Local Government Mandate Statement Kentucky Legislative Research Commission 2024 Regular Session

Part I: Measure Information

Bill Request #: 1338
Bill #: HB 121
Document ID #: 2196
Bill Title: AN ACT relating to off-highway vehicles.
Sponsor: Representative Patrick Flannery
Unit of Government: City X County X Urban-County Unified Local
X Charter County X Consolidated Local X Government
Office(s) Impacted: County Clerks, Local Legislative Entities
Requirement: X Mandatory X Optional
Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing

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

HB 121 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 121 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 121 is indeterminable, but could increase clerk fee revenue with more registrations being processed for off-highway vehicles.

Under the provisions of HB 121, 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 121 also could result in minimal administrative costs if local units of government decide to pass ordinances prohibiting OHV use on their roadways.

The penalty fees collected under the provisions of HB 121 will revert back to the state's general fund.

Data Source(s): LRC Staff

Preparer: Jacob Blevins (BW) Reviewer: KHC Date: 1/29/24