



If a person has their vehicle registration revoked in accordance with this Act, two times within any 12 month period (current law is three times), the revocation shall constitute a violation of KRS 304.39-080, and the Department of Vehicle Regulation (DVR) shall notify the county attorney to begin prosecution. Additionally, any motor vehicle for which the registration has been revoked shall be subject to having their license plate seized by the Kentucky State Police pursuant to KRS 186.181.

The owner of the motor vehicle for which the registration has been revoked shall be subject to a reinstatement fee of \$30. The county clerk shall retain \$20 and \$10 shall be forwarded to the Department of Vehicle Regulation.

Section 2 amends KRS 186.180 to delete the reinstatement fee when the vehicle's registration is revoked under outdated language in KRS 186.290 related to emissions test requirements.

The Kentucky Department of Transportation records show that in the last two years, there have been nearly 266,000 registrations cancelled due to failure to maintain required insurance coverage on a vehicle and approximately 83,500 of these reinstated.

| Description                                    | 2020           | 2021           |
|--|----------------|----------------|
| Registrations Cancelled and Reactivated        | 50,987         | 32,493         |
| Registrations Currently Cancelled              | 80,766         | 101,651        |
| <b>Total Registrations Initially Cancelled</b> | <b>131,753</b> | <b>134,144</b> |

**The impact of this legislation on county clerks is indeterminable but expected to be positive and moderate.** Assuming 130,000 registration revocations per year, county clerks would receive \$2.6 million in reinstatement fees per year. **The estimated fiscal impact on county attorneys is also indeterminate but expected to be moderate to significant.** In each case, the expected impact is likely to correspond directly to the relationship of county population and the number of vehicles registered in a county. The Kentucky County Attorneys Association indicates this bill would pose significant financial strain on county attorneys as this legislation would cause many more cases to be prosecuted. This in turn would require additional resources including adding staff.

Upon revocation, the DVR shall notify the county attorney to begin immediate prosecution for violation of subtitle 39 of KRS Chapter 304. Pursuant to KRS 304.99-060, in addition to the revocation of the registration and suspension of the license plate, first-time offenders may be fined at least \$500 but not more than \$1,000, be sentenced to not more than 90 days in jail, or both. For second and subsequent offenses within a five year period, a person could be sentenced to jail for 180 days, fined not less than \$1,000 nor more than \$2,500, or both. There is judicial discretion for applying these penalties upon production of proof of insurance.

If there is any jail time applied at sentencing, then an additional impact will be seen by counties. A person convicted of a Class B misdemeanor may be incarcerated for up to 90 days. A person convicted of a Class A misdemeanor may be incarcerated for up to twelve

months. Misdemeanants are housed in one of Kentucky's 74 full service jails or three life safety jails. While the expense of housing inmates varies by jail, this estimated impact will be based on an average cost to incarcerate of \$35.43 per day. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average cost to incarcerate of \$35.43 per day.

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

Part II, above, pertains to the bill as introduced.

**Data Source(s):** Kentucky Transportation Cabinet, Kentucky County Attorneys Association; Kentucky Department of Corrections

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