

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 who are exempted
11 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 shall use the
14 electronic title application and registration system and the centralized
15 lien management system to submit title, registration, and lien
16 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, lenders, and other entities
21 to construct and test systems to enable full implementation of the electronic
22 title application and registration system and the centralized lien
23 management system, including piloting the system in at least ten (10)
24 counties prior to July 1, 2027; 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 **vehicle owner, 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).

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, a commission of four percent (4%) on
25 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, a commission of four percent

1 (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 no later than forty-five (45) days prior to the ad valorem
11 tax and registration renewal due date in each calendar year.

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

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

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

25 **1. Email, if the owner has provided an email address to the**
26 **Transportation Cabinet in AVIS;**

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

1 **Transportation Cabinet in AVIS; or**

2 **3. First-class mail.**

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

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

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

- 22 (a) A bill of sale and a manufacturer's certificate of origin if the application is for
23 the registration of a new motor vehicle;
- 24 (b) The owner's registration receipt, if the motor vehicle was last registered in this
25 state;
- 26 (c) A bill of sale and the previous registration receipt, if last registered in another
27 state where the law of that state does not require the owner of a motor vehicle

- 1 to obtain a certificate of title or ownership;
- 2 (d) A certificate of title, if last registered in another state where the law of that
- 3 state requires the owner of a motor vehicle to obtain a certificate of title or
- 4 ownership;
- 5 (e) An affidavit from an officer of a local government saying that the motor
- 6 vehicle has been abandoned and that the provisions of KRS 82.630 have been
- 7 complied with, for local governments which elect to use the provisions of
- 8 KRS 82.600 to 82.640;
- 9 (f) The application from a person who has brought a motor vehicle into the
- 10 Commonwealth from another state shall be accompanied by proof that the
- 11 motor vehicle is insured in compliance with KRS 304.39-080; and
- 12 (g) Proof of insurance in compliance with KRS 186.077 if the application is for
- 13 the registration of a street-legal special purpose vehicle.
- 14 (2) After that, except as provided in subsection (6) of this section, the owner of any
- 15 motor vehicle registered under KRS 186.050(1) or (2) shall register his or her motor
- 16 vehicle on or before the date on which his or her certificate of registration expires.
- 17 If, before operating the motor vehicle in this state, the owner registers it at some
- 18 later date and pays the fee for the full year, he or she will be deemed to have
- 19 complied with the law. Insofar as the owner is concerned, registration with the clerk
- 20 shall be deemed to be registration with the cabinet.
- 21 (3) After that, the owner of any commercial vehicle registered under KRS 186.050(3)
- 22 to (14) shall register the commercial vehicle on or before April 1 of each year. If,
- 23 before operating a commercial vehicle in this state, the owner registers it at some
- 24 later date and pays the required fee, he or she will be deemed to have complied with
- 25 the law. Insofar as the owner is concerned, registration with the clerk shall be
- 26 deemed to be registration with the cabinet, except the owner of any commercial
- 27 motor vehicle to be registered pursuant to the International Registration Plan under

1 KRS 186.050(13) shall register the commercial motor vehicles on or before the last
2 day of the month of registration established pursuant to KRS 186.051(3).

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

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

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

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

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

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

1 (a) of this subsection.

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

8 (7) The provisions of this section shall not apply to vehicles for which permanent
9 registration has been obtained pursuant to KRS 186A.127.

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

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

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

- 13 a. Deed of trust or assignment for the benefit of creditors;
- 14 b. Deed;
- 15 c. Deed of assignment;
- 16 d. File-stamped copy of documents set forth in KRS 14A.2-040(1) or
17 (2) that have been filed first with the Secretary of State;
- 18 e. Real estate option;
- 19 f. Power of attorney;
- 20 g. Revocation of power of attorney;
- 21 h. Lease which is recordable by law;
- 22 i. Deed of release of a mortgage or lien under KRS 382.360;
- 23 j. United States lien;
- 24 k. Release of a United States lien;
- 25 l. Release of any recorded encumbrance other than state liens;
- 26 m. Lis pendens notice concerning proceedings in bankruptcy;
- 27 n. Lis pendens notice;

- 1 o. Mechanic's and artisan's lien under KRS Chapter 376;
- 2 p. Assumed name;
- 3 q. Notice of lien issued by the Internal Revenue Service;
- 4 r. Notice of lien discharge issued by the Internal Revenue Service;
- 5 s. Original, assignment, amendment, or continuation financing
- 6 statement;
- 7 t. Making a record for the establishment of a city, recording the plan
- 8 or plat thereof, and all other service incident;
- 9 u. Survey of a city, or any part thereof, or any addition to or
- 10 extensions of the boundary of a city;
- 11 v. Recording with statutory authority for which no specific fee is set,
- 12 except a military discharge;
- 13 w. Will or other probate document pursuant to KRS Chapter 392 or
- 14 394;
- 15 x. Court ordered name change pursuant to KRS Chapter 401;
- 16 y. Land use restriction according to KRS 100.3681; and
- 17 z. Filing with statutory authority for which no specific fee is set.
- 18 For all items in this subsection if the entire thereof does not exceed
- 19 five (5) pages\$33.00
- 20 And, for all items in this subsection exceeding five (5) pages,
- 21 for each additional page\$3.00
- 22 And, for all items in this subsection for each additional reference
- 23 relating to same instrument\$4.00
- 24 2. The thirty-three dollar (\$33) fee imposed by this subsection shall be
- 25 divided as follows:
- 26 a. Twenty-seven dollars (\$27) shall be retained by the county clerk;
- 27 and

- 1 b. Six dollars (\$6) shall be paid to the affordable housing trust fund
2 established in KRS 198A.710 and shall be remitted by the county
3 clerk within ten (10) days following the end of the quarter in
4 which the fee was received. Each remittance to the affordable
5 housing trust fund shall be accompanied by a summary report on a
6 form prescribed by the Kentucky Housing Corporation.
- 7 (b) For noting *an initial or continuation*~~[a]~~ security interest on a certificate of
8 title pursuant to
9 KRS Chapter 186A\$12.00
- 10 (c) For filing the release of collateral under a financing statement
11 and noting same upon the face of the title pursuant to KRS Chapter
12 186 or 186A\$5.00
- 13 (d) Filing or recording state tax or other state liens\$5.00
- 14 (e) Filing release of a state tax or other state lien\$5.00
- 15 (f) Acknowledging or notarizing any deed, mortgage, power of attorney,
16 or other written instrument required by law for recording and certifying
17 same\$5.00
- 18 (g) Recording plats, maps, and surveys, not exceeding 24 inches by
19 36 inches, per page\$40.00
- 20 (h) Recording a bond, for each bond\$10.00
- 21 (i) Each bond required to be taken or prepared by the clerk\$4.00
- 22 (j) Copy of any bond when ordered\$3.00
- 23 (k) Administering an oath and certificate thereof\$5.00
- 24 (l) Issuing a license for which no other fee is fixed by law\$8.00
- 25 (m) Issuing a solicitor's license\$15.00
- 26 (n) Marriage license, indexing, recording, and issuing certificate thereof\$26.50
- 27 (o) Every order concerning the establishment, changing, closing, or

1	discontinuing of roads, to be paid out of the county levy when	
2	the road is established, changed, closed, or discontinued, and by	
3	the applicant when it is not	\$3.00
4	(p) Registration of licenses for professional persons required to register	
5	with the county clerk	\$10.00
6	(q) Certified copy of any record	\$5.00
7	Plus fifty cents (\$.50) per page after three (3) pages	
8	(r) Filing certification required by KRS 65.070(2)(a)	\$5.00
9	(s) Filing notification and declaration and petition of candidates	
10	for Commonwealth's attorney.....	\$200.00
11	(t) Filing notification and declaration and petition of candidates for county	
12	and independent boards of education	\$20.00
13	(u) Filing notification and declaration and petition of candidates for	
14	boards of soil and water conservation districts	\$20.00
15	(v) Filing notification and declaration and petition of candidates for	
16	other office	\$50.00
17	(w) Filing declaration of intent to be a write-in candidate for office	\$50.00
18	(x) Filing petitions for elections, other than nominating petitions	\$50.00
19	(y) Notarizing any signature, per signature	\$2.00
20	(z) Filing bond for receiving bodies under KRS 311.310	\$10.00
21	(aa) Noting the assignment of a certificate of delinquency and recording	
22	and indexing the encumbrance under KRS 134.126 or 134.127	\$27.00
23	(ab) Filing a going-out-of-business permit under KRS 365.445	\$50.00
24	(ac) Filing a renewal of a going-out-of-business permit under KRS 365.445	\$50.00
25	(ad) Filing and processing a transient merchant permit under KRS 365.680	\$25.00
26	(ae) Recording and indexing a real estate mortgage:	
27	1. For a mortgage that does not exceed thirty (30) pages.....	\$63.00

1 2. And, for a mortgage that exceeds thirty (30) pages, for each additional
2 page\$3.00

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

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

8 (a) Fifty-seven dollars (\$57) shall be retained by the county clerk; and

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

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

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

19 1. This fee shall:

20 a. Not be paid annually to the fiscal court under KRS 64.152;

21 b. Not be paid to the Finance and Administration Cabinet under KRS
22 64.345;

23 c. Be accumulated and transferred to the fiscal court or the legislative
24 body of an urban-county government on a monthly basis within
25 ten (10) days following the end of the month;

26 d. Be maintained by the fiscal court or the legislative body of an
27 urban-county government in a separate bank account and

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

- 1 (c) In a county containing a consolidated local government:
- 2 1. The fee shall not:
- 3 a. Be paid to the Finance and Administration Cabinet under KRS
- 4 64.345; or
- 5 b. Lapse to the general fund of the consolidated local government.
- 6 2. The moneys accumulated from this fee shall be held in perpetuity by the
- 7 county clerk in a separate fund to be used exclusively for:
- 8 a. Equipment related to the permanent storage of and access to
- 9 records, including deed books, binders, shelves, microfilm
- 10 equipment, and fireproof equipment;
- 11 b. Hardware for the permanent storage of and access to records,
- 12 including computers, servers, and scanners;
- 13 c. Software for the permanent storage of and access to records,
- 14 including vendor services and consumer subscription fees;
- 15 d. Personnel costs for the permanent storage of and access to records,
- 16 including overtime costs for personnel involved in the digitization
- 17 of records; and
- 18 e. Cloud storage and cybersecurity services for the permanent storage
- 19 of and access to records.
- 20 3. No later than July 1 of each year, the county clerk shall submit a report
- 21 to the consolidated local government and the Legislative Research
- 22 Commission detailing the receipts, expenditures, and any amounts
- 23 remaining in the fund.

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

25 As used in this chapter:

26 (1) "Approved entity" means:

27 (a) A motor vehicle dealer licensed under KRS Chapter 190 that applies to and is

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

1 by a company and used for business purposes;~~[-and]~~

2 (5) **"Termination statement" means a statement allowing a lien to be released that is**
3 **transmitted by:**

4 **(a) A form promulgated by the cabinet through administrative regulations in**
5 **accordance with KRS Chapter 13A; or**

6 **(b) A letter from a lender that is dated, signed, and notarized, on letterhead with**
7 **the name and logo of the lender, that includes the:**

8 **1. Name of the vehicle's owner;**

9 **2. Vehicle identification number;**

10 **3. Filing date of the lien; and**

11 **4. Lien file number assigned at the time of the filing of the lien; and**

12 **(6)** "Title lien statement" means a document **or electronic submission**, submitted by a
13 secured party or authorized agent, to the cabinet through any county clerk's office in
14 the Commonwealth, to note the security interest on the certificate of title, or to
15 amend or terminate a security interest on the certificate of title.

16 ➔Section 9. KRS 186.045 is amended to read as follows:

17 (1) A perfected security interest in a motor vehicle that has been satisfied by payment
18 in full shall be deemed to have been discharged if one (1) or both of the following
19 events has occurred:

20 (a) The funds to pay in full and discharge the security interest have been provided
21 to the secured party in the form of a cashier's check, certified check, or wire
22 transfer; or

23 (b) The debt has been paid to a secured party who is no longer in existence or has
24 failed to file the necessary documents to discharge the lien.

25 (2) If payment in full has been made under subsection (1)(a) of this section, the
26 discharge of the lien shall be made not later than ten (10) days from the receipt of
27 the payment.

1 (3) When a security interest has been paid in full and a termination statement, as
2 defined in Section 8 of this Act, or discharge has not been filed, the debtor may
3 petition the Circuit Court in the county of the debtor's residence to order the
4 discharge of the security interest. The debtor shall present written evidence to the
5 Circuit Court that the security interest has been paid in full. If the evidence
6 presented to the Circuit Court proves to the court's satisfaction that the security
7 interest has been paid in full, the court shall order the county clerk to note the
8 termination on the title and to remove the lien from the Automated Vehicle
9 Information System (AVIS). A copy of the court's order shall immediately be sent
10 to the county clerk in the county where the security interest was originally filed and
11 the county clerk shall discharge the security interest and remove the lien
12 information from AVIS in accordance with the provisions of this section.

13 (4) Whenever a security interest has been discharged, other than by proceedings under
14 Part 6 of Article 9 of KRS Chapter 355 or similar proceedings, the secured party
15 shall:

16 (a) 1. For a security interest perfected prior to January 1, 2025:

17 a. Deliver an authenticated termination statement in the manner
18 required by KRS 355.9-513 to the county clerk of the county in
19 which the title lien statement was submitted; or

20 b. Have a county clerk from another county submit by fax or other
21 form of electronic communication available and acceptable to both
22 sender and recipient, and verified verbally or by electronically
23 assigned identification as being from the sending clerk, and which
24 is able to be copied to an electronic or paper file, on that county
25 clerk's letterhead, an authenticated termination statement in the
26 manner required by KRS 355.9-513 to the county clerk of the
27 county in which the title lien statement was submitted. The county

1 clerk, upon receipt of the authenticated termination statement in
2 the manner prescribed under this paragraph, shall verify the
3 legitimacy of the document; or

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

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

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

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

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

24 (7) Whenever any vehicle brought into Kentucky is required to be titled and the vehicle
25 is then subject to a security interest in another state as shown by the out-of-state
26 documents presented to the clerk, the county clerk is prohibited from processing the
27 application for title on the vehicle unless the owner obtains from the secured party a

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

held harmless from any liability arising from fraudulent termination statements.

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

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

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

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

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

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

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

(a) Credit card;

(b) Debit card;

(c) Electronic check;

(d) Automated clearinghouse (ACH) debit; or

(e) Any other electronic payment method upon the prior written approval of both the Finance and Administration Cabinet and the State Treasurer.

(2) Any fees charged to a county clerk by the provider of the payment services listed in subsection (1) of this section shall be deemed to represent collection expenses

1 and may be considered normal operating expenses of the county clerk, or the
2 county clerk may collect convenience fees from users to recover their costs of
3 delivering services.

4 (3) In addition to any payment method authorized by law and notwithstanding any
5 statute to the contrary, a county clerk may pay internal clerk's office accounts,
6 the Transportation Cabinet, other state agencies, and taxing districts using
7 automated clearinghouse (ACH) debit.

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

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

- 11 (1) Take all applications as provided in KRS 186.005 to 186.260;
- 12 (2) Issue the receipts on blanks furnished by the cabinet;
- 13 (3) Collect the fees due the state;
- 14 (4) Distribute the registration plates furnished by the Transportation Cabinet and
15 Department of Vehicle Regulation and keep a complete public record of all
16 registrations for the~~[his]~~ county~~[,]~~ in the clerk's~~[his]~~ office;
- 17 (5) (a) Report and remit each Monday to the Transportation Cabinet all moneys
18 collected during the previous week, together with an electronic copy~~[a~~
19 ~~duplicate]~~ of all receipts issued by the clerk~~[him]~~ during the same period. The
20 clerk~~[He]~~ shall make all forms of payment~~[checks]~~ payable to the State
21 Treasurer.

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

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

6 **(d)** All penalties collected under this **subsection**~~[provision]~~ shall be paid into the
7 State Treasury as a part of the revenue collected under KRS 186.005 to
8 186.260;

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

13 ~~(7)[~~ Account to the Transportation Cabinet for all registration plates and receipt forms
14 consigned to **the clerk**~~[him]~~, at such time or times as the Transportation Cabinet
15 may direct, and give the appropriate cabinet timely notice of a probable deficiency
16 of plates or other supplies;

17 ~~(7)(8)[~~ **Place a lien on any vehicle for which the**~~[Any]~~ county clerk,~~[who]~~ in
18 collecting the taxes and fees due the state or county clerk, accepts in payment~~[~~
19 ~~thereof]~~ a check which is not honored upon presentment, **The**~~[, shall have a]~~ lien on
20 the vehicle **under this subsection shall be** for the amount of **the**~~[such]~~ check.
21 **A**~~[This]~~ lien **under this subsection** shall be subordinate to any prior perfected lien,
22 either contractual or statutory;

23 ~~(8)(9)[~~ **Not permit a**~~[No]~~ person~~[shall be permitted]~~ to sell, trade, or transfer
24 ownership of a motor vehicle if evidence is presented to the county clerk that any
25 lien exists on the motor vehicle; and

26 ~~(9)(10)[The county clerk shall]~~Not issue to any manufacturer or dealer any
27 registration plate other than a manufacturer's or dealer's plate, or registration plate

1 which is under a dealer assignment pursuant to KRS 186A.230, except when the
2 dealer registers a motor vehicle under a U-Drive-It permit, without collecting
3 designated registration fees and applicable taxes.

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

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

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

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

17 ~~(3)[Failure to forward duplicates of all receipts issued during the reporting period or~~
18 ~~failure to file the weekly report of moneys collected within seven (7) working days~~
19 ~~after the report is due shall subject the clerk to a penalty of two and one half percent~~
20 ~~(2.5%) of the amount of moneys collected during the reporting period for each~~
21 ~~month or fraction thereof until the documents are filed.~~

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

1 ~~(4)~~(5) The penalties provided in this section shall not apply if the failure of the clerk
2 is due to reasonable cause.

3 ~~(5)~~(6) The department may in its discretion grant a county clerk a reasonable
4 extension of time to file ~~the~~~~his~~ report or make any transfer of deposits as required
5 in subsection (2) of this section~~above~~. The extension, however, must be requested
6 prior to the end of the seven (7) day period and shall begin to run at the end of said
7 period.

8 ~~(6)~~(7) All penalties collected under this ~~section~~~~provision~~ shall be paid into the
9 State Treasury as a part of the revenue collected under KRS 138.450 to 138.729 and
10 139.778.

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

12 (1) (a) Except for vehicles described in paragraph (b) of this subsection, all motor
13 vehicles, including motorcycles, with a gross vehicular weight of ten thousand
14 (10,000) pounds or less, first registered, or for which the registration is
15 renewed, shall be placed in a system of year-round registration based upon the
16 birth date of the owner, in order to distribute the work of registering motor
17 vehicles as uniformly as practicable throughout the twelve (12) months of the
18 year.

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

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

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

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

- 1 1. One (1) of the owners, who is a resident of Kentucky, shall be identified
2 as the designated owner;
- 3 2. The designated owner shall indicate to the county clerk his or her birth
4 date to be used for purposes of this section;~~[-and]~~
- 5 3. If the circumstances of ownership change and the designated owner is
6 no longer an owner of the motor vehicle or no longer a resident of
7 Kentucky, another owner may title the motor vehicle in his or her name
8 if that owner is a resident of Kentucky. If none of the remaining owners
9 are a resident of Kentucky, one (1) of the owners shall title the vehicle
10 in that owner's state of residence; and
- 11 4. Joint owners under this paragraph may designate that the title will
12 transfer upon death of another owner. Upon the death of one (1) of
13 the owners, the jointly owned vehicle shall transfer to the surviving
14 owner free from payment of a title application fee. The surviving
15 owner shall include a copy of the death certificate with the application
16 for a new title. If the surviving owner wishes to obtain a printed copy
17 of the title, the owner shall apply to the county clerk and pay the fee
18 for a printed title in Section 4 of this Act.
- 19 (c) If a motor vehicle is jointly owned by a married couple, the ownership shall
20 exist as a joint tenancy with right of survivorship, unless the registration
21 expressly states to the contrary and gives an alternative specific status. One
22 (1) of the owners shall indicate to the county clerk his or her birth date to be
23 used for purposes of this section. Upon the death of one (1) of the spouses, the
24 jointly-owned vehicle shall transfer to the surviving spouse free from payment
25 of a title application fee~~[any state required transfer fees]~~. The surviving
26 spouse shall include a copy of the death certificate with the application for a
27 new title. If the surviving spouse wishes to obtain a printed copy of the title,

1 *the owner shall apply to the county clerk and pay the fee for a printed title*
2 *in Section 4 of this Act.*

3 (d) A certificate of title:

- 4 1. May bear the connector "AND" to designate joint ownership. If the
5 "AND" connector is used, the signatures of all owners shall be required
6 to transfer the certificate of title;
- 7 2. May bear the connector "OR" to designate joint ownership. If the "OR"
8 connector is used, the signature of only one (1) owner shall be required
9 to transfer the certificate of title; and
- 10 3. Shall not bear the connector "AND/OR" to designate joint ownership. If
11 a title produced prior to June 27, 2025, bears the connector "AND/OR,"
12 the cabinet and the county clerk shall follow the procedures in
13 subparagraph 1. of this paragraph in transferring the certificate of title,
14 unless directed otherwise by a court.

15 (3) The certificate of registration and license plate issued for a motor vehicle first
16 registered, renewed, or titled in this state shall be valid until the expiration date on
17 the registration receipt, unless revoked in accordance with KRS 186A.040 or
18 canceled by the cabinet in accordance with KRS Chapter 186 or this chapter. Any
19 transaction relating to registration or registration renewal which would cause an
20 unexpired Kentucky motor vehicle license plate to be surrendered shall have that
21 unexpired fee prorated or credited against any additional fee required by a
22 subsequent registration.

23 (4) Except for vehicles registered under subsection (1)(b) of this section, KRS 186.041,
24 186.042, and 186.162 that have a specified, universal expiration date, after a motor
25 vehicle has been initially placed in the system of year-round registration, the owner
26 shall renew the registration annually during the owner's birth month, either by
27 making application to the county clerk or on the cabinet's website, and paying the

- 1 fee required for twelve (12) consecutive months of registration, which shall take
2 effect on the first day of the month succeeding the owner's birth month and shall
3 expire on the last day of the owner's next birth month. The county clerk shall collect
4 the fees set forth in KRS 186.040(1) and (6) for each renewal.
- 5 (5) At least forty-five (45) days prior to the expiration of the registration of any motor
6 vehicle previously registered in the Commonwealth as provided by subsection (1)
7 of this section, the owner of the vehicle shall be notified~~[by mail or email]~~ on the
8 same notice required by KRS 134.805(5) of the date of expiration. Nonreceipt of
9 the notice required by this subsection shall not constitute a defense to any
10 registration-related offense.
- 11 (6) Any owner who fails to renew the registration of a motor vehicle during the month
12 in which the previous registration expired shall, if he or she applies for renewal of
13 the registration in some later month, pay the same fees that would have been
14 required if the registration had been renewed in the month which the previous
15 registration expired, and, if applicable, the reinstatement fee for a cancelled
16 registration required under KRS 186.040.
- 17 (7) Fees which must be prorated in carrying out the intent of this section shall be
18 prorated on the basis of twelfths of the annual registration fee. Any vehicle which is
19 registered at any time during a month shall pay the fee required for that whole
20 month plus any additional months of registration purchased consistent with the
21 intent of the section.
- 22 (8) The county clerk shall ensure that the certificate of registration issued to an owner
23 displays the month and year in which the registration period begins and the month
24 and year of its expiration, and shall issue to the owner a decal or decals
25 corresponding to the month and year of expiration shown in the certificate of
26 registration which shall be placed upon the corresponding license plate by the
27 owner in the manner required by administrative regulations of the Department of

1 Vehicle Regulation.

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

- 3 (1) The Department of Vehicle Regulation is directed to develop, in cooperation with
4 county clerks, auto dealers, and the Department of Revenue, Department of
5 Insurance, and Department of Kentucky State Police, the forms required to record
6 all information pertinent to the registration, titling, and taxation of a vehicle.
- 7 (2) The Department of Vehicle Regulation shall make every effort to minimize and
8 reduce the amount of paperwork required to apply for, or transfer, a vehicle title.
9 When possible, the title document itself shall be used as the primary form used to
10 effect a transfer of vehicle ownership. The title document shall contain space
11 exclusively reserved for a minimum of two (2) dealer assignments.
- 12 (3) When no in-state title exists, forms shall be designed by the department that require
13 only the appropriate and essential information to effect the application for title.
- 14 (4) (a) The department shall constantly review the information needs of government
15 agencies and other organizations with the goal of reducing or eliminating
16 unnecessary documentation. Information being sought for application for title
17 relevant to, but not limited to, vehicle identification, owner, buyer, usage tax,
18 county clerk, or inspector shall be set forth by the cabinet in such a way as to
19 promote flexibility in reaching this goal.
- 20 (b) Subject to the limitations of paragraph (c) of this subsection, an applicant for a
21 motor vehicle title shall be required to provide his or her Kentucky operator's
22 license number, Kentucky personal identification card number, or Social
23 Security number as part of the application process.
- 24 (c) If a motor vehicle is jointly owned, one (1) of the owners, who is a resident of
25 Kentucky, shall be identified as the designated owner, and only the designated
26 owner shall be required to provide his or her Kentucky operator's license
27 number, Kentucky personal identification card number, or Social Security

1 number as part of the application process.

2 (d) Any vehicle owned by a business that is licensed by the Secretary of State
3 shall be titled and registered using a Federal Employer Identification Number.

4 (e) An applicant for a motor vehicle registration shall be required to provide his
5 or her Kentucky operator's license, Kentucky personal identification card, or
6 Social Security number as part of the application process.

7 (f) If a motor vehicle has situs and is principally operated in Kentucky, and the
8 owner does not reside in the Commonwealth, the motor vehicle shall be
9 registered with the owner's Social Security number and out-of-state operator's
10 license number.

11 (5) The use of an electronic medium shall be employed so that forms can be printed by
12 the automated system. Existing statutory language in this chapter and KRS Chapter
13 186 pertaining to application, signature, forms, or application transfer record may
14 be construed to be electronic in nature at the discretion of the cabinet as provided
15 for by administrative regulation.

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

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

20 (1) As used in this section:

21 (a) "Local government" means a city, county, charter county government, urban-
22 county government, consolidated local government, or unified local
23 government;

24 (b) 1. "Special purpose vehicle" means an all-terrain vehicle, utility terrain
25 vehicle, minitruck, pneumatic-tired military vehicle, or full-size special
26 purpose-built vehicle, including a vehicle that is self-constructed or built
27 by the original equipment manufacturer and a vehicle that has been

1 modified.

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

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

- 7 a. One (1) or more headlamps;
- 8 b. One (1) or more tail lamps;
- 9 c. One (1) or more brake lamps;
- 10 d. A trail lamp or other lamp constructed and placed to illuminate the
11 registration plate with a white light;
- 12 e. One (1) or more red reflectors on the rear of the vehicle;
- 13 f. An amber electric turn system, one (1) on each side of the front of
14 the vehicle;
- 15 g. Amber or red electric turn signals on the rear of the vehicle;
- 16 h. A braking system, other than a parking brake;
- 17 i. A horn or other warning device;
- 18 j. A working muffler;
- 19 k. Rearview mirrors on the right and left side of the driver;
- 20 l. A windshield, unless the operator of the vehicle wears eye
21 protection while operating the vehicle;
- 22 m. A speedometer, illuminated for nighttime operation;
- 23 n. A roll bar or roll cage;
- 24 o. For multi-passenger vehicles, a seatbelt assembly that conforms to
25 the federal motor vehicle safety standard provided in 49 C.F.R.
26 sec. 571.209 for each designated seating position; and
- 27 p. Tires that have at least two thirty-seconds (2/32) of an inch or

1 greater tire tread.

2 2. "Street-legal special purpose vehicle" does not include a low-speed
3 vehicle as defined in KRS 186.010 or a vehicle primarily used for farm
4 or agricultural activities.

5 (2) A person shall not operate a street-legal special purpose vehicle on a highway if:

6 (a) The highway is located within the jurisdictional boundaries of a local
7 government where the operation of special purpose vehicles has not been
8 allowed by local ordinance;

9 (b) The highway is a controlled-access system, including but not limited to an
10 interstate or parkway; or

11 (c) The United States Department of Agriculture prohibits special purpose
12 vehicles where the highway is located.

13 (3) Nothing in this section authorizes the operation of a street-legal special purpose
14 vehicle in an area that is not open to motor vehicle use.

15 (4) Street-legal special purpose vehicles are prohibited from traveling a distance greater
16 than twenty (20) miles on a highway displaying centerline pavement markings.

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

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

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

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

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

25 (7) Upon registration of any street-legal special purpose vehicle under KRS 186.020,
26 the county clerk shall issue the owner a motorcycle registration plate for the
27 vehicle.

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

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

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

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

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

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

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

1 ~~set if it is applied for a time other than at registration renewal.~~

2 (d) If the cabinet has prescribed that plates shall continue in use, it shall each
3 year, in addition to the registration receipt, select and give to the owner as
4 further evidence of registration some insignia which may conveniently be
5 attached permanently and conspicuously to the motor vehicle during each
6 registration year. It shall be the duty of the owner to attach the insignia in the
7 prescribed manner and no person may operate a motor vehicle unless the
8 insignia is affixed upon it. The cabinet shall have placed on the insignia either
9 figures, letters, writing, marks, or a combination thereof, which indicate that
10 the motor vehicle has been registered and which in conjunction with the
11 records of the cabinet make identity of the registrant readily ascertainable.

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

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

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

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

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

26 (1) The following taxes shall be paid:

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

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

1 defined in KRS 131.010(6) from the date due until the date of payment.

- 2 (5) (a) One dollar (\$1) of the amount collected under each paragraph of subsection
3 (1) of this section shall be placed in an agency fund in the Department for
4 Libraries and Archives to be used exclusively for the purpose of preserving
5 and retaining public records by continuing the local records grant program
6 active in the Department for Libraries and Archives.
- 7 (b) Ninety percent (90%) of all funds allocated to the Department for Libraries
8 and Archives under paragraph (a) of this subsection for the local records grant
9 program shall be set aside for grants to county clerks and distributed annually,
10 except as provided in paragraph (c) of this subsection.
- 11 (c) If there are insufficient grant applications from county clerks for the
12 Department for Libraries and Archives to distribute ninety percent (90%) of
13 all funds allocated under paragraph (a) of this subsection, the Department for
14 Libraries and Archives may grant those funds to other agencies.

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

16 As used in this chapter:

- 17 (1) "Department" means the Department of Highways;
- 18 (2) "Crosswalk" means:
- 19 (a) That part of a roadway at an intersection within the connections of the lateral
20 lines of the sidewalks on opposite sides of the highway measured from the
21 curbs or in the absence of curbs, from the edges of the traversable roadway; or
- 22 (b) Any portion of a roadway at an intersection or elsewhere distinctly indicated
23 for pedestrian crossing by lines or other markings on the surface;
- 24 (3) "Highway" means any public road, street, avenue, alley or boulevard, bridge,
25 viaduct, or trestle and the approaches to them and includes private residential roads
26 and parking lots covered by an agreement under KRS 61.362, off-street parking
27 facilities offered for public use, whether publicly or privately owned, except for-

- 1 hire parking facilities listed in KRS 189.700;
- 2 (4) "Intersection" means:
- 3 (a) The area embraced within the prolongation or connection of the lateral curb
- 4 lines, or, if none, then the lateral boundary lines of the roadways of two (2)
- 5 highways which join one another, but do not necessarily continue, at
- 6 approximately right angles, or the area within which vehicles traveling upon
- 7 different highways joining at any other angle may come into conflict; or
- 8 (b) Where a highway includes two (2) roadways thirty (30) feet or more apart,
- 9 then every crossing of each roadway of such divided highway by an
- 10 intersecting highway shall be regarded as a separate intersection. If the
- 11 intersecting highway also includes two (2) roadways thirty (30) feet or more
- 12 apart, every crossing of two (2) roadways of the highways shall be regarded as
- 13 a separate intersection. The junction of a private alley with a public street or
- 14 highway shall not constitute an intersection;
- 15 (5) "Manufactured home" has the same meaning as defined in KRS 186.650;
- 16 (6) "Motor truck" means any motor-propelled vehicle designed for carrying freight or
- 17 merchandise. It shall not include self-propelled vehicles designed primarily for
- 18 passenger transportation but equipped with frames, racks, or bodies having a load
- 19 capacity of not exceeding one thousand (1,000) pounds;
- 20 (7) "Operator" means the person in actual physical control of a vehicle;
- 21 (8) "Pedestrian" means any person afoot or in a wheelchair;
- 22 (9) "Right-of-way" means the right of one (1) vehicle or pedestrian to proceed in a
- 23 lawful manner in preference to another vehicle or pedestrian approaching under
- 24 such circumstances of direction, speed, and proximity as to give rise to danger of
- 25 collision unless one grants precedence to the other;
- 26 (10) "Roadway" means that portion of a highway improved, designed, or ordinarily used
- 27 for vehicular travel, exclusive of the berm or shoulder. If a highway includes two

1 (2) or more separate roadways, the term "roadway" as used herein shall refer to any
2 roadway separately but not to all such roadways collectively;

3 (11) "Safety zone" means the area or space officially set apart within a roadway for the
4 exclusive use of pedestrians and which is protected or is so marked or indicated by
5 adequate signs as to be plainly visible at all times while set apart as a safety zone;

6 (12) "Semitrailer" means a vehicle designed to be attached to, and having its front end
7 supported by, a motor truck or truck tractor, intended for the carrying of freight or
8 merchandise and having a load capacity of over one thousand (1,000) pounds;

9 (13) "Truck tractor" means any motor-propelled vehicle designed to draw and to support
10 the front end of a semitrailer. The semitrailer and the truck tractor shall be
11 considered to be one (1) unit;

12 (14) "Sharp curve" means a curve of not less than thirty (30) degrees;

13 (15) "State Police" includes any agency for the enforcement of the highway laws
14 established pursuant to law;

15 (16) "Steep grade" means a grade exceeding seven percent (7%);

16 (17) "Trailer" means any vehicle designed to be drawn by a motor truck or truck-tractor,
17 but supported wholly upon its own wheels, intended for the carriage of freight or
18 merchandise and having a load capacity of over one thousand (1,000) pounds;

19 (18) "Unobstructed highway" means a straight, level, first-class road upon which no
20 other vehicle is passing or attempting to pass and upon which no other vehicle or
21 pedestrian is approaching in the opposite direction, closer than three hundred (300)
22 yards;

23 (19) (a) "Vehicle" includes:

24 1. All agencies for the transportation of persons or property over or upon
25 the public highways of the Commonwealth; and

26 2. All vehicles passing over or upon the highways.

27 (b) "Motor vehicle" includes all vehicles, as defined in paragraph (a) of this

1 subsection, except:

- 2 1. Road rollers;
- 3 2. Road graders;
- 4 3. Farm tractors;
- 5 4. Vehicles on which power shovels are mounted;
- 6 5. Construction equipment customarily used only on the site of
- 7 construction and which is not practical for the transportation of persons
- 8 or property upon the highways;
- 9 6. Vehicles that travel exclusively upon rails;
- 10 7. Vehicles propelled by electric power obtained from overhead wires
- 11 while being operated within any municipality or where the vehicles do
- 12 not travel more than five (5) miles beyond the city limits of any
- 13 municipality;
- 14 8. Vehicles propelled by muscular power; and
- 15 9. Electric low-speed scooters;

16 (20) "Reflectance" means the ratio of the amount of total light, expressed in a
17 percentage, which is reflected outward by the product or material to the amount of
18 total light falling on the product or material;

19 (21) "Sunscreening material" means a product or material, including film, glazing, and
20 perforated sunscreening, which, when applied to the windshield or windows of a
21 motor vehicle, reduces the effects of the sun with respect to light reflectance or
22 transmittance;

23 (22) "Transmittance" means the ratio of the amount of total light, expressed in a
24 percentage, which is allowed to pass through the product or material, including
25 glazing, to the amount of total light falling on the product or material and the
26 glazing;

27 (23) "Window" means any device designed for exterior viewing from a motor vehicle,

1 except the windshield, any roof-mounted viewing device, and any viewing device
2 having less than one hundred fifty (150) square inches in area;

3 (24) "All-terrain vehicle" means any motor vehicle used for recreational off-road use;

4 (25) "Nondivisible load," as pertains to state highways that are not part of the national
5 truck network established pursuant to 23 C.F.R. pt. 658, means a load or vehicle,
6 that if separated into smaller loads or vehicles:

7 (a) Compromises the intended use of the vehicle, making it unable to perform the
8 function for which it was intended;

9 (b) Destroys the value of the load or vehicle, making it unusable for its intended
10 purpose; or

11 (c) Requires more than four (4) work hours to dismantle and reassemble using
12 appropriate equipment;

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

14 (a) Weighs less than one hundred (100) pounds;

15 (b) Is equipped with wheels;

16 (c) Is equipped with handlebars;

17 (d) Is equipped with a brake adequate enough to stop and park the device;

18 (e) Is designed to be stood or sat upon;

19 (f) Is propelled by an electric motor, human power, or both; and

20 (g) Is designed to operate at a maximum speed of twenty (20) miles per hour, on a
21 paved level surface, with or without human propulsion;~~and~~

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

27 **(28) "Weigh station bypass system" means an intelligent transportation system that**

offers weigh station bypass, safety alerts, and related services to enhance the efficiency and safety of commercial motor carrier operations.

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

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

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

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

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

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

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

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

(2) A resident of the Commonwealth renewing an operator's license by mail under subsection (1) of this section may have a personal designee apply to the cabinet on behalf of the resident to renew the resident's operator's license. An operator's

1 license for which an endorsement is being added electronically or by mail, or which
2 is being renewed by mail under subsection (1) of this section shall be issued a
3 license bearing the applicant's historical photo if there is a photo on file. If there is
4 no photo on file, the license shall be issued without a photograph and shall show in
5 the space provided for the photograph the legend "valid without photo and
6 signature."

7 (3) (a) 1. If a resident of the Commonwealth has been serving in the United States
8 military stationed or assigned to a base or other location outside the
9 boundaries of the Commonwealth and has allowed his or her operator's
10 license to expire, he or she shall, within ninety (90) days of returning to
11 the Commonwealth, be permitted to renew his or her license without
12 having to take a written test or road test.

13 2. The spouse or dependent of a person identified in subparagraph 1. of
14 this paragraph shall be afforded the same consideration identified in that
15 subparagraph regarding the renewal of an expired operator's license.

16 (b) A person who meets the criteria in paragraph (a) of this subsection shall not
17 be convicted or cited for driving on an expired license prior to license renewal
18 during the ninety (90) days after the person's return to the Commonwealth if
19 the person can provide proof of his or her out-of-state service and dates of
20 assignment.

21 (c) A person who meets the criteria in paragraph (a) of this subsection and who
22 does not renew his or her license within ninety (90) days of returning to the
23 Commonwealth shall be required to comply with the provisions of this
24 chapter governing renewal of a license that has expired.†

25 ~~(d) If a resident of the Commonwealth has been issued an "under 21" or "under~~
26 ~~21 CDL" operator's license and the person is unable to renew the license on~~
27 ~~the date of his or her twenty-first birthday, the "under 21" or "under 21 CDL"~~

1 ~~operator's license shall be valid for ninety (90) days beyond the date of the~~
2 ~~person's twenty-first birthday.]~~

3 (4) (a) Any person who served in the active Armed Forces of the United States,
4 including the Coast Guard, and any member of the National Guard or Reserve
5 Component who completed the member's term of service and was released,
6 separated, discharged, or retired therefrom under either an honorable
7 discharge or a general under honorable conditions discharge may, at the time
8 of initial application or application for renewal or duplicate, request that an
9 operator's license or a personal identification card issued under this chapter
10 bear the word "veteran" on the face or the back of the license or personal
11 identification card.

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

- 16 1. Unexpired Veteran Identification Card or Veteran Health Identification
17 Card issued by the United States Department of Veterans Affairs;
- 18 2. DD-2, DD-214, DD-256, DD-257, or NGB-22 form; or
- 19 3. Unexpired Geneva Conventions Identification Card issued by the United
20 States Department of Defense.

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

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

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

27 (1) **Notwithstanding**~~[the provisions of]~~ KRS 186A.500 to 186A.550~~[notwithstanding]~~,

1 the owner of a motor vehicle that has been damaged solely by hail shall have the
2 regular title of the vehicle branded as follows "Hail Damage" if:

- 3 (a) The vehicle is in a condition that it can be legally operated on the highway;
4 (b) The total estimated or actual cost of parts and labor to rebuild or reconstruct
5 the vehicle to its pre-hail condition exceeds seventy-five percent (75%) of the
6 retail value of the vehicle, as prescribed by a nationally accepted used car
7 valuation guide or tool identified under KRS 304.20-110; and
8 (c) The owner intends to retain ownership of the vehicle.

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

23 (3) Upon completion of the inspection required under subsection (2) of this section, a
24 person shall take the vehicle transaction record form and the title to the vehicle to
25 the office of the county clerk in the county in which the vehicle is registered. If the
26 sheriff has certified on the vehicle transaction record form that the damage to the
27 vehicle is the result of hail damage and if the total estimated or actual cost of parts

1 and labor to rebuild or reconstruct the vehicle to its pre-hail condition exceeds
2 seventy-five percent (75%) of the retail value of the vehicle, as prescribed by a
3 nationally accepted used car valuation guide or tool identified under KRS 304.20-
4 110, the ~~title shall not be surrendered to the clerk, but the clerk shall stamp on the~~
5 ~~face of the title "Hail Damage". The~~ clerk shall ~~also~~ enter into the Automated
6 Motor Vehicle Registration System (AVIS) the information **required to brand** ~~that~~
7 the title **with a** ~~has been branded in the clerk's office~~ "Hail Damage" **brand**. The
8 county clerk shall be paid a fee of three dollars (\$3) to carry out ~~the provisions of~~
9 this subsection.

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

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

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

18 (1) Any person engaged in the mining, processing, transporting or sale of coal that
19 provides for the transportation of coal in vehicles exceeding the maximum weight
20 limits on the state-maintained system shall enter into a cooperative agreement with
21 the Department of Highways, or give bond for damages as **required by the**
22 **cabinet** ~~provided by KRS 189.271~~, if a road to be used is not part of the extended
23 weight coal or coal by-products haul road system. However, if a resolution issued
24 pursuant to KRS 177.9771(9) on a road with a maximum allowable gross weight of
25 eighty thousand (80,000) pounds is approved by the Transportation Cabinet, a
26 cooperative agreement shall not be required. Such cooperative agreements shall
27 provide for an equitable apportionment of the incremental costs for design,

1 maintenance, construction, or reconstruction of those roads and bridges, except
2 those roads and bridges which are part of the federal interstate highway system,
3 resulting from the transportation of coal by trucks transporting coal in excess of the
4 maximum weight limits on the state-maintained system and covered by the
5 cooperative agreement. Nothing contained herein shall ~~affect~~^{effect} the continuing
6 validity of any existing agreement.

7 (2) Notwithstanding KRS Chapter 143, the total tax contributions from any person
8 entering into a cooperative agreement, as specified in this section, shall not exceed,
9 in the aggregate, the sum of five thousand dollars (\$5,000) per mile per year on
10 those roads covered by the cooperative agreement, but shall equal a minimum of
11 one thousand two hundred dollars (\$1,200) per motor vehicle hauling coal over
12 those cooperative road segments over three (3) miles in length, but such
13 contribution shall not exceed ten cents (\$0.10) per ton of coal hauled on cooperative
14 roads per year from an individual coal operator unless otherwise agreed to by the
15 operator. The Transportation Cabinet may allow any person, under the cooperative
16 agreement, to provide for the design, approved maintenance, construction, or
17 reconstruction provided for in subsection (1) of this section in accordance with
18 guidelines or standards prescribed by the cabinet. In the event any person exceeds
19 his annual total tax contribution as authorized under a cooperative agreement, such
20 person may petition the commissioner of vehicle regulation for a carry over for
21 future years liability. All funds collected pursuant to this section shall be expended
22 on those roads covered by the cooperative agreement.

23 (3) Notwithstanding ~~any provision of~~ KRS 177.976 to 177.981, the Commonwealth
24 shall not be relieved of expending its normal routine maintenance on all roads
25 covered by the cooperative agreements.

26 (4) Any person who entered into a cooperative agreement may terminate it upon
27 submitted written notice to the Department of Highways.

1 (5) If the person requesting termination of the cooperative agreement has reported to
2 the Transportation Cabinet that fifty thousand (50,000) or more tons of coal have
3 been transported over the road covered by the cooperative agreement, the
4 Transportation Cabinet shall immediately, by official order or emergency
5 administrative regulation, add the road segment to the list of roads currently
6 comprising the extended weight coal or coal by-products haul road system.

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

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

11 The District Court where the offense occurred shall have venue and jurisdiction with the
12 courts of this Commonwealth of all prosecutions for violations of the weight provisions
13 of KRS 189.221, 189.222, 189.226, 189.230, 189.270, 189.2713, and 189.2717—and
14 ~~189.271~~.

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

16 (1) Any person who violates any of the provisions of KRS 189.020 to 189.040,
17 subsection (1) or (4) of KRS 189.050, KRS 189.060 to 189.080, subsections (1) to
18 (3) of KRS 189.090, KRS 189.100, 189.110, 189.130 to 189.160, subsections (2) to
19 (4) of KRS 189.190, KRS 189.200, 189.285, subsection (1) or (2) of KRS 189.290,
20 189.300 to 189.360, KRS 189.380, KRS 189.400 to 189.430, KRS 189.450 to
21 189.458, KRS 189.4595 to 189.480, subsection (1) of KRS 189.520, KRS 189.540,
22 KRS 189.570 to 189.590, except subsection (1)(b) or (6)(b) of KRS 189.580, KRS
23 189.345, subsection (6) of KRS 189.456, and 189.960 shall be fined not less than
24 twenty dollars (\$20) nor more than one hundred dollars (\$100) for each offense.
25 Any person who violates subsection (1)(a) of KRS 189.580 shall be fined not less
26 than twenty dollars (\$20) nor more than two thousand dollars (\$2,000) or
27 imprisoned in the county jail for not more than one (1) year, or both, unless the

1 accident involved death or serious physical injury and the person knew or should
2 have known of the death or serious physical injury, in which case the person shall
3 be guilty of a Class D felony. Any person who violates paragraph (c) of subsection
4 (5) of KRS 189.390 shall be fined not less than eleven dollars (\$11) nor more than
5 thirty dollars (\$30). Neither court costs nor fees shall be taxed against any person
6 violating paragraph (c) of subsection (5) of KRS 189.390.

7 (2) (a) 1. Except as provided in subparagraph 2. of this paragraph, any person
8 who violates the weight provisions of KRS 189.212, 189.221, 189.222,
9 189.226, 189.230, 189.270, or 189.2713 shall be fined two cents (\$0.02)
10 per pound for each pound of excess load when the excess is five
11 thousand (5,000) pounds or less. When the excess exceeds five thousand
12 (5,000) pounds the fine shall be two cents (\$0.02) per pound for each
13 pound of excess load, but the fine levied shall not be less than one
14 hundred dollars (\$100) and shall not be more than five hundred dollars
15 (\$500).

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

- 19 a. Five hundred dollars (\$500) for the first offense;
- 20 b. One thousand dollars (\$1,000) for the second offense within a one
21 (1) year period; and
- 22 c. Two thousand dollars (\$2,000) for any subsequent offense within a
23 one (1) year period.

24 The Transportation Cabinet shall erect signs warning drivers of the
25 increased fines in this subparagraph. Signs erected under this
26 subparagraph shall be placed in such a manner that drivers are given
27 adequate warning in order to exit the road prior to crossing the bridge. If

1 warning signs are not erected in accordance with this subparagraph, the
2 fines in this subparagraph shall not apply and violators shall be fined
3 under subparagraph 1. of this paragraph.

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

7 ~~(c)]~~ Any person who violates any provision of subsection (2) or (3) of KRS
8 189.050, subsection (4) of KRS 189.090, KRS 189.221 to 189.230, 189.270,
9 189.2713, 189.280, or the dimension provisions of KRS 189.212, for which
10 another penalty is not specifically provided shall be fined not less than ten
11 dollars (\$10) nor more than five hundred dollars (\$500).

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

15 2. Any person who operates a vehicle with a permit under KRS 177.985 in
16 excess of eighty thousand (80,000) pounds while operating on a route
17 not designated in KRS 177.986 shall be fined one thousand dollars
18 (\$1,000).

19 ~~(d)](e)]~~ Nothing in this subsection or in KRS 189.221 to 189.228 shall be
20 deemed to prejudice or affect the authority of the Department of Vehicle
21 Regulation to suspend or revoke certificates of common carriers, permits of
22 contract carriers, or drivers' or chauffeurs' licenses, for any violation of KRS
23 189.221 to 189.228 or any other act applicable to motor vehicles, as provided
24 by law.

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

27 (b) Any person who violates subsection (5) of KRS 189.190 shall be fined not

- 1 less than thirty-five dollars (\$35) nor more than two hundred dollars (\$200).
- 2 (4) (a) Any person who violates subsection (1) of KRS 189.210 shall be fined not
3 less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100).
- 4 (b) Any peace officer who fails, when properly informed, to enforce KRS
5 189.210 shall be fined not less than twenty-five dollars (\$25) nor more than
6 one hundred dollars (\$100).
- 7 (c) All fines collected under this subsection, after payment of commissions to
8 officers entitled thereto, shall go to the county road fund if the offense is
9 committed in the county, or to the city street fund if committed in the city.
- 10 (5) Any person who violates KRS 189.370 shall for the first offense be fined not less
11 than one hundred dollars (\$100) nor more than two hundred dollars (\$200) or
12 imprisoned not less than thirty (30) days nor more than sixty (60) days, or both. For
13 each subsequent offense occurring within three (3) years, the person shall be fined
14 not less than three hundred dollars (\$300) nor more than five hundred dollars
15 (\$500) or imprisoned not less than sixty (60) days nor more than six (6) months, or
16 both. The minimum fine for this violation shall not be subject to suspension. A
17 minimum of six (6) points shall be assessed against the driving record of any person
18 convicted.
- 19 (6) Any person who violates KRS 189.500 shall be fined not more than fifteen dollars
20 (\$15) in excess of the cost of the repair of the road.
- 21 (7) Any person who violates KRS 189.510 or KRS 189.515 shall be fined not less than
22 twenty dollars (\$20) nor more than fifty dollars (\$50).
- 23 (8) Any peace officer who violates subsection (2) of KRS 189.520 shall be fined not
24 less than thirty-five dollars (\$35) nor more than one hundred dollars (\$100).
- 25 (9) (a) Any person who violates KRS 189.530(1) shall be fined not less than thirty-
26 five dollars (\$35) nor more than one hundred dollars (\$100), or imprisoned
27 not less than thirty (30) days nor more than twelve (12) months, or both.

- 1 (b) Any person who violates KRS 189.530(2) shall be fined not less than thirty-
2 five dollars (\$35) nor more than one hundred dollars (\$100).
- 3 (10) Any person who violates any of the provisions of KRS 189.550 shall be guilty of a
4 Class B misdemeanor.
- 5 (11) Any person who violates subsection (3) of KRS 189.560 shall be fined not less than
6 thirty dollars (\$30) nor more than one hundred dollars (\$100) for each offense.
- 7 (12) The fines imposed by paragraph (a) of subsection (3) and subsections (6) and (7) of
8 this section shall, in the case of a public highway, be paid into the county road fund,
9 and, in the case of a privately owned road or bridge, be paid to the owner. These
10 fines shall not bar an action for damages for breach of contract.
- 11 (13) Any person who violates any of the provisions of KRS 189.120 shall be fined not
12 less than twenty dollars (\$20) nor more than one hundred dollars (\$100) for each
13 offense.
- 14 (14) Any person who violates any provision of KRS 189.575 shall be fined not less than
15 twenty dollars (\$20) nor more than twenty-five dollars (\$25).
- 16 (15) Any person who violates subsection (2) of KRS 189.231 shall be fined not less than
17 twenty dollars (\$20) nor more than one hundred dollars (\$100) for each offense.
- 18 (16) Any person who violates restrictions or regulations established by the secretary of
19 transportation pursuant to subsection (3) of KRS 189.231 shall, upon first offense,
20 be fined one hundred dollars (\$100) and, upon subsequent convictions, be fined not
21 less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or
22 imprisoned for thirty (30) days, or both.
- 23 (17) (a) Any person who violates any of the provisions of KRS 189.565 shall be guilty
24 of a Class B misdemeanor.
- 25 (b) In addition to the penalties prescribed in paragraph (a) of this subsection, in
26 case of violation by any person in whose name the vehicle used in the
27 transportation of inflammable liquids or explosives is licensed, the person

1 shall be fined not less than one hundred dollars (\$100) nor more than five
2 hundred dollars (\$500). Each violation shall constitute a separate offense.

3 (18) Any person who abandons a vehicle upon the right-of-way of a state highway for
4 three (3) consecutive days shall be fined not less than thirty-five dollars (\$35) nor
5 more than one hundred dollars (\$100), or imprisoned for not less than ten (10) days
6 nor more than thirty (30) days.

7 (19) Every person violating KRS 189.393 shall be guilty of a Class B misdemeanor,
8 unless the offense is being committed by a defendant fleeing the commission of a
9 felony offense which the defendant was also charged with violating and was
10 subsequently convicted of that felony, in which case it is a Class A misdemeanor.

11 (20) Any law enforcement agency which fails or refuses to forward the reports required
12 by KRS 189.635 shall be subject to the penalties prescribed in KRS 17.157.

13 (21) A person who operates a bicycle in violation of the administrative regulations
14 promulgated pursuant to KRS 189.287 shall be fined not less than ten dollars (\$10)
15 nor more than one hundred dollars (\$100).

16 (22) Any person who violates KRS 189.860 shall be fined not more than five hundred
17 dollars (\$500) or imprisoned for not more than six (6) months, or both.

18 (23) Any person who violates KRS 189.754 shall be fined not less than twenty-five
19 dollars (\$25) nor more than three hundred dollars (\$300).

20 (24) Any person who violates the provisions of KRS 189.125(3)(a) shall be fined fifty
21 dollars (\$50). This fine shall be subject to prepayment. A fine imposed under this
22 subsection shall not be subject to court costs pursuant to KRS 24A.175, additional
23 court costs pursuant to KRS 24A.176, the fee imposed pursuant to KRS 24A.1765,
24 or any other additional fees or costs.

25 (25) Any person who violates the provisions of KRS 189.125(3)(b) shall not be issued a
26 uniform citation, but shall instead receive a courtesy warning up until July 1, 2009.
27 For a violation on or after July 1, 2009, the person shall be fined thirty dollars

- 1 (\$30). This fine shall be subject to prepayment. A fine imposed under this
2 subsection shall not be subject to court costs pursuant to KRS 24A.175, additional
3 court costs pursuant to KRS 24A.176, a fee imposed pursuant to KRS 24A.1765, or
4 any other additional fees or costs. A person who has not been previously charged
5 with a violation of KRS 189.125(3)(b) may elect to acquire a booster seat meeting
6 the requirements of KRS 189.125. Upon presentation of sufficient proof of the
7 acquisition, the charge shall be dismissed and no fees or costs shall be imposed.
- 8 (26) Any person who violates the provisions of KRS 189.125(6) shall be fined an
9 amount not to exceed twenty-five dollars (\$25). This fine shall be subject to
10 prepayment. A fine imposed under this subsection shall not be subject to court costs
11 pursuant to KRS 24A.175, additional court costs pursuant to KRS 24A.176, the fee
12 imposed pursuant to KRS 24A.1765, or any other additional fees or costs.
- 13 (27) Fines levied pursuant to this chapter shall be assessed in the manner required by
14 KRS 534.020, in amounts consistent with this chapter. Nonpayment of fines shall
15 be governed by KRS 534.020 and 534.060.
- 16 (28) A licensed driver under the age of eighteen (18) charged with a moving violation
17 pursuant to this chapter as the driver of a motor vehicle may be referred, prior to
18 trial, by the court to a diversionary program. The diversionary program under this
19 subsection shall consist of one (1) or both of the following:
- 20 (a) Execution of a diversion agreement which prohibits the driver from operating
21 a vehicle for a period not to exceed forty-five (45) days and which allows the
22 court to retain the driver's operator's license during this period; and
- 23 (b) Attendance at a driver improvement clinic established pursuant to KRS
24 186.574. If the person completes the terms of this diversionary program
25 satisfactorily the violation shall be dismissed.
- 26 (29) A person who violates the provisions of subsection (2) or (3) of KRS 189.459 shall
27 be fined two hundred fifty dollars (\$250). The fines and costs for a violation of

1 subsection (2) or (3) of KRS 189.459 shall be collected and disposed of in
2 accordance with KRS 24A.180. Once deposited into the State Treasury, ninety
3 percent (90%) of the fine collected under this subsection shall immediately be
4 forwarded to the personal care assistance program under KRS 205.900 to 205.920.
5 Ten percent (10%) of the fine collected under this subsection shall annually be
6 returned to the county where the violation occurred and distributed equally to all
7 law enforcement agencies within the county.

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

10 (31) Any person who violates KRS 189.281(5) or (7)(b) shall be subject to a fine of two
11 hundred fifty dollars (\$250). This fine shall be subject to prepayment. A fine
12 imposed under this subsection shall not be subject to court costs pursuant to KRS
13 24A.175, additional costs pursuant to KRS 24A.176, the fee imposed pursuant to
14 KRS 24A.1765, or any other additional fees or costs.

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

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

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

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

- 1 (3) An offense which is designated as subject to prepayment is subject to the following
2 conditions:
- 3 (a) Designation as subject to prepayment does not preclude a physical arrest by a
4 peace officer for that offense;
- 5 (b) Designation as subject to prepayment shall preclude a requirement that the
6 defendant make a court appearance on a uniform citation;
- 7 (c) Except as provided for in KRS 189.990(26), for any offense designated as
8 subject to prepayment, the defendant may elect to pay the minimum fine for
9 the offense plus court costs to the circuit clerk before the date of his trial or be
10 tried in the normal manner, unless the citation is marked for mandatory court
11 appearance pursuant to KRS 431.015 or subsection (2) of this section, except
12 that the fine for violations of KRS 189.221, 189.222, 189.226, or 189.270~~, or~~
13 ~~189.271~~ shall be in accordance with KRS 189.990(2)(a) and the defendant
14 shall not be allowed to pay the minimum fine as otherwise allowed by this
15 paragraph; and
- 16 (d) Prepayment of the fine and costs shown on the citation or accompanying
17 schedule shall be considered as a plea of guilty for all purposes.
- 18 (4) When a peace officer issues a uniform citation and no physical arrest is made he or
19 she shall, where the citation is designated as subject to prepayment, mark the
20 citation as "PAYABLE", except as provided in KRS 431.015 or subsection (2) of
21 this section.
- 22 (5) The Administrative Office of the Courts, after consultation with the Department of
23 Kentucky State Police, the Transportation Cabinet, the Division of Forestry, the
24 Department of Fish and Wildlife Resources, and a representative of law
25 enforcement shall develop a prepayable fine and cost schedule and a uniform
26 statewide instruction sheet for the Commonwealth.
- 27 ➔Section 28. KRS 186.040 is amended to read as follows:

- 1 (1) (a) Upon receiving the application and fee, the county clerk shall issue to the
2 owner a certificate of registration containing the information required by
3 subsection (2) of this section and a registration plate.
- 4 (b) If the cabinet finds that there is a shortage of materials suitable for making
5 plates, or that a substantial saving will result, it may require by an
6 administrative regulation promulgated in accordance with KRS Chapter 13A
7 and with the approval of the Governor that the previously issued plates
8 continue to be used for a designated period.
- 9 (c) Except as provided in subsection (3) of this section and in KRS 186.162, for
10 services performed, the owner shall pay the county clerk the fee established
11 by the cabinet by administrative regulation under Section 3 of this Act~~the~~
12 ~~sum of six dollars (\$6) for each registration, or if the registration exceeds a~~
13 ~~twelve (12) month period, the clerk shall receive a fee of nine dollars (\$9)].~~
- 14 (2) The certificate of registration shall contain the registration number, the name and
15 post office address of the owner, and such other information as the cabinet may
16 require.
- 17 (3) Thirty dollars (\$30) of the registration fee under KRS 186.050 for a motor vehicle
18 that has a declared gross vehicle weight with any towed unit of forty-four thousand
19 and one (44,001) pounds or greater shall be distributed to the county clerk of the
20 county where the vehicle is registered.
- 21 (4) (a) Any person requesting a certificate of registration or renewal of registration of
22 any type of motor vehicle shall have the opportunity to donate one dollar (\$1)
23 to the child care assistance account.
- 24 (b) The one dollar (\$1) donation shall be added to the regular fee for vehicle
25 registration.
- 26 (c) One (1) donation may be made per issuance or renewal of vehicle registration.
- 27 (d) Donation to the child care assistance account shall be voluntary and may be

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

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

5 (b) The remaining funds shall be deposited into a trust and agency account in the
6 State Treasury to the credit of the Cabinet for Health and Family Services for
7 the exclusive use as follows:

8 1. Funds shall be made available to the agencies that administer child care
9 subsidy funds; and

10 2. Funds shall be used as determined by the cabinet for working families
11 whose income exceeds the state income eligibility limits for child day
12 care assistance.

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

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

20 1. **One-third (1/3)**~~[One dollar (\$1)]~~ shall be placed in an agency fund to
21 provide additional funds exclusively for technological improvements or
22 replacement of the AVIS system. The operation and maintenance of
23 AVIS shall remain as currently provided for from the operational budget
24 of the Transportation Cabinet and shall not be reduced below the 2005-
25 2006 funding level;

26 2. **One-third (1/3)**~~[One dollar (\$1)]~~ shall be placed in an agency trust fund
27 to provide funds~~[exclusively]~~ for technological improvements to the

1 hardware and software in county clerk offices related to the collection
2 and administration of road fund taxes. The cabinet, in consultation with
3 county clerks, shall allocate funds as necessary from this fund to be used
4 for this exclusive purpose; and

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

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

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

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

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

1 system established under KRS 186A.040.

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

- 3 (1) Applications for registration of motor vehicles owned exclusively by any nonprofit
4 volunteer fire department, volunteer fire prevention unit, or volunteer fire protection
5 unit shall be accompanied by a statement from the chief or assistant chief of the
6 volunteer fire department or unit that owns the motor vehicle, certifying that the
7 motor vehicle is exclusively owned and operated by the volunteer fire department
8 or unit. The application and statement shall be forwarded by the county clerk to the
9 cabinet, which shall give special authority to the clerk to register it. Upon receiving
10 that authority, the clerk shall issue a registration receipt and the official number
11 plate described in KRS 186.240(6), and report the registration to the head of the
12 cabinet authorizing the registration. For the county clerk's~~his~~ services in issuing
13 such certificate of registration and number plate and reporting the same, the county
14 clerk shall be entitled to a fee established by the cabinet by administrative
15 regulation under Section 3 of this Act~~[of three dollars (\$3) in each instance]~~, to be
16 paid by the volunteer fire department or unit.
- 17 (2) After registration of any vehicle owned exclusively by any nonprofit volunteer fire
18 department, volunteer fire prevention unit, or volunteer fire protection unit and after
19 issuance of a number plate for the vehicle so owned, no subsequent registration or
20 renewal of same, and no subsequent renewal of a number plate of the vehicle shall
21 be necessary so long as the vehicle is owned exclusively by the volunteer fire
22 department or unit except in the case of loss or destruction of the license plate. In
23 the event of loss or destruction, the number plate shall be replaced in the same
24 manner as if no plate had ever been issued.
- 25 (3) When a motor vehicle owned exclusively by any nonprofit volunteer fire
26 department, volunteer fire prevention unit, or volunteer fire protection unit is
27 transferred or sold to another nonprofit volunteer fire department, volunteer fire

1 prevention unit, or volunteer fire protection unit or another governmental unit a new
2 license plate shall be issued for the vehicle in the same manner as provided for in
3 subsection (1) of this section and shall have the same effect as given to such license
4 plates in subsection (2) of this section.

- 5 (4) No person shall use on a motor vehicle, not exclusively owned by any nonprofit
6 volunteer fire department, volunteer fire prevention unit, or volunteer fire protection
7 unit, any license plate that has been issued for use on a motor vehicle owned by a
8 volunteer fire department or unit.

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

- 10 (1) As used in this section and in KRS 186.043, 186.164, 186.166, 186.1722, and
11 186.174:

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

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

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

23 (d) "CF" means the county clerk's fee for issuing a motor vehicle registration as
24 established under KRS 186.040(1). **Unless otherwise noted, an applicant for**
25 **one (1) of the license plates listed in subsection (2) of this section shall pay**
26 **both the**~~[If a] CF amount~~ **and**~~[is charged for a license plate listed in this~~
27 ~~section, the applicant for that plate shall also pay]~~ the fees identified in KRS

1 186.040(6). If a CF amount is not charged, the applicant shall not be required
2 to pay those fees; and

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

6 (2) The initial purchase fee and renewal fee for a special license plate created under this
7 chapter shall be as established in this subsection and includes the name of group or
8 organization and the total initial and renewal fee required for the plate. The amount
9 in parentheses indicates how the total fee is required to be divided:

10 (a) Disabled veterans who receive assistance to purchase a vehicle from the
11 United States Department of Veterans' Affairs, veterans declared by the
12 United States Department of Veterans' Affairs to be one hundred percent
13 (100%) service-connected disabled, and recipients of the Congressional
14 Medal of Honor **(No CF charged):**

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

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

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

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

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

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

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

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

27 (d) Members of the Civil Air Patrol; active, retired, veteran, reserve, or auxiliary

members of the United States Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard; Merchant Marines who served between December 7, 1941, and August 15, 1945; recipients of the Silver Star Medal, the Legion of Merit Medal, the Distinguished Flying Cross, the Air Medal, the Combat Action Badge, the Combat Infantry Badge, or the Bronze Star Medal; persons who wish to receive Gold Star Mothers, Gold Star Fathers, or Gold Star Spouses license plates beyond the two (2) exempted from fees under KRS 186.041(6); individuals eligible for a special military service academy license plate under KRS 186.041(8); individuals eligible for a special military unit license plate under KRS 186.163; and disabled veterans who have been declared to be between fifty percent (50%) and ninety-nine percent (99%) service-connected disabled by the United States Department of Veterans' Affairs:

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

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

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

(f) Disabled license plates:

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

(g) Historic vehicles:

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

1 (h) Members of Congress:

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

5 (i) Firefighters:

- 6 1. Initial Fee: \$22~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the
- 7 Kentucky Firefighters Association).
- 8 2. Renewal Fee: \$22~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the
- 9 Kentucky Firefighters Association).

10 (j) Emergency management:

- 11 1. Initial Fee: \$25~~[\$31]~~ (\$25 SF/~~\$6 CF~~/\$0 EF).
- 12 2. Renewal Fee: \$12~~[\$18]~~ (\$12 SF/~~\$6 CF~~/\$0 EF).

13 (k) Fraternal Order of Police:

- 14 1. Initial Fee: \$35~~[\$41]~~ (\$25 SF/~~\$6 CF~~/\$10 EF to the
- 15 Kentucky_}FOP Death Benefit Fund).
- 16 _____}FOP Death Benefit Fund).
- 17 2. Renewal Fee: \$22~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the
- 18 Kentucky_}FOP Death Benefit Fund).
- 19 _____}FOP Death Benefit Fund).

20 (l) Law Enforcement Memorial:

- 21 1. Initial Fee: \$35~~[\$41]~~ (\$25 SF/~~\$6 CF~~/\$10 EF to the
- 22 Kentucky Law Enforcement Memorial Foundation, Inc.).
- 23 2. Renewal Fee: \$22~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the
- 24 Kentucky Law Enforcement Memorial Foundation, Inc.).

25 (m) Personalized plates for a motor vehicle that is required to be registered under

26 the provisions of KRS 186.050(1), (3)(a), or (4)(a), or a motorcycle required

27 to be registered under the provisions of KRS 186.050(2):

1. Initial Fee: ~~\$37~~~~[\$43]~~ (\$37 SF/~~\$6 CF~~/\$0 EF).
 2. Renewal Fee: ~~\$37~~~~[\$43]~~ (\$37 SF/~~\$6 CF~~/\$0 EF).
- (n) Street rods:
1. Initial Fee: ~~\$37~~~~[\$43]~~ (\$37 SF/~~\$6 CF~~/\$0 EF).
 2. Renewal Fee: ~~\$12~~~~[\$18]~~ (\$12 SF/~~\$6 CF~~/\$0 EF).
- (o) Nature plates:
1. Initial Fee: ~~\$22~~~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to Kentucky Heritage Land Conservation Fund established under KRS 146.570).
 2. Renewal Fee: ~~\$22~~~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to Kentucky Heritage Land Conservation Fund established under KRS 146.570).
- (p) Amateur radio:
1. Initial Fee: ~~\$37~~~~[\$43]~~ (\$37 SF/~~\$6 CF~~/\$0 EF).
 2. Renewal Fee: ~~\$12~~~~[\$18]~~ (\$12 SF/~~\$6 CF~~/\$0 EF).
- (q) Kentucky General Assembly:
1. Initial Fee: ~~\$37~~~~[\$43]~~ (\$37 SF/~~\$6 CF~~/\$0 EF).
 2. Renewal Fee: ~~\$17~~~~[\$23]~~ (\$12 SF/~~\$6 CF~~/\$5 EF to the veterans' program trust fund established under KRS 40.460).
- (r) Kentucky Court of Justice:
1. Initial Fee: ~~\$37~~~~[\$43]~~ (\$37 SF/~~\$6 CF~~/\$0 EF).
 2. Renewal Fee: ~~\$5~~~~[\$11]~~ (\$0 SF/~~\$6 CF~~/\$5 EF to the veterans' program trust fund established under KRS 40.460).
- (s) Masons:
1. Initial Fee: ~~\$35~~~~[\$41]~~ (\$25 SF/~~\$6 CF~~/\$10 EF to the Masonic Homes of Kentucky).
 2. Renewal Fee: ~~\$22~~~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the Masonic Homes of Kentucky).
- (t) Collegiate plates:

1 1. Initial Fee: ~~\$47~~~~[\$53]~~ (\$37 SF/~~\$6 CF~~/\$10 EF to the
2 general scholarship fund of the university whose name will be borne on
3 the plate).

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

7 (u) Independent Colleges:

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

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

16 (v) Child Victims:

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

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

21 (w) Kentucky Horse Council:

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

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

26 (x) Ducks Unlimited:

27 1. Initial Fee: ~~\$35~~~~[\$41]~~ (\$25 SF/~~\$6 CF~~/\$10 EF to Kentucky

1 Ducks Unlimited).

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

4 (y) Spay neuter:

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

7 2. Renewal Fee: ~~\$22~~~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the animal
8 control and care fund established under KRS 258.119).

9 (z) Gold Star Mothers, Gold Star Fathers, or Gold Star Spouses **(No CF**
10 **charged):**

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

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

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

16 (aa) I Support Veterans:

17 1. Initial Fee: ~~\$22~~~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the
18 Kentucky Department of Veterans' Affairs).

19 2. Renewal Fee: ~~\$22~~~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the
20 Kentucky Department of Veterans' Affairs).

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

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

24 2. Renewal Fee: ~~\$22~~~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the
25 veterans' program trust fund established under KRS 40.460).

26 (ac) POW/MIA Awareness:

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

1 veterans' program trust fund established under KRS 40.460).

2 2. Renewal Fee: ~~\$22~~~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the
3 veterans' program trust fund established under KRS 40.460).

4 (ad) Personalized plates for a recreational vehicle that is required to be registered
5 under the provisions of KRS 186.050(11):

6 1. Initial Fee: ~~\$45~~~~[\$51]~~ (\$45 SF/~~\$6 CF~~/\$0 EF).

7 2. Renewal Fee: ~~\$45~~~~[\$51]~~ (\$45 SF/~~\$6 CF~~/\$0 EF).

8 (ae) Friends of Kentucky Agriculture:

9 1. Initial Fee: ~~\$22~~~~[\$28]~~ (\$12 SF/~~\$6 CF~~/\$10 EF to the
10 agricultural program trust fund established under KRS 246.247).

11 2. Renewal Fee: ~~\$17~~~~[\$23]~~ (\$12 SF/~~\$6 CF~~/\$5 EF to the
12 agricultural program trust fund established under KRS 246.247).

13 (af) Special license plates established under KRS 186.164:

14 1. Initial Fee: ~~\$35~~~~[\$41]~~ (\$25 SF/~~\$6 CF~~/\$10 EF).

15 2. Renewal Fee: ~~\$35~~~~[\$41]~~ (\$25 SF/~~\$6 CF~~/\$10 EF).

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

23 (4) (a) A sponsoring organization of any special license plate issued under this
24 section or any special license plate established under the provisions of KRS
25 186.164 may petition the cabinet for the production of that special license
26 plate for motorcycles.

27 (b) The cabinet shall make all of the special military license plates in this section

1 available for motorcycles owned or leased by eligible individuals.

2 (c) Owners and lessees of motorcycles registered under KRS 186.050(2) may be
3 eligible to receive special license plates approved by the cabinet under
4 paragraphs (a) and (b) of this subsection. Applicants for a special license plate
5 for a motorcycle shall be required to pay the fee for a special plate as
6 prescribed in this section or in KRS 186.164. The fee paid for the special plate
7 for a motorcycle shall be in lieu of the registration fee required under KRS
8 186.050(2).

9 (5) The Transportation Cabinet shall:

- 10 (a) Identify the cost of issuing a child victims' trust fund special license plate
11 under subsection (2)(v) of this section; and
12 (b) Transfer any revenue received from the initial or renewal SF fee that is in
13 excess of the cost identified in paragraph (a) of this subsection to the child
14 victims' trust fund established under KRS 41.400.

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

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

- 19 1. Proof of insurance on the motor vehicle in compliance with KRS
20 304.39-080 is provided to the county clerk, except that proof of
21 insurance shall not be required for duplicates applied for by motor
22 vehicle dealers as defined in KRS 190.010;
23 2. The owner files an affidavit, upon a form furnished by the cabinet; and
24 3. The owner pays to the county clerk a fee **established by the cabinet by**
25 **administrative regulation under Section 3 of this Act** ~~of three dollars~~
26 ~~(\$3)]~~.

27 (b) When an owner's copy of any registration or transfer receipt shows that the

spaces provided thereon for noting and discharging security interests have been exhausted, the owner may obtain a duplicate from the county clerk who issued the receipt if:

1. The owner surrenders his or her copy of the current receipt to the county clerk;
2. Proof of insurance on the motor vehicle in compliance with KRS 304.39-080 is provided to the county clerk, except that proof of insurance shall not be required for duplicates applied for by motor vehicle dealers as defined in KRS 190.010; and
3. The owner pays to the county clerk a fee established by the cabinet by administrative regulation under Section 3 of this Act ~~of three dollars (\$3)]~~.

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

(2) (a) If an owner loses a registration plate, the owner shall:

1. Surrender his or her registration receipt to the county clerk from whom it was obtained; and
2. File a written statement as to the loss of the plate.

(b) The owner shall be issued another registration receipt and a plate or plates, which shall bear a different number from that of the lost plate, if:

1. Proof of insurance on the motor vehicle in compliance with KRS 304.39-080 is provided to the county clerk; and
2. The owner pays to the county clerk ~~the sum of~~:
 - a. Three dollars (\$3) for each plate; and
 - b. A fee established by the cabinet by administrative regulation under Section 3 of this Act ~~Three dollars (\$3)]~~ to the county clerk

1 for his or her services.

2 (c) The county clerk shall:

- 3 1. Retain the owner's statement;
- 4 2. Retain a copy of the owner's proof of insurance;
- 5 3. Make a notation on the triplicate copy of the surrendered registration
- 6 receipt stating the number of the registration receipt replacing it; and
- 7 4. Forward the original copy of the surrendered receipt to the cabinet.

8 (d) The cabinet shall:

- 9 1. Immediately cancel the registration corresponding to the number of the
- 10 lost plate; and
- 11 2. Report the cancellation to the commissioner of the Department of
- 12 Kentucky State Police.

13 (e) Any person finding a lost registration plate shall deliver it to the cabinet or to

14 any county clerk for forwarding it to the cabinet.

15 (3) (a) If an owner moves from one (1) county into another county of the

16 Commonwealth, the owner may obtain from the county clerk of his or her

17 county of residence a new registration receipt and new registration plate

18 bearing the name of the county of residence if:

- 19 1. The owner surrenders his or her current registration receipt and current
- 20 registration plate to the county clerk;
- 21 2. Proof of insurance on the motor vehicle in compliance with KRS
- 22 304.39-080 is provided to the county clerk; and
- 23 3. The owner pays a fee established by the cabinet by administrative
- 24 regulation under Section 3 of this Act ~~of five dollars (\$5)~~ to the
- 25 county clerk, of which the county clerk shall be entitled to retain sixty
- 26 percent (60%) ~~three dollars (\$3)~~ and the cabinet shall be entitled to
- 27 forty percent (40%) ~~two dollars (\$2)~~.

1 (b) The surrendered receipt and plate shall be destroyed by the county
2 clerk~~[forwarded to the cabinet]~~.

3 (4) If an owner's registration is revoked under KRS 186A.040(5)(b), the owner may
4 have his or her registration reinstated by the county clerk who issued the present
5 owner's copy of the receipt if:

6 (a) The owner pays to the county clerk the reinstatement fee required under KRS
7 186.040(8); and

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

10 (5) The owner of a motor vehicle that has the vehicle's registration revoked under KRS
11 186.290 shall pay to the clerk a fee of twenty dollars (\$20), which shall be equally
12 divided between the county clerk and the cabinet.

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

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

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

21 (b) An individual who sells a motor vehicle which has a valid registration plate
22 may transfer that plate to another vehicle of the same classification at the time
23 the individual transfers the vehicle. If the individual does not have a vehicle to
24 transfer the plate to at the time the individual sells a vehicle, the individual
25 may hold the registration plate for the period of registration. At any time
26 during the period of registration, the individual shall notify the county clerk
27 and transfer the plate to a vehicle of the same classification that he or she has

1 obtained prior to operating that vehicle on a public highway. If the plate
2 transfer occurs in the final month in which the existing registration is still
3 valid, the individual shall be required to renew the registration on the newly
4 acquired vehicle.

5 (c) An individual who trades in a motor vehicle with a valid registration plate
6 during the purchase of a motor vehicle from a licensed motor vehicle dealer
7 shall remove the plate from the vehicle offered in trade. A photocopy of the
8 valid certificate of registration shall be included with the application for title
9 and registration for the purchased vehicle, and the plate shall be retained by
10 the purchaser. The dealer shall equip the purchased vehicle with a temporary
11 tag in accordance with KRS 186A.100 before the buyer may operate it on the
12 highway. When the buyer receives a valid certificate of registration from the
13 county clerk, the buyer shall remove the temporary tag and affix the
14 registration plate to the vehicle.

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

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

20 (2) (a) A person shall not purchase, sell, or trade any motor vehicle without
21 delivering to the county clerk of the county in which the sale or trade is made
22 the title, and a notarized affidavit if required and available under KRS
23 138.450 attesting to the total and actual consideration paid or to be paid for
24 the motor vehicle.

25 (b) Except for transactions handled by a motor vehicle dealer licensed pursuant to
26 KRS Chapter 190, the person who is purchasing the vehicle shall present
27 proof of insurance in compliance with KRS 304.39-080 to the county clerk

- 1 before the clerk transfers the registration on the vehicle.
- 2 (c) Proof of insurance shall be in the manner prescribed in administrative
3 regulations promulgated by the Department of Insurance pursuant to KRS
4 Chapter 13A.
- 5 (d) Proof of insurance for a personal motor vehicle shall be determined by the
6 county clerk as provided in KRS 186A.042.
- 7 (3) (a) Upon delivery of the title, and a notarized affidavit if required and available
8 under KRS 138.450 attesting to the total and actual consideration paid or to be
9 paid for the motor vehicle to the county clerk of the county in which the sale
10 or trade was made, the seller shall pay to the county clerk a transfer fee of two
11 dollars (\$2), which shall be remitted to the Transportation Cabinet.
- 12 (b) If an affidavit is required, and available, the signatures on the affidavit shall
13 be individually notarized before the county clerk shall issue to the purchaser a
14 transfer of registration bearing the same data and information as contained on
15 the original registration receipt, except the change in name and address.
- 16 (c) The seller shall pay to the county clerk a fee **established by the cabinet by**
17 **administrative regulation under Section 3 of this Act** ~~of six dollars (\$6)~~ for
18 the clerk's services.
- 19 (4) (a) If the owner junks or otherwise renders a motor vehicle unfit for future use,
20 the owner shall deliver the registration plate and registration receipt to the
21 county clerk of the county in which the motor vehicle is junked.
- 22 (b) The county clerk shall return the plate and motor vehicle registration receipt
23 to the Transportation Cabinet.
- 24 (c) The owner shall pay to the county clerk **a fee established by the cabinet by**
25 **administrative regulation under Section 3 of this Act** ~~one dollar (\$1)~~ for the
26 clerk's services.
- 27 (5) A licensed motor vehicle dealer shall ~~not~~ be required to pay **both** the transfer fee

1 provided by **subsection (3)(a) of** this section ~~and~~, but shall be required to pay the
2 county clerk's fee provided by **subsection (3)(c) of** this section.

3 (6) The motor vehicle registration receipt issued by the clerk under this section shall
4 contain information required by the Department of Vehicle Regulation.

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

6 (1) The annual registration fee for trailers and semitrailers which are drawn by motor
7 vehicles required to be licensed under KRS 186.050(1) shall be four dollars and
8 fifty cents (\$4.50). The annual registration fee for trailers and semitrailers which are
9 drawn by motor vehicles required to be licensed under KRS 186.050(3) to (13) shall
10 be nineteen dollars and fifty cents (\$19.50).

11 (2) The provisions of KRS 186.650 to 186.700 shall not apply to privately owned and
12 operated trailers used for the transportation of:

13 (a) Boats;

14 (b) Luggage;

15 (c) Personal effects;

16 (d) Farm products, farm supplies, or farm equipment;

17 (e) All-terrain vehicles as defined in KRS 189.010(24);

18 (f) Wildlife as defined in KRS 150.010 that the owner or operator of the trailer
19 has obtained while hunting; and

20 (g) Firearms or other supplies used in conjunction with hunting wildlife.

21 (3) The registration fee for mobile homes and recreational vehicles shall be nine dollars
22 and fifty cents (\$9.50) except the registration fee for camping trailers, travel trailers,
23 and truck campers shall be four dollars and fifty cents (\$4.50). The clerk shall issue
24 the registration plate furnished by the cabinet and shall be paid for this service **a fee**
25 **established by the cabinet by administrative regulation under Section 3 of this**
26 **Act**~~the sum of one dollar (\$1)].~~

27 (4) ~~Beginning April 1, 1993,~~ At the request of the owner, trailers and semitrailers

1 which are drawn by motor vehicles required to be licensed under KRS 186.050(3)
2 to (13) may be permanently registered, except the registration shall expire when the
3 trailer or semitrailer is sold or when it is otherwise permanently removed from
4 service by the owner. The registration fee for the period shall be ninety-eight dollars
5 (\$98). The clerk shall issue the registration plate furnished by the cabinet and shall
6 be paid for this service a fee established by the cabinet by administrative
7 regulation under Section 3 of this Act~~[the sum of three dollars (\$3)]~~.

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

- 9 (1) If a certificate of title is lost, stolen, mutilated, or destroyed or becomes illegible,
10 the owner or legal representative of the owner named in the certificate shall
11 promptly make application to the county clerk for and may obtain a duplicate, upon
12 furnishing information satisfactory to the Department of Vehicle Regulation. The
13 duplicate certificate of title shall contain appropriate words or symbols to indicate
14 that it is a duplicate. The fee for~~[Each application for]~~ a duplicate certificate of title
15 shall be in accordance with Section 4 of this Act~~[six dollars (\$6), of which the~~
16 ~~county clerk shall retain four dollars (\$4), and the Transportation Cabinet two~~
17 ~~dollars (\$2). Each application for a duplicate certificate of title for an all-terrain~~
18 ~~vehicle shall be ten dollars (\$10), of which the county clerk shall retain four dollars~~
19 ~~(\$4) and the Transportation Cabinet shall receive six dollars (\$6)]~~. It shall be mailed
20 to the owner.
- 21 (2) The Department of Vehicle Regulation shall make provisions for production and
22 issuance of a duplicate title if update of information is requested. The provisions
23 shall be generally consistent with the procedures for production and issuance of a
24 certificate of title in the first instance as provided in this chapter.
- 25 (3) A person recovering an original certificate of title for which a duplicate has been
26 issued shall promptly surrender the original certificate to the Department of Vehicle
27 Regulation.

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

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

4 (1) The owner of a manufactured home that has been converted to real estate in
5 accordance with KRS 186A.297 may detach or sever the home from the real
6 property only by filing an affidavit of severance with the clerk of the county in
7 which the affidavit of conversion originally took place and in which the real estate
8 is located. The affidavit of severance shall include the following information:

9 (a) The manufacturer and, if applicable, the model name of the manufactured
10 home;

11 (b) The legal description of the real property on which the manufactured home is
12 or was placed, with the source of title setting forth the book and page number
13 of how the owner of the real estate acquired the property;

14 (c) The book and page number where the previous affidavit of conversion was
15 filed of record;

16 (d) A Class B1 or B2 Seal as required under KRS 227.600;

17 (e) Certification of an attorney that, as of the date of the titling of the severance,
18 there are no security interests or liens in the manufactured home that have not
19 been released by the secured party and that the title to the real estate is
20 marketable, free, and clear of liens, or certification of any holder of a security
21 interest in the manufactured home of:

22 1. The amount of any existing security interest; and

23 2. The secured party's consent to issuance of a title;

24 (f) The owner's affidavit that the manufactured home has previously been or will
25 be removed from the described real estate within thirty (30) days of the date
26 of filing the affidavit of conversion, and that, before moving the manufactured
27 home the owner will apply for and receive;

- 1 1. A certificate of title as required under KRS 186A.070; and
- 2 2. A manufactured home registration as required under KRS 186.675; and
- 3 (g) There shall be a limit of one (1) affidavit of severance issued to an owner on a
- 4 property.
- 5 (2) When the county clerk files the affidavit of severance, the county clerk shall
- 6 provide a copy to:
- 7 (a) The property valuation administrator for adjustment of the real property tax
- 8 rolls of the county; and
- 9 (b) The Transportation Cabinet, Department of Vehicle Regulation.
- 10 (3) An owner who fails to file an affidavit of severance prior to removal of the
- 11 manufactured home shall be liable for actual damages or five hundred dollars
- 12 (\$500), whichever is greater, payable to any first lien holder of record, or if no such
- 13 lien holder exists, to be payable to the clerk of the county in which the affidavit of
- 14 conversion first took place, upon notice to the clerk that the manufactured home
- 15 was not removed within thirty (30) days of the date of filing of the affidavit of
- 16 severance.
- 17 (4) The county clerk shall receive a fee established by the cabinet by administrative
- 18 regulation under Section 3 of this Act~~[of sixteen dollars (\$16)]~~ for the service
- 19 provided under this section.
- 20 (5) If the owner of the manufactured home provides inaccurate or fraudulent
- 21 information to the county clerk, the clerk shall not be held liable in any subsequent
- 22 action relating to the severance of the manufactured home from the real estate.
- 23 (6) As used in~~[For the purposes of]~~ this section, "owner" means the party who holds
- 24 the legal title to the real estate where the manufactured home is located prior to
- 25 being moved. It shall not include the party who is acquiring the manufactured
- 26 home.
- 27 ➔Section 36. KRS 186A.130 is amended to read as follows:

1 There shall be paid for issuing and processing title documents required by this chapter
2 fees established by the cabinet by administrative regulation under Section 3 of this Act,
3 which shall be distributed between the cabinet and the county clerk as follows
4 according to the following schedule:

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

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

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

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

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

23 ~~(3)(4)~~ (a) ~~For~~ each application for a certificate of title for an all-terrain vehicle, ~~shall be fifteen dollars (\$15), of which~~ the county clerk shall retain forty
24 percent (40%) ~~[six dollars (\$6)]~~ and the Transportation Cabinet shall receive
25 sixty percent (60%) ~~[nine dollars (\$9)]~~.

26
27 (b) ~~For~~ each application for a ~~replacement or~~ corrected certificate of title for an

1 all-terrain vehicle, ~~shall be ten dollars (\$10), of which~~ the county clerk shall
2 retain **forty percent (40%)** ~~four dollars (\$4)~~ and the Transportation Cabinet
3 shall receive **sixty percent (60%)** ~~six dollars (\$6)~~. If a corrected certificate
4 must be issued because of an error of the county clerk or the Department of
5 Vehicle Regulation, there shall be no charge.

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

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

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

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

1 county clerk for registration shall be accompanied by:

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

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

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

9 (d) A certificate of title, if last registered in another state where the law of that
10 state requires the owner of a motor vehicle to obtain a certificate of title or
11 ownership;

12 (e) An affidavit from an officer of a local government saying that the motor
13 vehicle has been abandoned and that the provisions of KRS 82.630 have been
14 complied with, for local governments which elect to use the provisions of
15 KRS 82.600 to 82.640;

16 (f) The application from a person who has brought a motor vehicle into the
17 Commonwealth from another state shall be accompanied by proof that the
18 motor vehicle is insured in compliance with KRS 304.39-080; and

19 (g) Proof of insurance in compliance with KRS 186.077 if the application is for
20 the registration of a street-legal special purpose vehicle.

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

- 1 (3) After that, the owner of any commercial vehicle registered under KRS 186.050(3)
2 to (14) shall register the commercial vehicle on or before April 1 of each year. If,
3 before operating a commercial vehicle in this state, the owner registers it at some
4 later date and pays the required fee, he or she will be deemed to have complied with
5 the law. Insofar as the owner is concerned, registration with the clerk shall be
6 deemed to be registration with the cabinet, except the owner of any commercial
7 motor vehicle to be registered pursuant to the International Registration Plan under
8 KRS 186.050(13) shall register the commercial motor vehicles on or before the last
9 day of the month of registration established pursuant to KRS 186.051(3).
- 10 (4) The application and documents presented **for registration**~~[therewith]~~, including the
11 sheriff's certificate of inspection, shall, **along with**~~[be affixed to]~~ the Transportation
12 Cabinet copy of the certificate of title or registration, **be**~~[and]~~ sent to the
13 Transportation Cabinet by the clerk.
- 14 (5) At least forty-five (45) days prior to the expiration of registration of any motor
15 vehicle previously registered in the Commonwealth as provided by KRS 186A.035,
16 the owner of the vehicle shall be notified~~[by mail]~~ on the same notice required by
17 KRS 134.805(5) of the date of expiration. In addition, the department shall provide
18 appropriate forms and information to permit renewal of motor vehicle registration
19 to be completed by mail. Any registration renewal by mail shall require payment of
20 an additional~~[two dollar (\$2)]~~ fee **established by the cabinet by administrative**
21 **regulation under Section 3 of this Act, and retained**~~[which shall be received]~~ by
22 the county clerk. Nonreceipt of the notice **under this subsection**~~[herein]~~ shall not
23 constitute a defense to any registration related offense.
- 24 (6) (a) If an individual has been serving in the United States military stationed or
25 assigned to a base or other location outside the boundaries of the United
26 States, he or she shall renew the registration on the vehicle within thirty (30)
27 days of his or her return if:

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

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

1 **regulation under Section 3 of this Act**~~[of three dollars (\$3)]~~ to carry out~~[the~~
2 ~~provisions of]~~ this subsection.

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

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

10 ➔Section 39. The following KRS section is repealed:

11 189.271 Special permits for hauling industrial materials -- Renewals -- Administrative
12 regulations -- Overweight and overdimensional vehicles.

13 ➔Section 40. Sections 28 to 38 of this Act take effect January 1, 2027.