars (\$10) nor more than five hundred dollars (\$500).

6 ~~(c)~~~~(d)}~~ 1. Any person who violates the provisions of KRS 177.985 while
7 operating on a route designated in KRS 177.986 shall be fined one
8 hundred dollars (\$100).

9 2. Any person who operates a vehicle with a permit under KRS 177.985 in
10 excess of eighty thousand (80,000) pounds while operating on a route
11 not designated in KRS 177.986 shall be fined one thousand dollars
12 (\$1,000).

13 ~~(d)~~~~(e)}~~ Nothing in this subsection or in KRS 189.221 to 189.228 shall be
14 deemed to prejudice or affect the authority of the Department of Vehicle
15 Regulation to suspend or revoke certificates of common carriers, permits of
16 contract carriers, or drivers' or chauffeurs' licenses, for any violation of KRS
17 189.221 to 189.228 or any other act applicable to motor vehicles, as provided
18 by law.

19 (3) (a) Any person who violates subsection (1) of KRS 189.190 shall be fined not
20 more than fifteen dollars (\$15).

21 (b) Any person who violates subsection (5) of KRS 189.190 shall be fined not
22 less than thirty-five dollars (\$35) nor more than two hundred dollars (\$200).

23 (4) (a) Any person who violates subsection (1) of KRS 189.210 shall be fined not
24 less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100).

25 (b) Any peace officer who fails, when properly informed, to enforce KRS
26 189.210 shall be fined not less than twenty-five dollars (\$25) nor more than
27 one hundred dollars (\$100).

- 1 (c) All fines collected under this subsection, after payment of commissions to
2 officers entitled thereto, shall go to the county road fund if the offense is
3 committed in the county, or to the city street fund if committed in the city.
- 4 (5) Any person who violates KRS 189.370 shall for the first offense be fined not less
5 than one hundred dollars (\$100) nor more than two hundred dollars (\$200) or
6 imprisoned not less than thirty (30) days nor more than sixty (60) days, or both. For
7 each subsequent offense occurring within three (3) years, the person shall be fined
8 not less than three hundred dollars (\$300) nor more than five hundred dollars
9 (\$500) or imprisoned not less than sixty (60) days nor more than six (6) months, or
10 both. The minimum fine for this violation shall not be subject to suspension. A
11 minimum of six (6) points shall be assessed against the driving record of any person
12 convicted.
- 13 (6) Any person who violates KRS 189.500 shall be fined not more than fifteen dollars
14 (\$15) in excess of the cost of the repair of the road.
- 15 (7) Any person who violates KRS 189.510 or KRS 189.515 shall be fined not less than
16 twenty dollars (\$20) nor more than fifty dollars (\$50).
- 17 (8) Any peace officer who violates subsection (2) of KRS 189.520 shall be fined not
18 less than thirty-five dollars (\$35) nor more than one hundred dollars (\$100).
- 19 (9) (a) Any person who violates KRS 189.530(1) shall be fined not less than thirty-
20 five dollars (\$35) nor more than one hundred dollars (\$100), or imprisoned
21 not less than thirty (30) days nor more than twelve (12) months, or both.
- 22 (b) Any person who violates KRS 189.530(2) shall be fined not less than thirty-
23 five dollars (\$35) nor more than one hundred dollars (\$100).
- 24 (10) Any person who violates any of the provisions of KRS 189.550 shall be guilty of a
25 Class B misdemeanor.
- 26 (11) Any person who violates subsection (3) of KRS 189.560 shall be fined not less than
27 thirty dollars (\$30) nor more than one hundred dollars (\$100) for each offense.

- 1 (12) The fines imposed by paragraph (a) of subsection (3) and subsections (6) and (7) of
2 this section shall, in the case of a public highway, be paid into the county road fund,
3 and, in the case of a privately owned road or bridge, be paid to the owner. These
4 fines shall not bar an action for damages for breach of contract.
- 5 (13) Any person who violates any of the provisions of KRS 189.120 shall be fined not
6 less than twenty dollars (\$20) nor more than one hundred dollars (\$100) for each
7 offense.
- 8 (14) Any person who violates any provision of KRS 189.575 shall be fined not less than
9 twenty dollars (\$20) nor more than twenty-five dollars (\$25).
- 10 (15) Any person who violates subsection (2) of KRS 189.231 shall be fined not less than
11 twenty dollars (\$20) nor more than one hundred dollars (\$100) for each offense.
- 12 (16) Any person who violates restrictions or regulations established by the secretary of
13 transportation pursuant to subsection (3) of KRS 189.231 shall, upon first offense,
14 be fined one hundred dollars (\$100) and, upon subsequent convictions, be fined not
15 less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or
16 imprisoned for thirty (30) days, or both.
- 17 (17) (a) Any person who violates any of the provisions of KRS 189.565 shall be guilty
18 of a Class B misdemeanor.
- 19 (b) In addition to the penalties prescribed in paragraph (a) of this subsection, in
20 case of violation by any person in whose name the vehicle used in the
21 transportation of inflammable liquids or explosives is licensed, the person
22 shall be fined not less than one hundred dollars (\$100) nor more than five
23 hundred dollars (\$500). Each violation shall constitute a separate offense.
- 24 (18) Any person who abandons a vehicle upon the right-of-way of a state highway for
25 three (3) consecutive days shall be fined not less than thirty-five dollars (\$35) nor
26 more than one hundred dollars (\$100), or imprisoned for not less than ten (10) days
27 nor more than thirty (30) days.

- 1 (19) Every person violating KRS 189.393 shall be guilty of a Class B misdemeanor,
2 unless the offense is being committed by a defendant fleeing the commission of a
3 felony offense which the defendant was also charged with violating and was
4 subsequently convicted of that felony, in which case it is a Class A misdemeanor.
- 5 (20) Any law enforcement agency which fails or refuses to forward the reports required
6 by KRS 189.635 shall be subject to the penalties prescribed in KRS 17.157.
- 7 (21) A person who operates a bicycle in violation of the administrative regulations
8 promulgated pursuant to KRS 189.287 shall be fined not less than ten dollars (\$10)
9 nor more than one hundred dollars (\$100).
- 10 (22) Any person who violates KRS 189.860 shall be fined not more than five hundred
11 dollars (\$500) or imprisoned for not more than six (6) months, or both.
- 12 (23) Any person who violates KRS 189.754 shall be fined not less than twenty-five
13 dollars (\$25) nor more than three hundred dollars (\$300).
- 14 (24) Any person who violates the provisions of KRS 189.125(3)(a) shall be fined fifty
15 dollars (\$50). This fine shall be subject to prepayment. A fine imposed under this
16 subsection shall not be subject to court costs pursuant to KRS 24A.175, additional
17 court costs pursuant to KRS 24A.176, the fee imposed pursuant to KRS 24A.1765,
18 or any other additional fees or costs.
- 19 (25) Any person who violates the provisions of KRS 189.125(3)(b) shall not be issued a
20 uniform citation, but shall instead receive a courtesy warning up until July 1, 2009.
21 For a violation on or after July 1, 2009, the person shall be fined thirty dollars
22 (\$30). This fine shall be subject to prepayment. A fine imposed under this
23 subsection shall not be subject to court costs pursuant to KRS 24A.175, additional
24 court costs pursuant to KRS 24A.176, a fee imposed pursuant to KRS 24A.1765, or
25 any other additional fees or costs. A person who has not been previously charged
26 with a violation of KRS 189.125(3)(b) may elect to acquire a booster seat meeting
27 the requirements of KRS 189.125. Upon presentation of sufficient proof of the

- 1 acquisition, the charge shall be dismissed and no fees or costs shall be imposed.
- 2 (26) Any person who violates the provisions of KRS 189.125(6) shall be fined an
3 amount not to exceed twenty-five dollars (\$25). This fine shall be subject to
4 prepayment. A fine imposed under this subsection shall not be subject to court costs
5 pursuant to KRS 24A.175, additional court costs pursuant to KRS 24A.176, the fee
6 imposed pursuant to KRS 24A.1765, or any other additional fees or costs.
- 7 (27) Fines levied pursuant to this chapter shall be assessed in the manner required by
8 KRS 534.020, in amounts consistent with this chapter. Nonpayment of fines shall
9 be governed by KRS 534.020 and 534.060.
- 10 (28) A licensed driver under the age of eighteen (18) charged with a moving violation
11 pursuant to this chapter as the driver of a motor vehicle may be referred, prior to
12 trial, by the court to a diversionary program. The diversionary program under this
13 subsection shall consist of one (1) or both of the following:
- 14 (a) Execution of a diversion agreement which prohibits the driver from operating
15 a vehicle for a period not to exceed forty-five (45) days and which allows the
16 court to retain the driver's operator's license during this period; and
- 17 (b) Attendance at a driver improvement clinic established pursuant to KRS
18 186.574. If the person completes the terms of this diversionary program
19 satisfactorily the violation shall be dismissed.
- 20 (29) A person who violates the provisions of subsection (2) or (3) of KRS 189.459 shall
21 be fined two hundred fifty dollars (\$250). The fines and costs for a violation of
22 subsection (2) or (3) of KRS 189.459 shall be collected and disposed of in
23 accordance with KRS 24A.180. Once deposited into the State Treasury, ninety
24 percent (90%) of the fine collected under this subsection shall immediately be
25 forwarded to the personal care assistance program under KRS 205.900 to 205.920.
26 Ten percent (10%) of the fine collected under this subsection shall annually be
27 returned to the county where the violation occurred and distributed equally to all

1 law enforcement agencies within the county.

2 (30) Any person who violates KRS 189.292 or 189.294 shall be fined twenty-five dollars
3 (\$25) for the first offense and fifty dollars (\$50) for each subsequent offense.

4 (31) Any person who violates KRS 189.281(5) or (7)(b) shall be subject to a fine of two
5 hundred fifty dollars (\$250). This fine shall be subject to prepayment. A fine
6 imposed under this subsection shall not be subject to court costs pursuant to KRS
7 24A.175, additional costs pursuant to KRS 24A.176, the fee imposed pursuant to
8 KRS 24A.1765, or any other additional fees or costs.

9 (32) Any person who violates subsection (3) or (4) of KRS 189.290 and causes physical
10 injury to a person shall be fined five hundred dollars (\$500).

11 ➔Section 27. KRS 431.452 is amended to read as follows:

12 (1) An offense which is designated as subject to prepayment by specific statutory
13 designation may be prepaid by the violator subject to the terms and conditions of
14 the statute involved.

15 (2) When an offense that is not designated as subject to prepayment by specific
16 statutory designation is cited on the same citation with another offense that is
17 subject to prepayment, the officer shall cite the violator to court for all cited
18 offenses. However, if the offense for which prepayment is not allowed is dismissed
19 by the judge prior to the court date listed on the citation, the offense subject to
20 prepayment by specific statutory designation may be prepaid by the violator, and
21 the violator shall not be required to appear in court.

22 (3) An offense which is designated as subject to prepayment is subject to the following
23 conditions:

24 (a) Designation as subject to prepayment does not preclude a physical arrest by a
25 peace officer for that offense;

26 (b) Designation as subject to prepayment shall preclude a requirement that the
27 defendant make a court appearance on a uniform citation;

- 1 (c) Except as provided for in KRS 189.990(26), for any offense designated as
2 subject to prepayment, the defendant may elect to pay the minimum fine for
3 the offense plus court costs to the circuit clerk before the date of his trial or be
4 tried in the normal manner, unless the citation is marked for mandatory court
5 appearance pursuant to KRS 431.015 or subsection (2) of this section, except
6 that the fine for violations of KRS 189.221, 189.222, 189.226, or 189.270~~, or~~
7 ~~189.271~~ shall be in accordance with KRS 189.990(2)(a) and the defendant
8 shall not be allowed to pay the minimum fine as otherwise allowed by this
9 paragraph; and
- 10 (d) Prepayment of the fine and costs shown on the citation or accompanying
11 schedule shall be considered as a plea of guilty for all purposes.
- 12 (4) When a peace officer issues a uniform citation and no physical arrest is made he or
13 she shall, where the citation is designated as subject to prepayment, mark the
14 citation as "PAYABLE", except as provided in KRS 431.015 or subsection (2) of
15 this section.
- 16 (5) The Administrative Office of the Courts, after consultation with the Department of
17 Kentucky State Police, the Transportation Cabinet, the Division of Forestry, the
18 Department of Fish and Wildlife Resources, and a representative of law
19 enforcement shall develop a prepayable fine and cost schedule and a uniform
20 statewide instruction sheet for the Commonwealth.
- 21 ➔Section 28. KRS 186.040 is amended to read as follows:
- 22 (1) (a) Upon receiving the application and fee, the county clerk shall issue to the
23 owner a certificate of registration containing the information required by
24 subsection (2) of this section and a registration plate.
- 25 (b) If the cabinet finds that there is a shortage of materials suitable for making
26 plates, or that a substantial saving will result, it may require by an
27 administrative regulation promulgated in accordance with KRS Chapter 13A

1 and with the approval of the Governor that the previously issued plates
2 continue to be used for a designated period.

3 (c) Except as provided in subsection (3) of this section and in KRS 186.162, for
4 services performed, the owner shall pay the county clerk the fee established
5 by the cabinet by administrative regulation under Section 3 of this Act~~the~~
6 ~~sum of six dollars (\$6) for each registration, or if the registration exceeds a~~
7 ~~twelve (12) month period, the clerk shall receive a fee of nine dollars (\$9)].~~

8 (2) The certificate of registration shall contain the registration number, the name and
9 post office address of the owner, and such other information as the cabinet may
10 require.

11 (3) Thirty dollars (\$30) of the registration fee under KRS 186.050 for a motor vehicle
12 that has a declared gross vehicle weight with any towed unit of forty-four thousand
13 and one (44,001) pounds or greater shall be distributed to the county clerk of the
14 county where the vehicle is registered.

15 (4) (a) Any person requesting a certificate of registration or renewal of registration of
16 any type of motor vehicle shall have the opportunity to donate one dollar (\$1)
17 to the child care assistance account.

18 (b) The one dollar (\$1) donation shall be added to the regular fee for vehicle
19 registration.

20 (c) One (1) donation may be made per issuance or renewal of vehicle registration.

21 (d) Donation to the child care assistance account shall be voluntary and may be
22 refused by the applicant at the time of the issuance or renewal of any vehicle
23 registration.

24 (5) (a) The county clerk may retain five percent (5%) of fees collected for the child
25 care assistance account under subsection (4) of this section.

26 (b) The remaining funds shall be deposited into a trust and agency account in the
27 State Treasury to the credit of the Cabinet for Health and Family Services for

1 the exclusive use as follows:

- 2 1. Funds shall be made available to the agencies that administer child care
3 subsidy funds; and
- 4 2. Funds shall be used as determined by the cabinet for working families
5 whose income exceeds the state income eligibility limits for child day
6 care assistance.

7 (6) (a) Except as provided in KRS 186.162, in addition to the registration fee
8 provided for county clerks in subsections (1) and (3) of this section, an
9 additional **fee established by the cabinet by administrative regulation under**
10 **Section 3 of this Act**~~[three dollars (\$3) per registration]~~ shall be collected at
11 the time of registration.

12 (b) ~~The~~~~[This]~~ additional fee **established in paragraph (a) of this subsection** shall
13 be distributed as follows:

- 14 1. **One-third (1/3)**~~[One dollar (\$1)]~~ shall be placed in an agency fund to
15 provide additional funds exclusively for technological improvements or
16 replacement of the AVIS system. The operation and maintenance of
17 AVIS shall remain as currently provided for from the operational budget
18 of the Transportation Cabinet and shall not be reduced below the 2005-
19 2006 funding level;
- 20 2. **One-third (1/3)**~~[One dollar (\$1)]~~ shall be placed in an agency trust fund
21 to provide funds~~[exclusively]~~ for technological improvements to the
22 hardware and software in county clerk offices related to the collection
23 and administration of road fund taxes. The cabinet, in consultation with
24 county clerks, shall allocate funds as necessary from this fund to be used
25 for this exclusive purpose; and
- 26 3. **One-third (1/3)**~~[One dollar (\$1)]~~ shall be placed in a trust fund to be
27 maintained by the cabinet to provide an unrestricted revenue

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

10 (7) Any motor vehicle registration cancelled for nonrenewal shall be subject to the
11 provisions of KRS 186.181.

12 (8) (a) The owner of a motor vehicle for which the registration has been cancelled
13 under this section, or revoked under KRS 186A.040(5)(b), shall be subject to
14 a reinstatement fee of forty dollars (\$40), payable to the county clerk.

15 (b) The county clerk shall retain twenty dollars (\$20) of the reinstatement fee and
16 forward the remaining twenty dollars (\$20) to the cabinet.

17 (c) The portion of the reinstatement fee received by the cabinet under this
18 subsection as a result of a revocation under KRS 186A.040(5)(b) shall be
19 placed in an agency fund to provide additional funds exclusively for the
20 establishment, implementation, operation, maintenance, and any necessary
21 improvements or replacement of the accessible online insurance verification
22 system established under KRS 186A.040.

23 ➔Section 29. KRS 186.061 is amended to read as follows:

24 (1) Applications for registration of motor vehicles owned exclusively by any nonprofit
25 volunteer fire department, volunteer fire prevention unit, or volunteer fire protection
26 unit shall be accompanied by a statement from the chief or assistant chief of the
27 volunteer fire department or unit that owns the motor vehicle, certifying that the

1 motor vehicle is exclusively owned and operated by the volunteer fire department
2 or unit. The application and statement shall be forwarded by the county clerk to the
3 cabinet, which shall give special authority to the clerk to register it. Upon receiving
4 that authority, the clerk shall issue a registration receipt and the official number
5 plate described in KRS 186.240(6), and report the registration to the head of the
6 cabinet authorizing the registration. For the county clerk's~~his~~ services in issuing
7 such certificate of registration and number plate and reporting the same, the county
8 clerk shall be entitled to a fee established by the cabinet by administrative
9 regulation under Section 3 of this Act~~of three dollars (\$3) in each instance~~, to be
10 paid by the volunteer fire department or unit.

11 (2) After registration of any vehicle owned exclusively by any nonprofit volunteer fire
12 department, volunteer fire prevention unit, or volunteer fire protection unit and after
13 issuance of a number plate for the vehicle so owned, no subsequent registration or
14 renewal of same, and no subsequent renewal of a number plate of the vehicle shall
15 be necessary so long as the vehicle is owned exclusively by the volunteer fire
16 department or unit except in the case of loss or destruction of the license plate. In
17 the event of loss or destruction, the number plate shall be replaced in the same
18 manner as if no plate had ever been issued.

19 (3) When a motor vehicle owned exclusively by any nonprofit volunteer fire
20 department, volunteer fire prevention unit, or volunteer fire protection unit is
21 transferred or sold to another nonprofit volunteer fire department, volunteer fire
22 prevention unit, or volunteer fire protection unit or another governmental unit a new
23 license plate shall be issued for the vehicle in the same manner as provided for in
24 subsection (1) of this section and shall have the same effect as given to such license
25 plates in subsection (2) of this section.

26 (4) No person shall use on a motor vehicle, not exclusively owned by any nonprofit
27 volunteer fire department, volunteer fire prevention unit, or volunteer fire protection

1 unit, any license plate that has been issued for use on a motor vehicle owned by a
2 volunteer fire department or unit.

3 ➔Section 30. KRS 186.162 is amended to read as follows:

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

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

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

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

17 (d) "CF" means the county clerk's fee for issuing a motor vehicle registration as
18 established under KRS 186.040(1). **Unless otherwise noted, an applicant for**
19 **one (1) of the license plates listed in subsection (2) of this section shall pay**
20 **both the**~~[If a] CF amount **and**~~[is charged for a license plate listed in this~~
21 ~~section, the applicant for that plate shall also pay]~~ the fees identified in KRS
22 186.040(6). If a CF amount is not charged, the applicant shall not be required
23 to pay those fees; and~~

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

27 (2) The initial purchase fee and renewal fee for a special license plate created under this

1 chapter shall be as established in this subsection and includes the name of group or
 2 organization and the total initial and renewal fee required for the plate. The amount
 3 in parentheses indicates how the total fee is required to be divided:

4 (a) Disabled veterans who receive assistance to purchase a vehicle from the
 5 United States Department of Veterans' Affairs, veterans declared by the
 6 United States Department of Veterans' Affairs to be one hundred percent
 7 (100%) service-connected disabled, and recipients of the Congressional
 8 Medal of Honor (***No CF charged***):

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

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

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

12 1. Initial Fee: \$17~~[\$23]~~ (\$12 SF/~~\$6 CF~~/\$5 EF to the
 13 veterans' program trust fund established under KRS 40.460).

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

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

17 1. Initial Fee: \$17~~[\$23]~~ (\$12 SF/~~\$6 CF~~/\$5 EF to the
 18 veterans' program trust fund established under KRS 40.460).

19 2. Renewal Fee: \$5~~[\$11]~~ (\$0 SF/~~\$6 CF~~/\$5 EF to the veterans'
 20 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, Space
 23 Force, or Coast Guard; Merchant Marines who served between December 7,
 24 1941, and August 15, 1945; recipients of the Silver Star Medal, the Legion of
 25 Merit Medal, the Distinguished Flying Cross, the Air Medal, the Combat
 26 Action Badge, the Combat Infantry Badge, or the Bronze Star Medal; persons
 27 who wish to receive Gold Star Mothers, Gold Star Fathers, or Gold Star

1 Spouses license plates beyond the two (2) exempted from fees under KRS
 2 186.041(6); individuals eligible for a special military service academy license
 3 plate under KRS 186.041(8); individuals eligible for a special military unit
 4 license plate under KRS 186.163; and disabled veterans who have been
 5 declared to be between fifty percent (50%) and ninety-nine percent (99%)
 6 service-connected disabled by the United States Department of Veterans'
 7 Affairs:

- 8 1. Initial Fee: \$17~~[\$23]~~ (\$12 SF/~~[\$6—CF]~~/\$5 EF to the
 9 veterans' program trust fund established under KRS 40.460).
- 10 2. Renewal Fee: \$17~~[\$23]~~ (\$12 SF/~~[\$6—CF]~~/\$5 EF to the
 11 veterans' program trust fund established under KRS 40.460).

12 (e) Recipients of the Distinguished Service Cross, Navy Cross, or Air Force
 13 Cross:

- 14 1. Initial Fee: \$0~~[\$6]~~ (\$0 SF/~~[\$6—CF]~~/\$0 EF).
- 15 2. Renewal Fee: \$0~~[\$6]~~ (\$0 SF/~~[\$6—CF]~~/\$0 EF).

16 (f) Disabled license plates:

- 17 1. Initial Fee: \$12~~[\$18]~~ (\$12 SF/~~[\$6—CF]~~/\$0 EF).
- 18 2. Renewal Fee: \$12~~[\$18]~~ (\$12 SF/~~[\$6—CF]~~/\$0 EF).

19 (g) Historic vehicles:

- 20 1. Initial Fee for two plates: \$50~~[\$56]~~ (\$50 SF/~~[\$6—CF]~~/\$0 EF).
- 21 2. Renewal Fee: Do not renew annually.

22 (h) Members of Congress:

- 23 1. Initial Fee: \$37~~[\$43]~~ (\$37 SF/~~[\$6—CF]~~/\$0 EF).
- 24 2. Renewal Fee: \$17~~[\$23]~~ (\$12 SF/~~[\$6—CF]~~/\$5 EF to the
 25 veterans' program trust fund established under KRS 40.460).

26 (i) Firefighters:

- 27 1. Initial Fee: \$22~~[\$28]~~ (\$12 SF/~~[\$6—CF]~~/\$10 EF to the

1 Kentucky Firefighters Association).

2 2. Renewal Fee: ~~\$22~~~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the
3 Kentucky Firefighters Association).

4 (j) Emergency management:

5 1. Initial Fee: ~~\$25~~~~[\$31]~~ (\$25 SF/~~\$6 CF~~/\$0 EF).

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

7 (k) Fraternal Order of Police:

8 1. Initial Fee: ~~\$35~~~~[\$41]~~ (\$25 SF/~~\$6 CF~~/\$10 EF to the
9 Kentucky_

10 _____}FOP Death Benefit Fund).

11 2. Renewal Fee: ~~\$22~~~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the
12 Kentucky_

13 _____}FOP Death Benefit Fund).

14 (l) Law Enforcement Memorial:

15 1. Initial Fee: ~~\$35~~~~[\$41]~~ (\$25 SF/~~\$6 CF~~/\$10 EF to the
16 Kentucky Law Enforcement Memorial Foundation, Inc.).

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

19 (m) Personalized plates for a motor vehicle that is required to be registered under
20 the provisions of KRS 186.050(1), (3)(a), or (4)(a), or a motorcycle required
21 to be registered under the provisions of KRS 186.050(2):

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

23 2. Renewal Fee: ~~\$37~~~~[\$43]~~ (\$37 SF/~~\$6 CF~~/\$0 EF).

24 (n) Street rods:

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

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

27 (o) Nature plates:

- 1 1. Initial Fee: \$22~~[\$28]~~ (\$12 SF/~~\$6 CF~~)/\$10 EF to Kentucky
2 Heritage Land Conservation Fund established under KRS 146.570).
- 3 2. Renewal Fee: \$22~~[\$28]~~ (\$12 SF/~~\$6 CF~~)/\$10 EF to Kentucky
4 Heritage Land Conservation Fund established under KRS 146.570).
- 5 (p) Amateur radio:
- 6 1. Initial Fee: \$37~~[\$43]~~ (\$37 SF/~~\$6 CF~~)/\$0 EF).
- 7 2. Renewal Fee: \$12~~[\$18]~~ (\$12 SF/~~\$6 CF~~)/\$0 EF).
- 8 (q) Kentucky General Assembly:
- 9 1. Initial Fee: \$37~~[\$43]~~ (\$37 SF/~~\$6 CF~~)/\$0 EF).
- 10 2. Renewal Fee: \$17~~[\$23]~~ (\$12 SF/~~\$6 CF~~)/\$5 EF to the
11 veterans' program trust fund established under KRS 40.460).
- 12 (r) Kentucky Court of Justice:
- 13 1. Initial Fee: \$37~~[\$43]~~ (\$37 SF/~~\$6 CF~~)/\$0 EF).
- 14 2. Renewal Fee: \$5~~[\$11]~~ (\$0 SF/~~\$6 CF~~)/\$5 EF to the veterans'
15 program trust fund established under KRS 40.460).
- 16 (s) Masons:
- 17 1. Initial Fee: \$35~~[\$41]~~ (\$25 SF/~~\$6 CF~~)/\$10 EF to the
18 Masonic Homes of Kentucky).
- 19 2. Renewal Fee: \$22~~[\$28]~~ (\$12 SF/~~\$6 CF~~)/\$10 EF to the
20 Masonic Homes of Kentucky).
- 21 (t) Collegiate plates:
- 22 1. Initial Fee: \$47~~[\$53]~~ (\$37 SF/~~\$6 CF~~)/\$10 EF to the
23 general scholarship fund of the university whose name will be borne on
24 the plate).
- 25 2. Renewal Fee: \$22~~[\$28]~~ (\$12 SF/~~\$6 CF~~)/\$10 EF to the
26 general scholarship fund of the university whose name will be borne on
27 the plate).

1 (u) Independent Colleges:

2 1. Initial Fee: \$35~~[\$41]~~ (\$25 SF/~~\$6 CF~~/\$10 EF to the
3 Association of Independent Kentucky Colleges and Universities for
4 distribution to the general scholarship funds of the Association's
5 members).

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

10 (v) Child Victims:

11 1. Initial Fee: \$35~~[\$41]~~ (\$25 SF/~~\$6 CF~~/\$10 EF to the child
12 victims' trust fund established under KRS 41.400).

13 2. Renewal Fee: \$22~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the child
14 victims' trust fund established under KRS 41.400).

15 (w) Kentucky Horse Council:

16 1. Initial Fee: \$35~~[\$41]~~ (\$25 SF/~~\$6 CF~~/\$10 EF to the
17 Kentucky Horse Council).

18 2. Renewal Fee: \$22~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the
19 Kentucky Horse Council).

20 (x) Ducks Unlimited:

21 1. Initial Fee: \$35~~[\$41]~~ (\$25 SF/~~\$6 CF~~/\$10 EF to Kentucky
22 Ducks Unlimited).

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

25 (y) Spay neuter:

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

- 1 2. Renewal Fee: \$45~~[\$51]~~ (\$45 SF/~~\$6 CF~~/\$0 EF).
- 2 (ae) Friends of Kentucky Agriculture:
- 3 1. Initial Fee: \$22~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the
- 4 agricultural program trust fund established under KRS 246.247).
- 5 2. Renewal Fee: \$17~~[\$23]~~ (\$12 SF/~~\$6 CF~~/\$5 EF to the
- 6 agricultural program trust fund established under KRS 246.247).
- 7 (af) Special license plates established under KRS 186.164:
- 8 1. Initial Fee: \$35~~[\$41]~~ (\$25 SF/~~\$6 CF~~/\$10 EF).
- 9 2. Renewal Fee: \$35~~[\$41]~~ (\$25 SF/~~\$6 CF~~/\$10 EF).
- 10 (3) Any special license plate may be combined with a personalized license plate for a
- 11 twenty-five dollar (\$25) state fee in addition to all other fees for the particular
- 12 special license plate established in this section and in KRS 186.164(3). The twenty-
- 13 five dollar (\$25) fee required under this subsection shall be divided between the
- 14 cabinet and the county clerk of the county where the applicant is applying for the
- 15 license plate with the cabinet receiving twenty dollars (\$20) and the county clerk
- 16 receiving five dollars (\$5).
- 17 (4) (a) A sponsoring organization of any special license plate issued under this
- 18 section or any special license plate established under the provisions of KRS
- 19 186.164 may petition the cabinet for the production of that special license
- 20 plate for motorcycles.
- 21 (b) The cabinet shall make all of the special military license plates in this section
- 22 available for motorcycles owned or leased by eligible individuals.
- 23 (c) Owners and lessees of motorcycles registered under KRS 186.050(2) may be
- 24 eligible to receive special license plates approved by the cabinet under
- 25 paragraphs (a) and (b) of this subsection. Applicants for a special license plate
- 26 for a motorcycle shall be required to pay the fee for a special plate as
- 27 prescribed in this section or in KRS 186.164. The fee paid for the special plate

1 for a motorcycle shall be in lieu of the registration fee required under KRS
2 186.050(2).

3 (5) The Transportation Cabinet shall:

4 (a) Identify the cost of issuing a child victims' trust fund special license plate
5 under subsection (2)(v) of this section; and

6 (b) Transfer any revenue received from the initial or renewal SF fee that is in
7 excess of the cost identified in paragraph (a) of this subsection to the child
8 victims' trust fund established under KRS 41.400.

9 ➔Section 31. KRS 186.180 is amended to read as follows:

10 (1) (a) If an owner loses his or her copy of a registration or transfer receipt, the
11 owner may obtain a duplicate from the county clerk who issued the present
12 owner's copy of the receipt if:

13 1. Proof of insurance on the motor vehicle in compliance with KRS
14 304.39-080 is provided to the county clerk, except that proof of
15 insurance shall not be required for duplicates applied for by motor
16 vehicle dealers as defined in KRS 190.010;

17 2. The owner files an affidavit, upon a form furnished by the cabinet; and

18 3. The owner pays to the county clerk a fee ***established by the cabinet by***
19 ***administrative regulation under Section 3 of this Act*** ~~of three dollars~~
20 ~~(\$3)].~~

21 (b) When an 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 obtain a duplicate from the county clerk who
24 issued the receipt if:

25 1. The owner surrenders his or her copy of the current receipt to the county
26 clerk;

27 2. Proof of insurance on the motor vehicle in compliance with KRS

- 1 304.39-080 is provided to the county clerk, except that proof of
 2 insurance shall not be required for duplicates applied for by motor
 3 vehicle dealers as defined in KRS 190.010; and
- 4 3. The owner pays to the county clerk a fee **established by the cabinet by**
 5 **administrative regulation under Section 3 of this Act**~~[of three dollars~~
 6 ~~(\$3)]~~.
- 7 (c) Any security interest which has been discharged as shown by the records of
 8 the clerk or upon the owner's copy of the current receipt shall be omitted from
 9 the duplicate receipt to be issued by the county clerk.
- 10 (2) (a) If an owner loses a registration plate, the owner shall:
- 11 1. Surrender his or her registration receipt to the county clerk from whom
 12 it was obtained; and
- 13 2. File a written statement as to the loss of the plate.
- 14 (b) The owner shall be issued another registration receipt and a plate or plates,
 15 which shall bear a different number from that of the lost plate, if:
- 16 1. Proof of insurance on the motor vehicle in compliance with KRS
 17 304.39-080 is provided to the county clerk; and
- 18 2. The owner pays to the county clerk~~[the sum of]~~:
- 19 a. Three dollars (\$3) for each plate; and
- 20 b. **A fee established by the cabinet by administrative regulation**
 21 **under Section 3 of this Act**~~[Three dollars (\$3)]~~ to the county clerk
 22 for his or her services.
- 23 (c) The county clerk shall:
- 24 1. Retain the owner's statement;
- 25 2. Retain a copy of the owner's proof of insurance;
- 26 3. Make a notation on the triplicate copy of the surrendered registration
 27 receipt stating the number of the registration receipt replacing it; and

- 1 4. Forward the original copy of the surrendered receipt to the cabinet.
- 2 (d) The cabinet shall:
- 3 1. Immediately cancel the registration corresponding to the number of the
- 4 lost plate; and
- 5 2. Report the cancellation to the commissioner of the Department of
- 6 Kentucky State Police.
- 7 (e) Any person finding a lost registration plate shall deliver it to the cabinet or to
- 8 any county clerk for forwarding it to the cabinet.
- 9 (3) (a) If an owner moves from one (1) county into another county of the
- 10 Commonwealth, the owner may obtain from the county clerk of his or her
- 11 county of residence a new registration receipt and new registration plate
- 12 bearing the name of the county of residence if:
- 13 1. The owner surrenders his or her current registration receipt and current
- 14 registration plate to the county clerk;
- 15 2. Proof of insurance on the motor vehicle in compliance with KRS
- 16 304.39-080 is provided to the county clerk; and
- 17 3. The owner pays a fee established by the cabinet by administrative
- 18 regulation under Section 3 of this Act~~[of five dollars (\$5)]~~ to the
- 19 county clerk, of which the county clerk shall be entitled to retain sixty
- 20 percent (60%)~~[three dollars (\$3)]~~ and the cabinet shall be entitled to
- 21 forty percent (40%)~~[two dollars (\$2)]~~.
- 22 (b) The surrendered receipt and plate shall be destroyed by the county
- 23 clerk~~[forwarded to the cabinet]~~.
- 24 (4) If an owner's registration is revoked under KRS 186A.040(5)(b), the owner may
- 25 have his or her registration reinstated by the county clerk who issued the present
- 26 owner's copy of the receipt if:
- 27 (a) The owner pays to the county clerk the reinstatement fee required under KRS

1 186.040(8); and

2 (b) The owner provides proof of insurance on the motor vehicle in compliance
3 with KRS 304.39-080 to the county clerk.

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

7 (6) Proof of insurance for a personal motor vehicle shall be determined by the county
8 clerk as provided in KRS 186A.042.

9 ➔Section 32. KRS 186.190 is amended to read as follows:

10 (1) (a) Except as provided for in paragraph (e) of this subsection, when a motor
11 vehicle that has been previously registered changes ownership, the registration
12 plate shall not remain upon the motor vehicle, but shall be retained by the
13 seller and may be transferred to another vehicle owned or leased by the seller
14 in accordance with paragraph (b) or (c) of this subsection.

15 (b) An individual who sells a motor vehicle which has a valid registration plate
16 may transfer that plate to another vehicle of the same classification at the time
17 the individual transfers the vehicle. If the individual does not have a vehicle to
18 transfer the plate to at the time the individual sells a vehicle, the individual
19 may hold the registration plate for the period of registration. At any time
20 during the period of registration, the individual shall notify the county clerk
21 and transfer the plate to a vehicle of the same classification that he or she has
22 obtained prior to operating that vehicle on a public highway. If the plate
23 transfer occurs in the final month in which the existing registration is still
24 valid, the individual shall be required to renew the registration on the newly
25 acquired vehicle.

26 (c) An individual who trades in a motor vehicle with a valid registration plate
27 during the purchase of a motor vehicle from a licensed motor vehicle dealer

1 shall remove the plate from the vehicle offered in trade. A photocopy of the
2 valid certificate of registration shall be included with the application for title
3 and registration for the purchased vehicle, and the plate shall be retained by
4 the purchaser. The dealer shall equip the purchased vehicle with a temporary
5 tag in accordance with KRS 186A.100 before the buyer may operate it on the
6 highway. When the buyer receives a valid certificate of registration from the
7 county clerk, the buyer shall remove the temporary tag and affix the
8 registration plate to the vehicle.

9 (d) All vehicle transfers and registration plate transfers shall be initiated within
10 the fifteen (15) day period established under KRS 186.020 and 186A.070.

11 (e) This subsection shall not apply to transfers between motor vehicle dealers
12 licensed under KRS Chapter 190. A secured party who repossesses a vehicle
13 shall comply with KRS 186.045(6).

14 (2) (a) A person shall not purchase, sell, or trade any motor vehicle without
15 delivering to the county clerk of the county in which the sale or trade is made
16 the title, and a notarized affidavit if required and available under KRS
17 138.450 attesting to the total and actual consideration paid or to be paid for
18 the motor vehicle.

19 (b) Except for transactions handled by a motor vehicle dealer licensed pursuant to
20 KRS Chapter 190, the person who is purchasing the vehicle shall present
21 proof of insurance in compliance with KRS 304.39-080 to the county clerk
22 before the clerk transfers the registration on the vehicle.

23 (c) Proof of insurance shall be in the manner prescribed in administrative
24 regulations promulgated by the Department of Insurance pursuant to KRS
25 Chapter 13A.

26 (d) Proof of insurance for a personal motor vehicle shall be determined by the
27 county clerk as provided in KRS 186A.042.

- 1 (3) (a) Upon delivery of the title, and a notarized affidavit if required and available
2 under KRS 138.450 attesting to the total and actual consideration paid or to be
3 paid for the motor vehicle to the county clerk of the county in which the sale
4 or trade was made, the seller shall pay to the county clerk a transfer fee of two
5 dollars (\$2), which shall be remitted to the Transportation Cabinet.
- 6 (b) If an affidavit is required, and available, the signatures on the affidavit shall
7 be individually notarized before the county clerk shall issue to the purchaser a
8 transfer of registration bearing the same data and information as contained on
9 the original registration receipt, except the change in name and address.
- 10 (c) The seller shall pay to the county clerk a fee established by the cabinet by
11 administrative regulation under Section 3 of this Act ~~of six dollars (\$6)~~ for
12 the clerk's services.
- 13 (d) The fees in this subsection shall apply to all vehicle transfers, including
14 dealer assignments, individual-to-dealer transfers and reassignments, and
15 dealer-to-dealer transfers.
- 16 (4) (a) If the owner junks or otherwise renders a motor vehicle unfit for future use,
17 the owner shall deliver the registration plate and registration receipt to the
18 county clerk of the county in which the motor vehicle is junked.
- 19 (b) The county clerk shall return the plate and motor vehicle registration receipt
20 to the Transportation Cabinet.
- 21 (c) The owner shall pay to the county clerk a fee established by the cabinet by
22 administrative regulation under Section 3 of this Act ~~one dollar (\$1)~~ for the
23 clerk's services.
- 24 (5) A licensed motor vehicle dealer shall ~~not~~ be required to pay both the transfer fee
25 provided by subsection (3)(a) of this section and ~~but shall be required to pay~~ the
26 county clerk's fee provided by subsection (3)(c) of this section.
- 27 (6) The motor vehicle registration receipt issued by the clerk under this section shall

1 contain information required by the Department of Vehicle Regulation.

2 ➔Section 33. KRS 186.675 is amended to read as follows:

- 3 (1) The annual registration fee for trailers and semitrailers which are drawn by motor
4 vehicles required to be licensed under KRS 186.050(1) shall be four dollars and
5 fifty cents (\$4.50). The annual registration fee for trailers and semitrailers which are
6 drawn by motor vehicles required to be licensed under KRS 186.050(3) to (13) shall
7 be nineteen dollars and fifty cents (\$19.50).
- 8 (2) The provisions of KRS 186.650 to 186.700 shall not apply to privately owned and
9 operated trailers used for the transportation of:
- 10 (a) Boats;
- 11 (b) Luggage;
- 12 (c) Personal effects;
- 13 (d) Farm products, farm supplies, or farm equipment;
- 14 (e) All-terrain vehicles as defined in KRS 189.010(24);
- 15 (f) Wildlife as defined in KRS 150.010 that the owner or operator of the trailer
16 has obtained while hunting; and
- 17 (g) Firearms or other supplies used in conjunction with hunting wildlife.
- 18 (3) The registration fee for mobile homes and recreational vehicles shall be nine dollars
19 and fifty cents (\$9.50) except the registration fee for camping trailers, travel trailers,
20 and truck campers shall be four dollars and fifty cents (\$4.50). The clerk shall issue
21 the registration plate furnished by the cabinet and shall be paid for this service **a fee**
22 **established by the cabinet by administrative regulation under Section 3 of this**
23 **Act**~~the sum of one dollar (\$1)].~~
- 24 (4) ~~Beginning April 1, 1993,]~~At the request of the owner, trailers and semitrailers
25 which are drawn by motor vehicles required to be licensed under KRS 186.050(3)
26 to (13) may be permanently registered, except the registration shall expire when the
27 trailer or semitrailer is sold or when it is otherwise permanently removed from

1 service by the owner. The registration fee for the period shall be ninety-eight dollars
 2 (\$98). The clerk shall issue the registration plate furnished by the cabinet and shall
 3 be paid for this service a fee established by the cabinet by administrative
 4 regulation under Section 3 of this Act~~[the sum of three dollars (\$3)].~~

5 ➔Section 34. KRS 186A.245 is amended to read as follows:

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

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

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

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

27 ➔Section 35. KRS 186A.298 is amended to read as follows:

- 1 (1) The owner of a manufactured home that has been converted to real estate in
2 accordance with KRS 186A.297 may detach or sever the home from the real
3 property only by filing an affidavit of severance with the clerk of the county in
4 which the affidavit of conversion originally took place and in which the real estate
5 is located. The affidavit of severance shall include the following information:
- 6 (a) The manufacturer and, if applicable, the model name of the manufactured
7 home;
- 8 (b) The legal description of the real property on which the manufactured home is
9 or was placed, with the source of title setting forth the book and page number
10 of how the owner of the real estate acquired the property;
- 11 (c) The book and page number where the previous affidavit of conversion was
12 filed of record;
- 13 (d) A Class B1 or B2 Seal as required under KRS 227.600;
- 14 (e) Certification of an attorney that, as of the date of the titling of the severance,
15 there are no security interests or liens in the manufactured home that have not
16 been released by the secured party and that the title to the real estate is
17 marketable, free, and clear of liens, or certification of any holder of a security
18 interest in the manufactured home of:
- 19 1. The amount of any existing security interest; and
20 2. The secured party's consent to issuance of a title;
- 21 (f) The owner's affidavit that the manufactured home has previously been or will
22 be removed from the described real estate within thirty (30) days of the date
23 of filing the affidavit of conversion, and that, before moving the manufactured
24 home the owner will apply for and receive:
- 25 1. A certificate of title as required under KRS 186A.070; and
26 2. A manufactured home registration as required under KRS 186.675; and
27 (g) There shall be a limit of one (1) affidavit of severance issued to an owner on a

1 property.

2 (2) When the county clerk files the affidavit of severance, the county clerk shall
3 provide a copy to:

4 (a) The property valuation administrator for adjustment of the real property tax
5 rolls of the county; and

6 (b) The Transportation Cabinet, Department of Vehicle Regulation.

7 (3) An owner who fails to file an affidavit of severance prior to removal of the
8 manufactured home shall be liable for actual damages or five hundred dollars
9 (\$500), whichever is greater, payable to any first lien holder of record, or if no such
10 lien holder exists, to be payable to the clerk of the county in which the affidavit of
11 conversion first took place, upon notice to the clerk that the manufactured home
12 was not removed within thirty (30) days of the date of filing of the affidavit of
13 severance.

14 (4) The county clerk shall receive a fee established by the cabinet by administrative
15 regulation under Section 3 of this Act ~~[of sixteen dollars (\$16)]~~ for the service
16 provided under this section.

17 (5) If the owner of the manufactured home provides inaccurate or fraudulent
18 information to the county clerk, the clerk shall not be held liable in any subsequent
19 action relating to the severance of the manufactured home from the real estate.

20 (6) As used in ~~[For the purposes of]~~ this section, "owner" means the party who holds
21 the legal title to the real estate where the manufactured home is located prior to
22 being moved. It shall not include the party who is acquiring the manufactured
23 home.

24 ➔Section 36. KRS 186A.130 is amended to read as follows:

25 There shall be paid for issuing and processing title documents required by this chapter
26 fees established by the cabinet by administrative regulation under Section 3 of this Act,
27 which shall be distributed between the cabinet and the county clerk as follows;

1 according to the following schedule]:

2 (1) (a) ***For*** each application for a certificate of title, ~~shall be nine dollars (\$9), of~~
 3 ~~which~~ the county clerk shall retain ***two-thirds (2/3)*** ~~[six dollars (\$6)]~~ and the
 4 Transportation Cabinet shall receive ***one-third (1/3)*** ~~[three dollars (\$3)]~~.

5 ~~(b)(2)~~ ***For*** each application for a ~~replacement or~~ corrected certificate of title, ~~of~~
 6 ~~which~~ the county clerk shall retain ***two-thirds***
 7 ***(2/3)*** ~~[four dollars (\$4)]~~ and the Transportation Cabinet shall receive ***one-third***
 8 ***(1/3)*** ~~[two dollars (\$2)]~~. If a corrected certificate must be issued because of an
 9 error of the county clerk or the Department of Vehicle Regulation, there shall
 10 be no charge.

11 (c) ***Before January 1, 2027, the fee for each application for a printed title shall***
 12 ***be six dollars (\$6), of which the county clerk shall retain four dollars (\$4)***
 13 ***and the Transportation Cabinet shall receive two dollars (\$2).***

14 (d) ***On or after January 1, 2027, for each application for a printed title, the***
 15 ***county clerk shall retain two-thirds (2/3) and the Transportation Cabinet***
 16 ***shall receive one-third (1/3).***

17 ~~(2)(3)~~ ***For*** each application for a speed title, ~~shall be twenty five dollars (\$25), of~~
 18 ~~which~~ the county clerk shall retain ***twenty percent (20%)*** ~~[five dollars (\$5)]~~ and the
 19 Transportation Cabinet shall receive ***eighty percent (80%); and*** ~~[twenty dollars~~
 20 ~~(\$20).]~~

21 ~~(3)(4)~~ (a) ***For*** each application for a certificate of title for an all-terrain vehicle, ~~of~~
 22 ~~which~~ the county clerk shall retain ***forty***
 23 ***percent (40%)*** ~~[six dollars (\$6)]~~ and the Transportation Cabinet shall receive
 24 ***sixty percent (60%)*** ~~[nine dollars (\$9)]~~.

25 (b) ***For*** each application for a ~~replacement or~~ corrected certificate of title for an
 26 all-terrain vehicle, ~~shall be ten dollars (\$10), of which~~ the county clerk shall
 27 retain ***forty percent (40%)*** ~~[four dollars (\$4)]~~ and the Transportation Cabinet

1 shall receive sixty percent (60%)~~[six dollars (\$6)]~~. If a corrected certificate
2 must be issued because of an error of the county clerk or the Department of
3 Vehicle Regulation, there shall be no charge.

4 **(c) Before January 1, 2027, the fee for each application for a printed title for**
5 **an all-terrain vehicle shall be six dollars (\$6), of which the county clerk**
6 **shall retain four dollars (\$4) and the Transportation Cabinet shall receive**
7 **two dollars (\$2).**

8 **(d) On or after January 1, 2027, for each application for a printed title for an**
9 **all-terrain vehicle, the county clerk shall retain two-thirds (2/3) and the**
10 **Transportation Cabinet shall receive one-third (1/3).**

11 ➔Section 37. KRS 186.020 is amended to read as follows:

12 (1) Before the owner of a motor vehicle, or street-legal special purpose vehicle as
13 defined in KRS 186.077, may operate it or permit its operation upon a highway, the
14 owner shall apply for registration in accordance with administrative regulations
15 promulgated by the cabinet, except that a person who purchases a motor vehicle, or
16 brings a motor vehicle into the Commonwealth from another state shall make
17 application for registration within fifteen (15) days. The bill of sale or assigned title
18 must be in the motor vehicle during this fifteen (15) day period. If the owner of a
19 motor vehicle is an individual and resides in the Commonwealth, the motor vehicle
20 shall be registered with the county clerk of the county in which he or she resides. If
21 the owner of a motor vehicle does not reside in the Commonwealth, the motor
22 vehicle shall be registered with the county clerk of the county in which the motor
23 vehicle is principally operated. If the owner of a motor vehicle is other than an
24 individual and resides in the Commonwealth, the motor vehicle shall be registered
25 with the county clerk of either county. The application when presented to the
26 county clerk for registration shall be accompanied by:

27 (a) A bill of sale and a manufacturer's certificate of origin if the application is for

- 1 the registration of a new motor vehicle;
- 2 (b) The owner's registration receipt, if the motor vehicle was last registered in this
3 state;
- 4 (c) A bill of sale and the previous registration receipt, if last registered in another
5 state where the law of that state does not require the owner of a motor vehicle
6 to obtain a certificate of title or ownership;
- 7 (d) A certificate of title, if last registered in another state where the law of that
8 state requires the owner of a motor vehicle to obtain a certificate of title or
9 ownership;
- 10 (e) An affidavit from an officer of a local government saying that the motor
11 vehicle has been abandoned and that the provisions of KRS 82.630 have been
12 complied with, for local governments which elect to use the provisions of
13 KRS 82.600 to 82.640;
- 14 (f) The application from a person who has brought a motor vehicle into the
15 Commonwealth from another state shall be accompanied by proof that the
16 motor vehicle is insured in compliance with KRS 304.39-080; and
- 17 (g) Proof of insurance in compliance with KRS 186.077 if the application is for
18 the registration of a street-legal special purpose vehicle.
- 19 (2) After that, except as provided in subsection (6) of this section, the owner of any
20 motor vehicle registered under KRS 186.050(1) or (2) shall register his or her motor
21 vehicle on or before the date on which his or her certificate of registration expires.
22 If, before operating the motor vehicle in this state, the owner registers it at some
23 later date and pays the fee for the full year, he or she will be deemed to have
24 complied with the law. Insofar as the owner is concerned, registration with the clerk
25 shall be deemed to be registration with the cabinet.
- 26 (3) After that, the owner of any commercial vehicle registered under KRS 186.050(3)
27 to (14) shall register the commercial vehicle on or before April 1 of each year. If,

1 before operating a commercial vehicle in this state, the owner registers it at some
2 later date and pays the required fee, he or she will be deemed to have complied with
3 the law. Insofar as the owner is concerned, registration with the clerk shall be
4 deemed to be registration with the cabinet, except the owner of any commercial
5 motor vehicle to be registered pursuant to the International Registration Plan under
6 KRS 186.050(13) shall register the commercial motor vehicles on or before the last
7 day of the month of registration established pursuant to KRS 186.051(3).

8 (4) The application and documents presented for registration~~[therewith]~~, including the
9 sheriff's certificate of inspection, shall, along with~~[be affixed to]~~ the Transportation
10 Cabinet copy of the certificate of title or registration, be~~[and]~~ sent to the
11 Transportation Cabinet by the clerk.

12 (5) At least forty-five (45) days prior to the expiration of registration of any motor
13 vehicle previously registered in the Commonwealth as provided by KRS 186A.035,
14 the owner of the vehicle shall be notified~~[by mail]~~ on the same notice required by
15 KRS 134.805(5) of the date of expiration. In addition, the department shall provide
16 appropriate forms and information to permit renewal of motor vehicle registration
17 to be completed by mail. Any registration renewal by mail shall require payment of
18 an additional~~[two dollar (\$2)]~~ fee established by the cabinet by administrative
19 regulation under Section 3 of this Act, and retained~~[which shall be received]~~ by
20 the county clerk. Nonreceipt of the notice under this subsection~~[herein]~~ shall not
21 constitute a defense to any registration related offense.

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

26 1. The motor vehicle has been stored on a military base during the time of
27 deployment and has not been operated on the public highways during

- 1 that time; and
- 2 2. The vehicle's registration expired during the individual's absence.
- 3 (b) An individual who meets the criteria in paragraph (a) of this subsection shall
- 4 not be convicted or cited for driving a vehicle with expired registration within
- 5 thirty (30) days after the individual's return to the Commonwealth if the
- 6 individual can provide proof of meeting the eligibility criteria under paragraph
- 7 (a) of this subsection.
- 8 (c) When an individual presents evidence of meeting the criteria under paragraph
- 9 (a) of this subsection when applying to renew the registration on the motor
- 10 vehicle, the county clerk shall, when applicable, treat the registration as a
- 11 prorated renewal under KRS 186.051, and charge the individual a registration
- 12 fee only for the number of months of the registration year the vehicle will be
- 13 used on the public highways.
- 14 (7) The provisions of this section shall not apply to vehicles *or manufactured homes*
- 15 for which permanent registration has been obtained pursuant to KRS 186A.127.
- 16 ➔Section 38. KRS 186A.555 is amended to read as follows:
- 17 (1) *Notwithstanding*~~[the provisions of]~~ KRS 186A.500 to 186A.550~~[notwithstanding]~~,
- 18 the owner of a motor vehicle that has been damaged solely by hail shall have the
- 19 regular title of the vehicle branded as follows "Hail Damage" if:
- 20 (a) The vehicle is in a condition that it can be legally operated on the highway;
- 21 (b) The total estimated or actual cost of parts and labor to rebuild or reconstruct
- 22 the vehicle to its pre-hail condition exceeds seventy-five percent (75%) of the
- 23 retail value of the vehicle, as prescribed by a nationally accepted used car
- 24 valuation guide or tool identified under KRS 304.20-110; and
- 25 (c) The owner intends to retain ownership of the vehicle.
- 26 (2) A person seeking to have the title of a vehicle branded for hail damage under
- 27 subsection (1) of this section shall present the sheriff with a statement from the

1 person's insurance company that the damage exceeds seventy-five percent (75%) of
2 the retail value of the vehicle and is solely the result of hail damage, and shall have
3 the vehicle inspected by the sheriff of the county in which the vehicle is registered.
4 Upon completion of inspection of the vehicle, the sheriff shall indicate on the
5 vehicle transaction record form if he or she has received a statement from the
6 person's insurance company that the damage to the vehicle is the result of hail
7 damage and if the total estimated or actual cost of parts and labor to rebuild or
8 reconstruct the vehicle to its pre-hail condition exceeds seventy-five percent (75%)
9 of the retail value of the vehicle, as prescribed by a nationally accepted used car
10 valuation guide or tool identified under KRS 304.20-110. The sheriff shall be paid a
11 fee of **fifteen dollars (\$15)**~~five dollars (\$5)~~ to conduct an inspection under this
12 subsection.

13 (3) Upon completion of the inspection required under subsection (2) of this section, a
14 person shall take the vehicle transaction record form and the title to the vehicle to
15 the office of the county clerk in the county in which the vehicle is registered. If the
16 sheriff has certified on the vehicle transaction record form that the damage to the
17 vehicle is the result of hail damage and if the total estimated or actual cost of parts
18 and labor to rebuild or reconstruct the vehicle to its pre-hail condition exceeds
19 seventy-five percent (75%) of the retail value of the vehicle, as prescribed by a
20 nationally accepted used car valuation guide or tool identified under KRS 304.20-
21 110, the ~~title shall not be surrendered to the clerk, but the clerk shall stamp on the~~
22 ~~face of the title "Hail Damage". The~~ clerk shall ~~also~~ enter into the Automated
23 Motor Vehicle Registration System (AVIS) the information **required to brand**~~that~~
24 the title **with a**~~has been branded in the clerk's office~~ "Hail Damage" **brand**. The
25 county clerk shall be paid a fee **established by the cabinet by administrative**
26 **regulation under Section 3 of this Act**~~of three dollars (\$3)~~ to carry out ~~the~~
27 ~~provisions of~~ this subsection.

1 (4) A title branded "Hail Damage" under the provisions of subsection (3) of this section
2 shall retain the brand for as long as the person holds title to the vehicle, and upon
3 the sale or transfer of the vehicle, the new title issued shall continue to carry the
4 brand "Hail Damage."~~["Damage"]~~

5 (5) An insurance company shall not render payment on a vehicle damaged solely by
6 hail in excess of seventy-five percent (75%) of the retail value of the vehicle until
7 the title has been branded "Hail Damage."~~["Damage"]~~

8 ➔Section 39. KRS 132.096 is amended to read as follows:

9 The following classes of property shall be exempt from state and local ad valorem taxes,
10 including the county, city, school, and other taxing district in which it has a taxable situs:

11 (1) Farm implements and farm machinery owned by or leased to a person actually
12 engaged in farming and used in his or her farm operations;

13 (2) Livestock, ratite birds, and domestic fowl;

14 (3) Tangible personal property located in a foreign trade zone established pursuant to
15 19 U.S.C. secs. 81a to 81u, provided that the zone is activated in accordance with
16 the regulations of the United States Customs Service and the Foreign Trade Zones
17 Board;

18 (4) Property that is certified as an alcohol production facility as defined in KRS
19 247.910;

20 (5) Property that is certified as a fluidized bed energy production facility as defined in
21 KRS 211.390;

22 (6) Computer software, except prewritten computer software as defined in KRS
23 139.010;

24 (7) Trucks, tractors, and buses used on routes or in systems that are partly within and
25 partly outside this state, and that are subject to the fee imposed by KRS 136.188;

26 (8) Semitrailers and trailers, as defined in KRS 189.010, if the semitrailers or trailers
27 are used on a route or in a system that is partly within and partly outside this state.

- 1 Semitrailers or trailers required to be registered under KRS 186.655 that are used
2 only in this state shall be subject to the ad valorem tax imposed by KRS 132.487;
- 3 (9) All intangible personal property, except intangible personal property assessed under
4 KRS 132.030 or KRS Chapter 136. Nothing in this subsection shall prohibit local
5 taxation of franchises of:
- 6 (a) Corporations;
- 7 (b) Financial institutions as provided in KRS 136.575; or
- 8 (c) Domestic life insurance companies;
- 9 (10) All real and personal property owned by another state or a political subdivision of
10 another state that is used exclusively for public purposes, if a comparable
11 exemption is provided in that state or political subdivision for property owned by
12 the Commonwealth of Kentucky or its political subdivisions;
- 13 (11) Every fraternal benefit society organized or licensed under Subtitle 29 of KRS
14 Chapter 304 that is a charitable and benevolent institution, and its funds shall be
15 exempt from all state, county, district, city, and school taxes, other than taxes on
16 real property and office equipment;~~and~~
- 17 (12) (a) Any bridge built by an adjoining state, by the government of the United
18 States, or by any commission created by an Act of Congress, over a boundary
19 line stream between this state and an adjoining state, which is:
- 20 1. Not operated for profit and, if it connects with a primary highway of this
21 state, is declared to be public property used for public purposes; and
- 22 2. Exempt from taxation unless the adjoining state, or other public body
23 constructing the bridge, taxes similar bridges built by this
24 Commonwealth in like manner.
- 25 (b) The issuance of bonds for the purpose of amortizing the cost of construction
26 of the bridges, as described in paragraph (a) of this subsection, shall not affect
27 the tax exemption granted; and

1 **(13) Street-legal special purpose vehicles, as defined in Section 40 of this Act, that are**
2 **registered under KRS 186.020.**

3 ➔Section 40. KRS 186.077 is amended to read as follows:

4 (1) As used in this section:

5 (a) "Local government" means a city, county, charter county government, urban-
6 county government, consolidated local government, or unified local
7 government;

8 (b) 1. "Special purpose vehicle" means an all-terrain vehicle, utility terrain
9 vehicle, minitruck, pneumatic-tired military vehicle, or full-size special
10 purpose-built vehicle, including a vehicle that is self-constructed or built
11 by the original equipment manufacturer and a vehicle that has been
12 modified.

13 2. "Special purpose vehicle" does not include a low-speed vehicle as
14 defined in KRS 186.010; and

15 (c) 1. "Street-legal special purpose vehicle" means a special purpose vehicle
16 that meets the requirements of this section and is equipped with all of
17 the following:

18 a. One (1) or more headlamps;

19 b. One (1) or more tail lamps;

20 c. One (1) or more brake lamps;

21 d. A trail lamp or other lamp constructed and placed to illuminate the
22 registration plate with a white light;

23 e. One (1) or more red reflectors on the rear of the vehicle;

24 f. An amber electric turn system, one (1) on each side of the front of
25 the vehicle;

26 g. Amber or red electric turn signals on the rear of the vehicle;

27 h. A braking system, other than a parking brake;

- 1 i. A horn or other warning device;
- 2 j. A working muffler;
- 3 k. Rearview mirrors on the right and left side of the driver;
- 4 l. A windshield, unless the operator of the vehicle wears eye
- 5 protection while operating the vehicle;
- 6 m. A speedometer, illuminated for nighttime operation;
- 7 n. A roll bar or roll cage;
- 8 o. For multi-passenger vehicles, a seatbelt assembly that conforms to
- 9 the federal motor vehicle safety standard provided in 49 C.F.R.
- 10 sec. 571.209 for each designated seating position; and
- 11 p. Tires that have at least two thirty-seconds ($2/32$) of an inch or
- 12 greater tire tread.
- 13 2. "Street-legal special purpose vehicle" does not include a low-speed
- 14 vehicle as defined in KRS 186.010 or a vehicle primarily used for farm
- 15 or agricultural activities.
- 16 (2) A person shall not operate a street-legal special purpose vehicle on a highway if:
- 17 (a) The highway is located within the jurisdictional boundaries of a local
- 18 government where the operation of special purpose vehicles has not been
- 19 allowed by local ordinance;
- 20 (b) The highway is a controlled-access system, including but not limited to an
- 21 interstate or parkway; or
- 22 (c) The United States Department of Agriculture prohibits special purpose
- 23 vehicles where the highway is located.
- 24 (3) Nothing in this section authorizes the operation of a street-legal special purpose
- 25 vehicle in an area that is not open to motor vehicle use.
- 26 (4) Street-legal special purpose vehicles are prohibited from traveling a distance greater
- 27 than twenty (20) miles on a highway displaying centerline pavement markings.

1 (5) Minitrucks shall not be operated as street-legal special purpose vehicles on a
2 highway that has been constructed pursuant to a federal highway program.

3 (6) Except as otherwise provided in this section, a street-legal special purpose vehicle
4 shall:

5 (a) Be registered in accordance with KRS 186.020;

6 (b) Be insured by the owner or operator for the payment of tort liabilities in the
7 same form and amounts as set forth in KRS 304.39-110 for motorcycles; and

8 (c) Comply with all other requirements in this chapter.

9 (7) *Street-legal special purpose vehicles shall be exempt from state and local ad*
10 *valorem taxes in accordance with Section 39 of this Act.*

11 (8) Upon registration of any street-legal special purpose vehicle under KRS 186.020,
12 the county clerk shall issue the owner a motorcycle registration plate for the
13 vehicle.

14 (9)~~(8)~~ Street-legal special purpose vehicles shall have an inspection completed by a
15 certified inspector as required by KRS 186A.115.

16 (10)~~(9)~~ An applicant renewing his or her registration for a street-legal special purpose
17 vehicle pursuant to KRS 186.020 shall *be considered to have certified*~~certify~~ that
18 the street-legal special purpose vehicle still meets all of the equipment requirements
19 in subsection (1)(c)1. of this section.

20 (11)~~(10)~~ The Transportation Cabinet shall promulgate administrative regulations in
21 accordance with KRS Chapter 13A to implement this section.

22 ➔Section 41. KRS 132.485 is amended to read as follows:

23 (1) (a) 1. The registration of a motor vehicle with a county clerk in order to
24 operate it or permit it to be operated upon the highways of the state shall
25 be deemed consent by the registrant for the motor vehicle to be assessed
26 by the property valuation administrator from a standard manual
27 prescribed by the department for valuing motor vehicles for assessment

1 unless:

2 a. The registrant appears before the property valuation administrator
3 to assess the vehicle; or

4 b. The motor vehicle is twenty (20) years old or older, in which case
5 paragraph (b) of this subsection applies regarding its valuation.

6 2. The standard value of motor vehicles shall be the average trade-in value,
7 not the rough or clean trade-in values, prescribed by the valuation
8 manual.

9 3. The property valuation administrator may adjust the value of a motor
10 vehicle when the registrant has provided evidence that the standard
11 value does not reflect the motor vehicle's condition, options, mileage, or
12 certificate of title issued.

13 (b) In the case of motor vehicles that are twenty (20) years old or older:

14 1. It shall not be presumed that a vehicle has been maintained in, or
15 restored to, the original factory or otherwise classic condition or that its
16 value has increased over the previous year;

17 2. In assessing motor vehicles under this paragraph and calculating the
18 taxes due thereon, through the AVIS or otherwise, if the registrant does
19 not appear before the property valuation administrator to assess the
20 vehicle, the standard value shall be as follows:

21 a. The actual valuation of the vehicle as was assessed in the vehicle's
22 nineteenth year, if the vehicle was assessed for taxation in the
23 Commonwealth in that year; or

24 b. The average trade-in value prescribed by the applicable edition of
25 the valuation manual for the vehicle in its nineteenth year, if the
26 vehicle was not assessed for taxation in the Commonwealth in that
27 year;

1 reduced by ten percent (10%) annually for each year beyond nineteen
2 (19) years; and

3 3. In the case of any motor vehicle for which the assessment procedure
4 provided in subparagraph 2.b. of this paragraph would apply but cannot
5 be carried out because the applicable edition of the valuation manual is
6 unavailable, the property valuation administrator shall conduct an
7 assessment of the vehicle to determine the value thereof for the given
8 taxable year. The assessment under this subparagraph may be done in
9 person if the vehicle's owner presents the vehicle at the property
10 valuation administrator's office, or the assessment may be done through
11 a review of photographs and other documentary evidence. In subsequent
12 years, that valuation shall be reduced by ten percent (10%) annually.

13 (2) The registration of a recreational vehicle with the county clerk in order to operate it
14 or permit it to be operated upon the highways shall be deemed consent by the
15 registrant thereof for the recreational vehicle to be assessed by the property
16 valuation administrator at a valuation determined from a standard manual
17 prescribed by the department for valuing recreational vehicles for assessment unless
18 the registrant appears in person before the property valuation administrator to assess
19 the vehicle.

20 (3) The registration of a motor vehicle on or before the date that the registration of the
21 vehicle is required is prima facie evidence of ownership on January 1.

22 (4) When a motor vehicle is purchased in one (1) year, but registration takes place after
23 January 1 of the following year through no fault of the owner, the department shall
24 assess the motor vehicle and shall send notice of the assessment to the January 1
25 owner in accordance with KRS 186A.035. If the month of registration has passed
26 for the current year, the assessment shall be due and payable if not protested to the
27 department within sixty (60) days from the date of the notice. Payments made after

1 the due date shall carry the normal penalty and interest for motor vehicles.

2 (5) This section does not apply to:

3 (a) Motor vehicles or recreational vehicles owned and operated by public service
4 companies, common carriers, or agencies of the state and federal
5 governments; or

6 (b) *Street-legal special purpose vehicles exempt from ad valorem taxation*
7 *under Section 39 of this Act.*

8 ➔Section 42. KRS 186A.530 is amended to read as follows:

9 (1) The owner of a motor vehicle that meets the definition of a salvage vehicle as set
10 forth in KRS 186A.520(1) and has been issued a salvage certificate of title in
11 Kentucky, or the equivalent thereof by another licensing jurisdiction, and has been
12 rebuilt, may make application for a new certificate of title pursuant to KRS
13 186.115. The Transportation Cabinet may promulgate administrative regulations
14 pursuant to KRS Chapter 13A governing the form of application.

15 (2) Upon receipt of a salvage certificate of title issued pursuant to KRS 186A.520, or
16 similar title issued by another state if the title does not disqualify the vehicle from
17 being titled for use on the highway in that state, and proof of passing the inspection
18 required by KRS 186A.115, the cabinet shall issue a new certificate of title with the
19 words "rebuilt vehicle" printed on the face of the title. The brand shall be carried
20 forward and printed in the appropriate section on the face of all titles issued
21 thereafter for that motor vehicle.

22 (3) If ownership of a motor vehicle has been transferred to an insurance company
23 through payment of damages, the insurance company making the payment of
24 damages shall be deemed the owner of the vehicle.

25 (4) The owner of a water damaged vehicle shall make application to the cabinet for a
26 salvage certificate of title as provided for in KRS 186A.520. The owner of a vehicle
27 with a brand from another jurisdiction identifying the vehicle as water damaged or

1 other similar designation who is making application for a Kentucky title shall be
2 issued a title with the words "water damaged" printed on the face of the title.

3 (5) A Kentucky salvage certificate of title may be issued from an out-of-state junking
4 certificate or other ownership document bearing a designation of "junk,"
5 "unrebuildable," or other similar classification that disqualifies the vehicle from
6 being titled for use on the highway in that state with the following provisions:

7 (a) The out-of-state junking certificate of title or other ownership certificate shall
8 be an original, secure document;

9 (b) The applicant shall submit a minimum of two (2) photographs of the motor
10 vehicle showing the damage to the motor vehicle. The photographs shall be
11 included in the application for a salvage certificate of title;

12 (c) The applicant shall submit a minimum of two (2) estimates of damage
13 verifying that the condition of the vehicle which has been issued the junking
14 certificate constitutes less than seventy-five percent (75%) of the retail value
15 of the vehicle, as prescribed by a nationally accepted used car valuation guide
16 or tool identified under KRS 304.20-110; and

17 (d) A salvage title issued under this subsection shall be branded "SALVAGE."
18 The Transportation Cabinet shall use a unique method of identification to
19 differentiate a salvage title issued under this subsection from other salvage
20 titles.

21 (6) (a) Upon receipt of a salvage certificate of title issued pursuant to subsection (5)
22 of this section, or an out-of-state junking certificate or other ownership
23 document bearing a designation of "junk," "unrebuildable," or other similar
24 classification that disqualifies the vehicle from being titled for use on the
25 highway in that state, and proof of passing the inspection required by KRS
26 186A.115, the cabinet shall issue a new certificate of title with the words
27 "REBUILT VEHICLE" printed on the face of the title. The Transportation

1 Cabinet shall use a unique method of identification to differentiate a rebuilt
2 brand issued under this paragraph from other rebuilt brands. The brand shall
3 be carried forward and printed in the appropriate section on the face of all
4 titles issued thereafter for that motor vehicle.

5 (b) A person who obtains a rebuilt title under this subsection shall permanently
6 affix a plate of metallic composition within the opening for the driver's side
7 door which states "REBUILT VEHICLE - May Not Be Eligible For Title In
8 All States."

9 (7) (a) When an insurance company makes a claim settlement on a vehicle that has
10 been stolen and recovered, if the vehicle meets the definition of a salvage
11 vehicle as set forth in KRS 186A.520, the company shall apply for a salvage
12 certificate of title as provided for in KRS 186A.520. Upon receipt of this
13 information, the cabinet shall issue the company a certificate of title to replace
14 a salvage certificate of title. The cabinet shall promulgate administrative
15 regulations pursuant to KRS Chapter 13A regarding the forms and any
16 additional information which insurance companies shall be required to obtain
17 and submit when seeking a certificate of title to replace a salvage certificate of
18 title.

19 (b) In claim settlements that do not involve transfer of the vehicle to the insurance
20 company, an insurer shall not render payment on a damage claim for a vehicle
21 whose damage meets or exceeds seventy-five percent (75%) of the value of
22 the vehicle, until the insurer has received proof that the owner has surrendered
23 the title or has applied for a salvage certificate of title as set forth in KRS
24 186A.520. The owner shall apply for a salvage certificate of title within three
25 (3) working days of the agreed settlement. This subsection shall not apply to
26 hail-damaged vehicles under KRS 186A.555.

27 (c) An insurance company shall not refuse coverage to, and shall not reclassify

1 coverage of, a vehicle that has been issued a rebuilt title pursuant to the
2 provisions of this section.

3 (8) A motor vehicle owner or a motor vehicle dealer licensed in this state who offers
4 for sale, trade, or transfer a motor vehicle which carries a title brand, as set forth in
5 subsection (2) or (6) of this section, shall disclose the nature of the brand to any
6 prospective buyer or transferee, prior to the sale, and according to the following:

7 (a) Dealer disclosure shall be located on a sticker placed on the vehicle. The
8 sticker wording shall be printed in at least ten (10) point, bold face type, on a
9 background of obviously different color, and shall include the following:
10 "THIS IS A REBUILT VEHICLE." This disclosure information shall not
11 appear on vehicles that do not have a branded title. Dealer disclosure shall
12 also be located on a buyer's notification form to be approved by the
13 Transportation Cabinet. The form shall inform the buyer that the vehicle is a
14 rebuilt vehicle and may include any other information the cabinet deems
15 necessary; and

16 (b) Nondealer disclosure shall be made in accordance with the procedures
17 provided for in KRS 186A.060. The Department of Vehicle Regulation shall
18 ensure that disclosure information appears near the beginning of the
19 application for title and informs the buyer that the vehicle is a rebuilt vehicle.

20 (9) Failure of a dealer to procure the buyer's acknowledgment signature on the buyer's
21 notification form or failure of any person other than a dealer to procure the buyer's
22 acknowledgment signature on the vehicle transaction record form shall render the
23 sale voidable at the election of the buyer. The election to render the sale voidable
24 shall be limited to forty-five (45) days after issuance of the title. This provision
25 shall not bar any other remedies otherwise available to the purchaser.

26 (10) The notification provisions of this section shall not apply to motor vehicles more
27 than ten (10) model years old.

1 (11) *A manufacturer licensed under KRS Chapter 190 shall not prohibit or restrict the*
2 *installation of vehicle software on a vehicle that has been issued a rebuilt title*
3 *under this section.*

4 (12) The Transportation Cabinet shall promulgate administrative regulations pursuant to
5 KRS Chapter 13A, regarding the administration of the title branding procedure. The
6 administrative regulations shall include the manner in which salvage titles and
7 rebuilt brands on vehicles previously declared unbuildable by another state are
8 differentiated from other salvage titles and rebuilt brands. The administrative
9 regulations may include designation of additional brands which provide significant
10 information to the owner.

11 ➔Section 43. KRS 186.010 is amended to read as follows:

12 As used in this chapter, unless otherwise indicated:

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

- 1 "Motor vehicle" shall not include a moped as defined in this section, but for
2 registration purposes shall include low-speed vehicles and military surplus vehicles
3 as defined in this section and vehicles operating under KRS 189.283;
- 4 (5) "Moped" means either a motorized bicycle whose frame design may include one (1)
5 or more horizontal crossbars supporting a fuel tank so long as it also has pedals, or
6 a motorized bicycle with a step-through type frame which may or may not have
7 pedals rated no more than two (2) brake horsepower, a cylinder capacity not
8 exceeding fifty (50) cubic centimeters, an automatic transmission not requiring
9 clutching or shifting by the operator after the drive system is engaged, and capable
10 of a maximum speed of not more than thirty (30) miles per hour;
- 11 (6) "Operator" means any person in actual control of a motor vehicle upon a highway;
- 12 (7) (a) "Owner" means a person who holds the legal title of a vehicle or a person who
13 pursuant to a bona fide sale has received physical possession of the vehicle
14 subject to any applicable security interest.
- 15 (b) A vehicle is the subject of an agreement for the conditional sale or lease, with
16 the vendee or lessee entitled to possession of the vehicle, upon performance of
17 the contract terms, for a period of three hundred sixty-five (365) days or more
18 and with the right of purchase upon performance of the conditions stated in
19 the agreement and with an immediate right of possession vested in the
20 conditional vendee or lessee, or if a mortgagor of a vehicle is entitled to
21 possession, the conditional vendee or lessee or mortgagor shall be deemed the
22 owner.
- 23 (c) A licensed motor vehicle dealer who transfers physical possession of a motor
24 vehicle to a purchaser pursuant to a bona fide sale, and complies with the
25 requirements of KRS 186A.220, shall not be deemed the owner of that motor
26 vehicle solely due to an assignment to his dealership or a certificate of title in
27 the dealership's name. Rather, under these circumstances, ownership shall

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

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

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

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

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

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

1 vehicles registered under KRS 186.060;

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

7 (13) "Special status individual" means:

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

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

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

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

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

1 instruction permits;

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

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

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

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

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

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

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

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

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

- 1 (b) Equipped with an engine greater than fifty (50) cubic centimeters;
- 2 (c) Designed to operate at a speed not to exceed fifty (50) miles per hour;
- 3 (d) Equipped with brake horsepower of two (2) or greater; and
- 4 (e) Equipped with a step-through frame or a platform for the operator's feet;
- 5 (25) "Alternative technology," as used in KRS 186.400 to 186.640, means methods used
- 6 by the cabinet to facilitate the issuance of operator's licenses and personal
- 7 identification cards outside of the normal in-person application at a cabinet office,
- 8 including but not limited to a cabinet mobile unit or online services;
- 9 (26) "Electric motorcycle" means the same as "motorcycle" or "motor scooter" as
- 10 defined in this section, that is powered by a:
- 11 (a) Battery or equivalent energy storage device that can be charged with an
- 12 electric plug using an external electricity source; or
- 13 (b) Combination of an internal combustion engine and electric motor; and
- 14 (27) "Electric vehicle" means any vehicle that has plug-in charging capability, regardless
- 15 of whether the vehicle is powered by:
- 16 (a) An electric motor only; or
- 17 (b) A combination of an internal combustion engine and electric power; **and**
- 18 **(28) "Manufactured home" has the same meaning as in KRS 227.550.**

- 19 ➔Section 44. The following KRS section is repealed:
- 20 189.271 Special permits for hauling industrial materials -- Renewals -- Administrative
- 21 regulations -- Overweight and overdimensional vehicles.
- 22 ➔Section 45. Sections 28 to 38 of this Act take effect January 1, 2027.
- 23 ➔Section 46. Sections 39 to 41 of this Act take effect January 1, 2028.