

HOUSE OF REPRESENTATIVES

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2026 REGULAR SESSION
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Amend printed copy of **SB 110/HCS 1**

On page 2, by deleting lines 12 through 14 in their entirety and inserting the following the lieu thereof:

"(4) A vehicle owner may request a printed copy of the title by submitting an application to the county clerk and paying the title print fees under Section 4 of this Act:

(a) Upon lien satisfaction in the system of record in AVIS; or

(b) At any time, including the time of title application, for vehicles without a lien."; and

On page 3, line 22 to page 5, line 7, by deleting Section 5 in its entirety and inserting the following in lieu thereof:

"→Section 5. KRS 134.805 is amended to read as follows:

- (1) The county clerk shall be allowed by the Department of Revenue, for collecting state ad valorem taxes on motor vehicles, a commission of four percent (4%) on state taxes collected.
- (2) The county clerk shall be allowed by the county treasurer, for collecting county and special district ad valorem taxes on motor vehicles, a commission of four percent (4%) on county and special taxes collected.
- (3) The county clerk shall be allowed a commission of four percent (4%) of the school district taxes collected.
- (4) ~~{Effective January 1, 1985, }~~The county clerk shall be allowed a commission of four

Amendment No. HFA

Rep. Rep. John Blanton

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRD Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

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percent (4%) of the city or urban-county government taxes collected.

- (5) (a) For the convenience and benefit of the Commonwealth's citizens and to maximize ad valorem tax collections, county clerks shall be responsible for causing the preparation and distribution~~[mailing]~~ of a notice of ad valorem taxes due to the January 1 owner, as defined in KRS 186.010(7)(a) and (c), of each motor vehicle no later than forty-five (45) days prior to the ad valorem tax and registration renewal due date in each calendar year.
- (b) When a vehicle is transferred in any year before the ad valorem taxes on that vehicle have been paid, a notice of taxes due shall be sent within ten (10) working days after the date of transfer or notice of transfer to the owner as of January 1 of that year.
- (c) When ad valorem taxes on a vehicle become delinquent for sixty (60) days, as defined by KRS 134.810, a second notice shall be sent within ten (10) working days to the January 1 owner of record. The notice shall inform the delinquent owner of the lien provisions provided by KRS 134.810 on all vehicles owned or acquired by the owner of the vehicle at the time the tax liability arose.
- (d) The~~[These]~~ notices required under this subsection shall be calculated, prepared, and distributed~~[mailed first class]~~ on behalf of county clerks by ~~the~~ AVIS. The notices required under this subsection shall be sent by:
1. Email, if the owner has provided an email address to the Transportation Cabinet in AVIS;
 2. Text message, if the owner has provided a mobile phone number to the Transportation Cabinet in AVIS; or
 3. First-class mail.
- (e) Nonreceipt of the notices required under this subsection~~herein~~ shall not constitute any defense against applicable penalty, interest, lien fees, or costs recovery."; and

On page 26, line 16, by removing the brackets and strikethrough from "and"; and

On page 26, line 22, by deleting " **and**" and inserting "." in lieu thereof; and

On page 26, by deleting lines 23 to 27 in their entirety; and

On page 27, by deleting lines 1 to 3 in their entirety; and

On page 102, between lines 18 and 19, by inserting the following:

"➔SECTION 44. A NEW SECTION OF KRS CHAPTER 186A IS CREATED TO
READ AS FOLLOWS:

(1) As used in this section:

(a) "Beneficiary" means a person designated to receive title to a vehicle upon the death of the preceding owner or joint owners;

(b) "Beneficiary designation form" means a form that contains the intention of a present owner or joint owners of a vehicle to name one (1) beneficiary to receive title to the vehicle upon the death of the owner or last surviving joint owner of the vehicle;

(c) "Joint owner":

1. Means an individual who owns a vehicle with one (1) or more other individuals as joint tenants with rights of survivorship; and

2. Does not include an individual who owns a vehicle with one (1) or more other individuals as tenants in common;

(d) "Owner" means an individual who owns a vehicle; and

(e) "Vehicle" includes any motor vehicle, motorcycle, motor home, trailer, or other item for which a certificate of title is issued by the cabinet.

(2) The cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A to:

(a) Provide a beneficiary designation form that allows the owner or joint owners of a

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vehicle to provide for the transfer of the vehicle's title to one (1) named beneficiary upon the death of the owner or upon the death of all joint owners of the vehicle.

The form shall include but not be limited to fields for the following information:

1. The manufacturer, model, year, and vehicle identification number of the vehicle;
2. The name of the owner or every joint owner of the vehicle;
3. The words "transfer on death to," or the abbreviation "TOD," followed by the name of the beneficiary; and
4. The signature of the owner of the vehicle or of each joint owner of the vehicle; and

(b) Require the county clerk to record the name of the beneficiary on the title upon receipt of the fee under KRS 186A.130.

(3) The cabinet shall make beneficiary forms available:

- (a) In each county clerk's office; and
- (b) On the cabinet's public website.

(4) Upon the death of the owner, or the last surviving joint owner, of a vehicle for which a beneficiary has been designated under subsection (2) of this section, the beneficiary shall present to the county clerk:

- (a) A death certificate of the owner or last surviving joint owner of the vehicle;
- (b) Proof of payment of ad valorem taxes on the vehicle for the current year, or if the taxes have not been paid, the beneficiary may elect to pay the taxes to facilitate the transfer;
- (c) The paper title, or duplicate title, if the title is not held in electronic format; and
- (d) The fee required under KRS 186A.130 for the certificate of title transfer.

(5) Upon presentation of the documents as required under subsection (4) of this section, the

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county clerk, subject to any security interest in the vehicle, shall issue a new certificate of title to the beneficiary.

(6) During the lifetime of the owner of the vehicle for which a beneficiary has been designated or before the death of the last surviving joint owner of the vehicle:

(a) The signature or consent of the beneficiary shall not be required for any transaction relating to the vehicle; and

(b) The owner or surviving joint owners of the vehicle may revoke or change the beneficiary designation at any time by:

1. Selling the vehicle with proper transfer and delivery of the certificate of title to another person; or

2. Properly executing a subsequent beneficiary designation form that removes the current beneficiary or designates a new beneficiary in conformity with subsection (2) of this section.

(7) Upon the death of the owner or the last surviving joint owner of a vehicle for which a beneficiary has been designated, the interest of the beneficiary in the vehicle shall be subject to any contract of sale, assignment, or ownership or security interest to which the owner or joint owners of the vehicle were subject during their lifetime.

(8) Except as provided in subsection (6)(b) of this section, the designation of a beneficiary shall not be changed or revoked by will, codicil, or by other instrument.

(9) A beneficiary may disclaim the interest in the motor vehicle on a form promulgated by the Transportation Cabinet in accordance with KRS Chapter 13A.

(10) The transfer on death of a vehicle under this section shall be a nontestamentary transfer and shall not be subject to any tax under KRS 138.460.

➔Section 45. KRS 138.470 is amended to read as follows:

There is expressly exempted from the tax imposed by KRS 138.460:

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- (1) (a) Motor vehicles titled or registered to the United States, or to the Commonwealth of Kentucky or any of its political subdivisions; and
(b) The gross rental or lease charges for the rental or lease of a motor vehicle paid by the United States, or the Commonwealth of Kentucky or any of its political subdivisions;
- (2) Motor vehicles titled or registered to institutions of purely public charity and institutions of education not used or employed for gain by any person or corporation;
- (3) Motor vehicles which have been previously titled in Kentucky on or after July 1, 2005, or previously registered and titled in any state or by the federal government when being sold or transferred to licensed motor vehicle dealers for resale. The motor vehicles shall not be leased, rented, or loaned to any person and shall be held for resale only;
- (4) Motor vehicles sold by or transferred from dealers registered and licensed in compliance with the provisions of KRS 186.070 and KRS 190.010 to 190.080 to members of the Armed Forces on duty in this Commonwealth under orders from the United States government;
- (5) Commercial motor vehicles, excluding passenger vehicles having a seating capacity for nine (9) persons or less, owned by nonresident owners and used primarily in interstate commerce and based in a state other than Kentucky which are required to be registered in Kentucky by reason of operational requirements or fleet proration agreements and are registered pursuant to KRS 186.145;
- (6) Motor vehicles titled in Kentucky on or after July 1, 2005, or previously registered in Kentucky, transferred between husband and wife, parent and child, stepparent and stepchild, or grandparent and grandchild;
- (7) Motor vehicles transferred when a business changes its name and no other transaction has taken place or an individual changes his or her name;
- (8) Motor vehicles transferred to a corporation from a proprietorship or limited liability

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company, to a limited liability company from a corporation or proprietorship, or from a corporation or limited liability company to a proprietorship, within six (6) months from the time that the business is incorporated, organized, or dissolved, if the transferor and the transferee are the same business entity except for a change in legal form;

- (9) Motor vehicles transferred by will, court order, or under the statutes covering descent and distribution of property, if the vehicles were titled in Kentucky on or after July 1, 2005, or previously registered in Kentucky;
- (10) Motor vehicles transferred between a subsidiary corporation and its parent corporation if there is no consideration, or nominal consideration, or in sole consideration of the cancellation or surrender of stock;
- (11) Motor vehicles transferred between a limited liability company and any of its members, if there is no consideration, or nominal consideration, or in sole consideration of the cancellation or surrender of stock;
- (12) The interest of a partner in a motor vehicle when other interests are transferred to him or her;
- (13) Motor vehicles repossessed by a secured party who has a security interest in effect at the time of repossession and a repossession affidavit as required by KRS 186.045(6). The repossession shall hold the vehicle for resale only and not for personal use, unless he or she has previously paid the motor vehicle usage tax on the vehicle;
- (14) Motor vehicles transferred to an insurance company to settle a claim. These vehicles shall be junked or held for resale only;
- (15) Motor carriers operating under a charter bus certificate issued by the Transportation Cabinet under KRS Chapter 281;
- (16) (a) 1. Motor vehicles registered under KRS 186.050 that have a declared gross vehicle weight with any towed unit of forty-four thousand and one (44,001) pounds or

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- greater; and
2. Farm trucks registered under KRS 186.050(4) that have a declared gross vehicle weight with any towed unit of forty-four thousand and one (44,001) pounds or greater.
 - (b) To be eligible for the exemption established in paragraph (a) of this subsection, motor vehicles shall be registered at the appropriate range for the declared gross weight of the vehicle established in KRS 186.050(3)(b) and shall be prohibited from registering at a higher weight range. If a motor vehicle is initially registered in one (1) declared gross weight range and subsequently is registered at a declared gross weight range lower than forty-four thousand and one (44,001) pounds, the person registering the vehicle shall be required to pay the county clerk the usage tax due on the vehicle unless the person can provide written proof to the clerk that the tax has been previously paid;
 - (17) Motor vehicles transferred to a trustee to be held in trust, or from a trustee to a beneficiary of the trust, if a direct transfer from the grantor of the trust to all individual beneficiaries of the trust would have qualified for an exemption from the tax pursuant to subsection (6) or (9) of this section;
 - (18) Motor vehicles transferred to a trustee to be held in trust, if the grantor of the trust is a natural person and is treated as the owner of any portion of the trust for federal income tax purposes under the provisions of 26 U.S.C. secs. 671 to 679;
 - (19) Motor vehicles transferred from a trustee of a trust to another person if:
 - (a) The grantor of the trust is a natural person and is treated as the owner of any portion of the trust for federal income tax purposes under the provisions of 26 U.S.C. secs. 671 to 679; and
 - (b) A direct transfer from the grantor of the trust to the person would have qualified for

an exemption from the tax pursuant to subsection (6) or (9) of this section; ~~and~~

(20) Motor vehicles under a manufacturer's statement of origin in possession of a licensed new motor vehicle dealer that are titled and transferred to a licensed used motor vehicle dealer and held for sale; and

(21) Motor vehicles transferred under Section 44 of this Act.

➔SECTION 46. A NEW SECTION OF KRS CHAPTER 281A IS CREATED TO READ AS FOLLOWS:

In accordance with 49 C.F.R. sec. 383.3(f)(3)(ii), as it existed on the effective date of this Act, exemptions for restricted CDLs for certain drivers in farm-related service industries, the cabinet shall promulgate emergency and ordinary administrative regulations in accordance with KRS Chapter 13A to extend the allowable time length of a limited CDL to the maximum length allowed under 49 C.F.R. sec. 383.3(f)(3)(ii), as it existed on the effective date of this Act."; and

By renumbering subsequent sections accordingly; and

On page 102, line 23, after "39 to 41" by inserting "and 44 to 45"; and

On page 102, after line 23, by inserting the following:

➔Section 50. Whereas on September 29, 2022, 49 C.F.R. sec. 383.3(f)(3)(ii) was amended to allow states that issue limited commercial driver's licenses to increase the allowable usage within a 12-month period from 180 days to 210 days for certain drivers in farm-related service industries, and the Transportation Cabinet has not taken action to comply with this federal regulation, an emergency is declared to exist, and Section 46 of this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law."