Local Government Mandate Statement Kentucky Legislative Research Commission 2023 Regular Session

Part I: Measure Information

Bill Request #: 809						
Bill #: _ HB 169						
Document ID #: 2543						
Bill Subject/Title: AN ACT relating to off-highway vehicles.						
Sponsor: Representative Patrick Flannery						
Unit of Government: City County Urban-County Unified Local						
Charter County Consolidated Local Government						
Office(s) Impacted:						
Requirement: X Mandatory X Optional						
Effect on Powers & Duties: X Modifies Existing X Adds New Eliminates Existing						

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 169 creates a new section of KRS Chapter 189 to define an "off-highway vehicle" (OHV) and make it lawful to operate them on state-maintained roadways if certain conditions are met; to mandate OHV inspection, titling, registration, insurance, and protective gear requirements for operating or riding on an OHV; to set application and registration fees for OHV registration by residents and non-residents; to allow the Transportation Cabinet or local government to prohibit OHV operation on roadways under its jurisdiction. HB 169 also amends KRS 189.990 to make violating section 1 or 2 of this legislation punishable by a fine no less than \$20 but no more than \$50.

The fiscal impact of HB 169 is indeterminable, but could increase clerk fee revenue with more registrations being processed for off-highway vehicles.

Under the provisions of HB 169, county clerks are required to title and register off-highway vehicles and to collect and distribute the fees for issuing temporary permits to out-of-state residents. Per KRS 186,040, the county clerks retain \$6 of the registration fee

for both residents and non-residents. An exact dollar figure for how much such fees would increase county clerk revenue is indeterminable since it is not known how many off-highway vehicles will be registered.

HB 169 also could result in minimal administrative costs if local units of government decide to pass ordinances allowing or prohibiting OHV use on its roadways.

The penalty fees collected under the provisions of HB 169 will revert back to the state's general fund.

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

The analysis provided in Part II above is based on HB 169 as introduced. There are no previous versions for comparison.

Data Source(s):	LRC Staff				
Preparer: CTH	H (WB)	Reviewer:	KHC	Date:	2/22/23