### Local Mandate Fiscal Impact Estimate Kentucky Legislative Research Commission 2017 Regular Session

#### **Part I: Measure Information**

<b>Bill Request #:</b> 1460						
Bill #: SB 176 GA						
Bill Subject/Title: AN ACT relating to military surplus vehicles						
Sponsor: Senator Stephen West						
Unit of Government:CityxCountyxUrban-CountyxCharter CountyConsolidated LocalGovernment						
Office(s) Impacted: County clerks; sheriffs						
Requirement: <u>x</u> Mandatory Optional						
Effect on Powers & Duties: <u>x</u> Modifies Existing <u>Adds New</u> Eliminates Existing						

#### Part II: Purpose and Mechanics

SB 176 GA will allow owners of military surplus vehicles to operate them on Kentucky highways. A "military surplus vehicle" is defined at **Section 3** of the bill as:

[A] multi-purpose wheeled surplus military vehicle that:

(a) Is not operated using continuous tracks;

(b) Was originally manufactured for and sold directly to the Armed Forces of the United States; and

(c) Was originally manufactured under the federally mandated requirements set forth in 49 C.F.R. Part 571.7.

KRS 186.020 requires that, before an owner may operate a motor vehicle on the highway the owner shall register the vehicle; current law does not allow registration of military surplus vehicles. **Section 1** of SB 176 GA would create a new section of KRS 186A to provide that a person who buys a military surplus vehicle shall be issued a certificate of title after complying with the requirement of that Section to first apply for a vehicle

identification number (VIN) at the county clerk's office in the county in which the owner resides. At that time the owner must provide the clerk with proof of insurance and proof that the vehicle has passed an inspection.

**Section 2** of the bill would amend KRS 186A.115 to require the owner to first have the vehicle and title documents inspected by a certified inspector designated by the sheriff in the county where the application for title is to be submitted. The bill would require the Transportation Cabinet to promulgate regulations to implement the bill, which may include a requirement that modifications be made to a military surplus vehicle before it is inspected; however, the Cabinet may only require the vehicles meet applicable federal motor vehicle safety standards in 49 C.F.R. Part 571.7.<sup>1</sup>

#### Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

## SB 176 GA would have a minimum positive fiscal impact on the offices of county clerk and sheriff

It is unknown how many purchasers of military surplus vehicles would seek to have them registered and licensed for highway use. County clerks are entitled to collect a fee of six dollars (\$6) for services rendered for each vehicle they register. The county sheriff is responsible for designating a certified inspector to conduct vehicle inspections to determine that the application documents are legible and complete and to record the reading on the primary odometer of the vehicle. The county sheriff's office is entitled to a certification fee of five dollars (\$5) for each vehicle inspected and certified, or \$15 if the certified inspector must travel to the site of the vehicle instead of the vehicle being brought to the inspector.

# Data Source(s):Kentucky Revised Statutes Chapters 186 and 186A; LRC staff; internet<br/>article search regarding licensing of High Mobility Multi-purpose Wheeled<br/>Vehicles (HMMWVs, or "Humvees"); Legislative Research Commission<br/>Final Reports of the Interim Joint, Special and Statutory Committees 2016,<br/>at pp. 140-141

<b>Preparer:</b>	Mary Stephens	<b>Reviewer:</b>	KHC	Date:	3/1/17
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<sup>&</sup>lt;sup>1</sup> 49 C.F.R. Part 571.7 (c) Military vehicles. No standard applies to a vehicle or item of equipment manufactured for, and sold directly to, the Armed Forces of the United States in conformity with contractual specifications.