

collected by county clerk offices for each registration issued. The county clerks will retain 50% of the fee and the remaining 50% will be directed to the Road Fund.

Under this proposal, units of local government may enact ordinances to either allow or prohibit ATV operation on certain roadways within its jurisdiction and to limit the hours of operation.

Since July 1, 2010, titles have been required upon change of ownership for ATVs. Kentucky Transportation staff indicated that unless the ATV is purchased new and there was financing on the ATV, in many cases, the certificate of origin has not been presented to obtain a title. Transfers between individuals are not generally reported and titled since there is no enforcement. Based upon the inability to obtain an accurate number of ATV titles issued in the past year, an estimate of the number of ATVs that will be titled is not determinable.

It can be reasonably expected that upon passage of this measure, there will be an increase in the number of ATVs that get titled and registered in order to be operated upon the Commonwealth's roadways. County clerks will realize an increase in retained fees, but the amount is indeterminable.

Local governments that chose to create ordinances affecting the operation of ATVs will incur costs associated with the drafting, publication, indexing, and recording of adopted ordinances, and at least every five years, review and eliminate redundant, obsolete, inconsistent, and invalid provisions.

According to Kentucky League of Cities, most cities, especially the smaller ones, retain their city attorney on contract and pay on an hourly basis. Time spent drafting an ordinance is influenced by its complexity and the amount of research that is necessary. In FY 2018, the median hourly rate was approximately \$106.

Rates for legal notices vary greatly depending on the length of the publication, the number of times it needs to be published and the newspaper in which the publication is placed. LRC Research Report No. 431, Cost and Policy Considerations for State-Mandated Local Public Notices, adopted October 13, 2016, indicated that median costs to counties incurred for publishing ordinances in FY 2015 was \$1,035.

City and county governments will also have training costs for public safety officers on how to deal with issues related to these vehicles.

Part III: Differences to Local Government Mandate Statement from Prior Versions

The Part II section, above, pertains to the bill as introduced and there are not any prior introduced versions of the bill to complete the Part III section.

Data Source(s): Kentucky Transportation Cabinet, Kentucky County Clerks Association, Kentucky League of Cities; Kentucky Association of Counties, LRC Informational Bulletin No. 145, Kentucky Municipal Statutory Law, Revised September 2018; LRC Research Report No. 431, Cost and Policy Considerations for State-Mandated Local Public Notices.

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