## Local Government Mandate Statement Kentucky Legislative Research Commission 2024 Regular Session

**Part I: Measure Information** 

Bill Request #: 1668
Bill #: HB 833/GA
Document ID #: 8565
Bill Title: AN ACT relating to motor vehicle inspectors.
Sponsor: Representative David Meade
Unit of Government: City X County X Urban-County Unified Local
X Charter County X Consolidated Local X Government
Office(s) Impacted: Sheriffs Office
Requirement: X Mandatory 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 833/GA allows sheriffs to appoint up to two individuals at a new motor vehicle dealer or a used motor vehicle dealer that makes an average of 100 motor vehicle sales per month for the preceding 12 months, as special inspectors solely to complete inspections of motor vehicles to be sold by that dealer.

HB 833/GA also increases the vehicle inspection fee for the sheriff's office from \$5 to: \$30 for a motor vehicle dealer that qualifies to have an employee appointed as a special inspector; \$15 for a motor vehicle dealer that does not qualify to have an employee appointed as a special instructor; and \$15 for an individual person. HB 833/GA increases the inspection fee from \$10 to \$20, if it is necessary for the inspector to travel to the site of the vehicle rather than bringing the vehicle to the sheriff's inspection area.

Under HB 833/GA, any person who intentionally or willfully divulges a certified inspector number shall be guilty of a Class A misdemeanor. Any person who intentionally or willfully sells a certified inspector number shall be guilty of a Class D felony.

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 \$44.97 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 \$44.97 per day.

When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 74 full service jails or three life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an average cost to incarcerate of \$44.97, which includes the \$35.34 per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Upon sentencing, a Class D felon is housed in one of Kentucky's full service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$35.34 per day to house a Class D felon. The per diem may be less than, equal to, or greater than the actual housing cost.

The fiscal impact of HB 833/GA is undeterminable, but expected to be positive. The increase in inspection fees will have a positive effect on revenues of sheriff's offices.

The Kentucky Sheriffs' Association was contacted to provide data for this local mandate. They did not have a count of the number of annual vehicle inspections, but said that the number of vehicles inspected would be higher in counties that are near the state border.

**Data Source(s):** LRC Staff; KY Sheriffs' Association; Kentucky Department of Corrections

**Preparer:** Brandon White (RB) **Reviewer:** KHC **Date:** 3/19/24