

1 AN ACT relating to the funding of transportation and making an appropriation  
2 therefor.

3 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

4 ➔Section 1. KRS 138.210 is amended to read as follows:

5 As used in KRS 138.220 to 138.446, unless the context requires otherwise:

- 6 (1) "Accountable loss" means loss or destruction of "received" gasoline or special fuel  
7 through wrecking of transportation conveyance, explosion, fire, flood or other  
8 casualty loss, or contaminated and returned to storage. The loss shall be reported  
9 within thirty (30) days after discovery of the loss to the department in a manner and  
10 form prescribed by the department, supported by proper evidence which in the sole  
11 judgment of the department substantiates the alleged loss or contamination and  
12 which is confirmed in writing to the reporting dealer by the department. The  
13 department may make any investigation deemed necessary to establish the bona fide  
14 claim of the loss;
- 15 (2) "Agricultural purposes" means purposes directly related to the production of  
16 agricultural commodities and the conducting of ordinary activities on the farm;
- 17 (3) "Annual survey value" means the average of the quarterly survey values for a fiscal  
18 year, as determined by the department, based upon surveys taken during the first  
19 month of each quarter of the fiscal year;
- 20 (4) "Average wholesale price" means the weighted average per gallon wholesale price  
21 of gasoline, based on the quarterly survey value as determined by the department,  
22 and as adjusted by KRS 138.228;
- 23 (5) "Bulk storage facility" means gasoline or special fuels storage facilities of not less  
24 than twenty thousand (20,000) gallons owned or operated at one (1) location by a  
25 single owner or operator for the purpose of storing gasoline or special fuels for  
26 resale or delivery to retail outlets or consumers;
- 27 (6) "Dealer" means any person who is:

- 1 (a) Regularly engaged in the business of refining, producing, distilling,  
2 manufacturing, blending, or compounding gasoline or special fuels in this  
3 state;
- 4 (b) Regularly importing gasoline or special fuel, upon which no tax has been paid,  
5 into this state for distribution in bulk to others;
- 6 (c) Distributing gasoline from bulk storage in this state;
- 7 (d) Regularly engaged in the business of distributing gasoline or special fuels  
8 from bulk storage facilities primarily to others in arm's-length transactions;
- 9 (e) In the case of gasoline, receiving or accepting delivery within this state of  
10 gasoline for resale within this state in amounts of not less than an average of  
11 one hundred thousand (100,000) gallons per month during any prior  
12 consecutive twelve (12) months' period, when in the opinion of the  
13 department, the person has sufficient financial rating and reputation to justify  
14 the conclusion that he or she will pay all taxes and comply with all other  
15 obligations imposed upon a dealer; or
- 16 (f) Regularly exporting gasoline or special fuels;
- 17 (7) "Department" means the Department of Revenue;
- 18 (8) "Diesel fuel" means any liquid other than gasoline that, without further processing  
19 or blending, is suitable for use as a fuel in a diesel powered highway vehicle. Diesel  
20 fuel does not include unblended kerosene, No. 5, and No. 6 fuel oil as described in  
21 ASTM specification D 396 or F-76 Fuel Naval Distillate MILL-F-166884;
- 22 (9) "Dyed diesel fuel" means diesel fuel that is required to be dyed under United States  
23 Environmental Protection Agency rules for high sulfur diesel fuel, or is dyed under  
24 the Internal Revenue Service rules for low sulfur fuel, or pursuant to any other  
25 requirements subsequently set by the United States Environmental Protection  
26 Agency or the Internal Revenue Service;
- 27 (10) "Financial instrument" means a bond issued by a corporation authorized to do

1 business in Kentucky, a line of credit, or an account with a financial institution  
2 maintaining a compensating balance;

3 (11) "Gasoline" means all liquid fuels, including liquids ordinarily, practically, and  
4 commercially usable in internal combustion engines for the generation of power,  
5 and all distillates of and condensates from petroleum, natural gas, coal, coal tar,  
6 vegetable ferments, and all other products so usable which are produced, blended,  
7 or compounded for the purpose of operating motor vehicles, showing a flash point  
8 of 110 degrees Fahrenheit or below, using the Elliott Closed Cup Test, or when  
9 tested in a manner approved by the United States Bureau of Mines, are prima facie  
10 commercially usable in internal combustion engines. The term "gasoline" as used  
11 herein shall include casing head, absorption, natural gasoline, and condensates when  
12 used without blending as a motor fuel, sold for use in motors direct, or sold to those  
13 who blend for their own use, but shall not include: propane, butane, or other  
14 liquefied petroleum gases, kerosene, cleaner solvent, fuel oil, diesel fuel, crude oil  
15 or casing head, absorption, natural gasoline and condensates when sold to be  
16 blended or compounded with other less volatile liquids in the manufacture of  
17 commercial gasoline for motor fuel, industrial naphthas, rubber solvents, Stoddard  
18 solvent, mineral spirits, VM and P & naphthas, turpentine substitutes, pentane,  
19 hexane, heptane, octane, benzene, benzine, xylol, toluol, aromatic petroleum  
20 solvents, alcohol, and liquefied gases which would not exist as liquids at a  
21 temperature of sixty (60) degrees Fahrenheit and a pressure of 14.7 pounds per  
22 square inch absolute, unless the products are used wholly or in combination with  
23 gasoline as a motor fuel;

24 (12) "Motor vehicle" means any vehicle, machine, or mechanical contrivance propelled  
25 by an internal combustion engine and licensed for operation and operated upon the  
26 public highways and any trailer or semitrailer attached to or having its front end  
27 supported by the motor vehicles;

- 1 (13) "Public highways" means every way or place generally open to the use of the public  
2 as a matter of right for the purpose of vehicular travel, notwithstanding that they  
3 may be temporarily closed or travel thereon restricted for the purpose of  
4 construction, maintenance, repair, or reconstruction;
- 5 (14) (a) "Quarterly survey value" means a value determined by the department for each  
6 calendar quarter of the weighted average per gallon wholesale price of  
7 gasoline, determined from information available through independent  
8 statistical surveys of gasoline prices or, if requested, from information  
9 furnished by licensed gasoline dealers. The department shall determine, within  
10 twenty (20) days following the end of the first month of each calendar quarter,  
11 the weighted average of per gallon wholesale selling prices of gasoline for the  
12 previous month. That value shall be the quarterly survey value for the  
13 beginning of the following calendar quarter.
- 14 (b) "Quarterly survey value" shall be determined exclusive of any federal gasoline  
15 tax and any fee on imported oil imposed by the Congress of the United States;
- 16 (15) "Received" or "received gasoline" or "received special fuels" shall have the  
17 following meanings:
- 18 (a) Gasoline and special fuels produced, manufactured, or compounded at any  
19 refinery in this state or acquired by any dealer and delivered into or stored in  
20 refinery, marine, or pipeline terminal storage facilities in this state shall be  
21 deemed to be received when it has been loaded for bulk delivery into tank cars  
22 or tank trucks consigned to destinations within this state. For the purpose of  
23 the proper administration of this chapter and to prevent the evasion of the tax  
24 and to enforce the duty of the dealer to collect the tax, it shall be presumed  
25 that all gasoline and special fuel loaded by any licensed dealer within this state  
26 into tank cars or tank trucks is consigned to destinations within this state,  
27 unless the contrary is established by the dealer, pursuant to administrative

- 1 regulations prescribed by the department; and
- 2 (b) Gasoline and special fuels acquired by any dealer in this state, and not  
3 delivered into refinery, marine, or pipeline terminal storage facilities, shall be  
4 deemed to be received when it has been placed into storage tanks or other  
5 containers for use or subject to withdrawal for use, delivery, sale, or other  
6 distribution. Dealers may sell gasoline or special fuels to licensed bonded  
7 dealers in this state in transport truckload, carload, or cargo lots, withdrawing  
8 it from refinery, marine, pipeline terminal, or bulk storage tanks, without  
9 paying the tax. In these instances, the licensed bonded dealer purchasing the  
10 gasoline or special fuels shall be deemed to have received that fuel at the time  
11 of withdrawal from the seller's storage facility and shall be responsible to the  
12 state for the payment of the tax thereon;
- 13 (16) "Refinery" means any place where gasoline or special fuel is refined, manufactured,  
14 compounded, or otherwise prepared for use;
- 15 (17) "Retail filling station" means any place accessible to general public vehicular traffic  
16 where gasoline or special fuel is or may be placed into the fuel supply tank of a  
17 licensed motor vehicle;
- 18 (18) "Special fuels" means and includes all combustible gases and liquids capable of  
19 being used for the generation of power in an internal combustion engine to propel  
20 vehicles of any kind upon the public highways, including diesel fuel, and dyed  
21 diesel fuel used exclusively for nonhighway purposes in off-highway equipment and  
22 in nonlicensed motor vehicles, except that it does not include gasoline, aviation jet  
23 fuel, kerosene unless used wholly or in combination with special fuel as a motor  
24 fuel, or liquefied petroleum gas as defined in KRS 234.100;
- 25 (19) "Storage" means all gasoline and special fuels produced, refined, distilled,  
26 manufactured, blended, or compounded and stored at a refinery storage or delivered  
27 by boat at a marine terminal for storage, or delivered by pipeline at a pipeline

1 terminal, delivery station, or tank farm for storage;

2 (20) "Transporter" means any person who transports gasoline or special fuels on which  
3 the tax has not been paid or assumed; and

4 (21) "Wholesale floor price" means two dollars and ninety cents (\$2.90)[-

5 ~~(a) Prior to April 1, 2015, one dollar and seventy eight and six tenths cents~~  
6 ~~(\$1.786) per gallon; and~~

7 ~~(b) On and after April 1, 2015, two dollars and seventeen and seven tenths cents~~  
8 ~~(\$2.177)] per gallon.~~

9 ➔Section 2. KRS 138.220 is amended to read as follows:

10 (1) (a) An excise tax at the rate of nine percent (9%) of the average wholesale price  
11 rounded to the nearest one-tenth of one cent (\$0.001) shall be paid on all  
12 gasoline and special fuel received in this state. The tax shall be paid on a per  
13 gallon basis.

14 (b) The average wholesale price shall be determined and adjusted as provided in  
15 KRS 138.228.

16 (c) For the purposes of the allocations in KRS 177.320(1) and (2) and 177.365,  
17 the amount calculated under this subsection shall be reduced by the amount  
18 calculated in subsection (3) of this section.

19 (d) Except as provided by KRS Chapter 138, no other excise or license tax shall  
20 be levied or assessed on gasoline or special fuel by the state or any political  
21 subdivision of the state.

22 (e) The tax herein imposed shall be paid by the dealer receiving the gasoline or  
23 special fuel to the State Treasurer in the manner and within the time specified  
24 in KRS 138.230 to 138.340 and all such tax may be added to the selling price  
25 charged by the dealer or other person paying the tax on gasoline or special fuel  
26 sold in this state.

27 (f) Nothing herein contained shall authorize or require the collection of the tax

1 upon any gasoline or special fuel after it has been once taxed under the  
2 provisions of this section, unless such tax was refunded or credited.

3 (2) (a) In addition to the excise tax provided in subsection (1) of this section, there is  
4 hereby levied a supplemental highway user motor fuel tax to be paid in the  
5 same manner and at the same time as the tax provided in subsection (1) of this  
6 section.

7 (b) The **minimum supplemental highway user motor fuel** tax **on gasoline and**  
8 **special fuel** shall be **eight and one-half cents (\$0.085) per gallon.**

9 **(c) The supplemental highway user motor fuel tax shall be adjusted as provided**  
10 **in Section 3 of this Act**;

11 1. ~~Five cents (\$0.05) per gallon on gasoline; and~~

12 2. ~~Two cents (\$0.02) per gallon on special fuel.~~

13 ~~(d)~~(e) The supplemental highway user motor fuel tax provided by this  
14 subsection and the provisions of subsections (1) and (3) of this section shall  
15 constitute the tax on motor fuels imposed by KRS 138.220.

16 (3) Two and one-tenth cents (\$0.021), of the tax collected under subsection (1) of this  
17 section shall be excluded from the calculations in KRS 177.320(1) and (2) and  
18 177.365. The funds identified in this subsection shall be deposited into the state  
19 road fund.

20 (4) **At least twenty (20) days in advance of the first day of each fiscal year,**  
21 notification of:

22 (a) The average wholesale price **and the adjusted supplemental highway user**  
23 **motor fuel tax rate for the upcoming fiscal year, which** shall be given to all  
24 licensed dealers; **and**

25 (b) **The adjusted electric vehicle highway user fee established in Section 4 of**  
26 **this Act, which shall be given to all county clerks** ~~[at least twenty (20) days~~  
27 ~~in advance of the first day of each calendar quarter].~~

1 (5) Dealers with a tax-paid gasoline or special fuel inventory at the time an adjustment  
 2 to the average wholesale price or an adjustment to the supplemental highway user  
 3 motor fuel tax becomes effective, shall be subject to additional tax or appropriate  
 4 tax credit to reflect the increase or decrease in the average wholesale price or  
 5 supplemental highway user motor fuel tax for the new year~~[quarter]~~. The  
 6 department shall promulgate administrative regulations to properly administer this  
 7 provision.

8 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 138 IS CREATED TO  
 9 READ AS FOLLOWS:

10 The department shall calculate the supplemental highway user motor fuel tax as  
 11 follows:

12 (1) For the fiscal year beginning on July 1, 2019, and ending June 30, 2020, the  
 13 supplemental highway user motor fuel tax shall be the minimum rate identified  
 14 in subsection (2)(b) of Section 2 of this Act; and

15 (2) (a) For fiscal years beginning on or after July 1, 2020, the supplemental  
 16 highway user motor fuel tax shall be adjusted annually to the nearest one–  
 17 tenth of one cent (\$0.001), as provided in this subsection, and shall be  
 18 effective on the first day of the fiscal year.

19 (b) On or before June 1, 2020, and on or before each June 1 thereafter, the  
 20 department shall compare the most current quarterly National Highway  
 21 Construction Cost Index 2.0 (NHCCI 2.0) value and determine the  
 22 percentage change in relation to the NHCCI 2.0 value from the same  
 23 quarter for the previous year.

24 (c) 1. The supplemental highway user motor fuel tax on July 1, 2020, and  
 25 on July 1 of each fiscal year thereafter, shall be adjusted by the  
 26 change in the NHCCI 2.0 determined by paragraph (b) of this  
 27 subsection, unless the change is:



- 1            a. Greater than a ten percent (10%) increase, in which case the  
 2            supplemental highway user motor fuel tax shall be one hundred  
 3            ten percent (110%) of the supplemental highway user motor fuel  
 4            tax in effect at the close of the previous fiscal year; or  
 5            b. Greater than a ten percent (10%) decrease, in which case the  
 6            supplemental highway user motor fuel tax shall be ninety  
 7            percent (90%) of the supplemental highway user motor fuel tax  
 8            in effect at the close of the previous fiscal year.
- 9            2. Notwithstanding subparagraph 1. of this paragraph, the supplemental  
 10           highway user motor fuel tax shall not be less than the minimum rate  
 11           identified in subsection (2)(b) of Section 2 of this Act.

12           ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO  
 13 READ AS FOLLOWS:

- 14           (1) At the time of initial registration, and each year upon annual vehicle registration  
 15           renewal under Section 9 of this Act, the county clerk shall collect, from the  
 16           registrants of nonhybrid electric vehicles, the electric vehicle highway user fee  
 17           established under subsection (2) of this section, as adjusted by the calculations in  
 18           subsection (3) of this section.
- 19           (2) The base floor for the electric vehicle highway user fee shall be one hundred  
 20           seventy-five dollars (\$175).
- 21           (3) The Department of Revenue shall adjust the fee established in subsection (2) of  
 22           this section on the same schedule as the adjustments to the motor fuels tax under  
 23           KRS 138.228 and Section 3 of this Act, in the following manner:
- 24           (a) For each two-tenths of one cent (\$0.002) increase in the tax on motor fuels  
 25           imposed by Section 3 of this Act, the fee outlined in this section shall  
 26           increase one dollar (\$1);
- 27           (b) For each two-tenths of one cent (\$0.002) decrease in the tax on motor fuels

1 imposed by Section 3 of this Act, the fee outlined in this section shall  
2 decrease one dollar (\$1); and

3 (c) Any adjustment of fees under this subsection shall not result in a decrease  
4 below the base fee established in subsection (2) of this section.

5 (4) At the time of initial registration, and each year upon annual vehicle registration  
6 renewal under Section 9 of this Act, the county clerk shall collect a highway  
7 preservation fee from the owners of all noncommercial motor vehicles, based on  
8 the combined city/highway fuel efficiency rating published by the United States  
9 Environmental Protection Agency for the specific make, model, and model year  
10 of the motor vehicle as follows:

<u>Fuel Efficiency Rating</u>	<u>Highway Preservation Fee</u>
<u>0 – 19 Miles Per Gallon</u>	<u>\$5</u>
<u>20 – 24 Miles Per Gallon</u>	<u>\$10</u>
<u>25 – 29 Miles Per Gallon</u>	<u>\$15</u>
<u>30 Miles Per Gallon or more</u>	<u>\$20</u>

16 (5) All electric vehicle highway usage fees and highway preservation fees collected  
17 under this section shall be transferred to the road fund, as defined in KRS  
18 48.010.

19 ➔Section 5. KRS 186.010 is amended to read as follows:

20 As used in this chapter, unless otherwise indicated:

21 (1) "Cabinet," as used in KRS 186.400 to 186.640, means the Transportation Cabinet;  
22 except as specifically designated, "cabinet," as used in KRS 186.020 to 186.270,  
23 means the Transportation Cabinet only with respect to motor vehicles, other than  
24 commercial vehicles; "cabinet," as used in KRS 186.020 to 186.270, means the  
25 Department of Vehicle Regulation when used with respect to commercial vehicles;

26 (2) "Highway" means every way or place of whatever nature when any part of it is open  
27 to the use of the public, as a matter of right, license, or privilege, for the purpose of

- 1 vehicular traffic;
- 2 (3) "Manufacturer" means any person engaged in manufacturing motor vehicles who  
3 will, under normal conditions during the year, manufacture or assemble at least ten  
4 (10) new motor vehicles;
- 5 (4) "Motor vehicle" means in KRS 186.020 to 186.260, all vehicles, as defined in  
6 paragraph (a) of subsection (8) of this section, which are propelled otherwise than  
7 by muscular power. As used in KRS 186.400 to 186.640, it means all vehicles, as  
8 defined in paragraph (b) of subsection (8) of this section, which are self-propelled.  
9 "Motor vehicle" shall not include a moped as defined in this section, but for  
10 registration purposes shall include low-speed vehicles and military surplus vehicles  
11 as defined in this section and vehicles operating under KRS 189.283;
- 12 (5) "Moped" means either a motorized bicycle whose frame design may include one (1)  
13 or more horizontal crossbars supporting a fuel tank so long as it also has pedals, or a  
14 motorized bicycle with a step-through type frame which may or may not have  
15 pedals rated no more than two (2) brake horsepower, a cylinder capacity not  
16 exceeding fifty (50) cubic centimeters, an automatic transmission not requiring  
17 clutching or shifting by the operator after the drive system is engaged, and capable  
18 of a maximum speed of not more than thirty (30) miles per hour;
- 19 (6) "Operator" means any person in actual control of a motor vehicle upon a highway;
- 20 (7) (a) "Owner" means a person who holds the legal title of a vehicle or a person who  
21 pursuant to a bona fide sale has received physical possession of the vehicle  
22 subject to any applicable security interest.
- 23 (b) A vehicle is the subject of an agreement for the conditional sale or lease, with  
24 the vendee or lessee entitled to possession of the vehicle, upon performance of  
25 the contract terms, for a period of three hundred sixty-five (365) days or more  
26 and with the right of purchase upon performance of the conditions stated in  
27 the agreement and with an immediate right of possession vested in the

1 conditional vendee or lessee, or if a mortgagor of a vehicle is entitled to  
2 possession, the conditional vendee or lessee or mortgagor shall be deemed the  
3 owner.

4 (c) A licensed motor vehicle dealer who transfers physical possession of a motor  
5 vehicle to a purchaser pursuant to a bona fide sale, and complies with the  
6 requirements of KRS 186A.220, shall not be deemed the owner of that motor  
7 vehicle solely due to an assignment to his dealership or a certificate of title in  
8 the dealership's name. Rather, under these circumstances, ownership shall  
9 transfer upon delivery of the vehicle to the purchaser, subject to any  
10 applicable security interest;

11 (8) (a) "Vehicle," as used in KRS 186.020 to 186.260, includes all agencies for the  
12 transportation of persons or property over or upon the public highways of this  
13 Commonwealth and all vehicles passing over or upon said highways,  
14 excepting road rollers, road graders, farm tractors, vehicles on which power  
15 shovels are mounted, such other construction equipment customarily used  
16 only on the site of construction and which is not practical for the  
17 transportation of persons or property upon the highways, such vehicles as  
18 travel exclusively upon rails, and such vehicles as are propelled by electric  
19 power obtained from overhead wires while being operated within any  
20 municipality or where said vehicles do not travel more than five (5) miles  
21 beyond the city limit of any municipality.

22 (b) As used in KRS 186.400 to 186.640, "vehicle" means every device in, upon or  
23 by which any person or property is or may be transported or drawn upon a  
24 public highway, excepting devices moved by human and animal power or  
25 used exclusively upon stationary rails or tracks, or which derives its power  
26 from overhead wires;

27 (9) KRS 186.020 to 186.270 apply to motor vehicle licenses. KRS 186.400 to 186.640

- 1           apply to operator's licenses;
- 2   (10) "Dealer" means any person engaging in the business of buying or selling motor  
3       vehicles;
- 4   (11) "Commercial vehicles" means all motor vehicles that are required to be registered  
5       under the terms of KRS 186.050, but not including vehicles primarily designed for  
6       carrying passengers and having provisions for not more than nine (9) passengers  
7       (including driver), motorcycles, sidecar attachments, pickup trucks and passenger  
8       vans which are not being used for commercial or business purposes, and motor  
9       vehicles registered under KRS 186.060;
- 10   (12) "Resident" means any person who has established Kentucky as his or her state of  
11       domicile. Proof of residency shall include but not be limited to a deed or property  
12       tax bill, utility agreement or utility bill, or rental housing agreement. The possession  
13       by an operator of a vehicle of a valid Kentucky operator's license shall be prima-  
14       facie evidence that the operator is a resident of Kentucky;
- 15   (13) "Special status individual" means:
- 16       (a) "Asylee" means any person lawfully present in the United States who  
17           possesses an I-94 card issued by the United States Department of Justice,  
18           Immigration and Naturalization Service, on which it states "asylum status  
19           granted indefinitely pursuant to Section 208 of the Immigration & Nationality  
20           Act";
- 21       (b) "K-1 status" means the status of any person lawfully present in the United  
22           States who has been granted permission by the United States Department of  
23           Justice, Immigration and Naturalization Service to enter the United States for  
24           the purpose of marrying a United States citizen within ninety (90) days from  
25           the date of that entry;
- 26       (c) "Refugee" means any person lawfully present in the United States who  
27           possesses an I-94 card issued by the United States Department of Justice,

1 Immigration and Naturalization Service, on which it states "admitted as a  
2 refugee pursuant to Section 207 of the Immigration & Nationality Act"; and

3 (d) "Paroled in the Public Interest" means any person lawfully present in the  
4 United States who possesses an I-94 card issued by the United States  
5 Department of Justice, Immigration and Naturalization Service, on which it  
6 states "paroled pursuant to Section 212 of the Immigration & Nationality Act  
7 for an indefinite period of time";

8 (14) "Instruction permit" includes both motor vehicle instruction permits and motorcycle  
9 instruction permits;

10 (15) "Motorcycle" means any motor driven vehicle having a seat or saddle for the use of  
11 the operator and designed to travel on not more than three (3) wheels in contact  
12 with the ground, including vehicles on which the operator and passengers ride in an  
13 enclosed cab. For purposes of registration, "motorcycle" shall include an  
14 alternative-speed motorcycle and an autocycle as defined in this section, but shall  
15 not include a tractor or a moped as defined in this section;

16 (16) "Low-speed vehicle" means a motor vehicle that:

17 (a) Is self-propelled using an electric motor, combustion-driven motor, or a  
18 combination thereof;

19 (b) Is four (4) wheeled; and

20 (c) Is designed to operate at a speed not to exceed twenty-five (25) miles per hour  
21 as certified by the manufacturer;

22 (17) "Alternative-speed motorcycle" means a motorcycle that:

23 (a) Is self-propelled using an electric motor;

24 (b) Is three (3) wheeled;

25 (c) Has a fully enclosed cab and includes at least one (1) door for entry;

26 (d) Is designed to operate at a speed not to exceed forty (40) miles per hour as  
27 certified by the manufacturer; and

- 1 (e) Is not an autocycle as defined in this section;
- 2 (18) "Multiple-vehicle driving range" means an enclosed area that is not part of a  
3 highway or otherwise open to the public on which a number of motor vehicles may  
4 be used simultaneously to provide driver training under the supervision of one (1) or  
5 more driver training instructors;
- 6 (19) "Autocycle" means any motor vehicle that:
- 7 (a) Is equipped with a seat that does not require the operator to straddle or sit  
8 astride it;
- 9 (b) Is designed to travel on three (3) wheels in contact with the ground;
- 10 (c) Is designed to operate at a speed that exceeds forty (40) miles per hour as  
11 certified by the manufacturer;
- 12 (d) Allows the operator and passenger to ride either side-by-side or in tandem in a  
13 seating area that may be enclosed with a removable or fixed top;
- 14 (e) Is equipped with a three (3) point safety belt system;
- 15 (f) May be equipped with a manufacturer-installed air bags or a roll cage;
- 16 (g) Is designed to be controlled with a steering wheel and pedals; and
- 17 (h) Is not an alternative-speed motorcycle as defined in this section;
- 18 (20) "Military surplus vehicle" means a multipurpose wheeled surplus military vehicle  
19 that:
- 20 (a) Is not operated using continuous tracks;
- 21 (b) Was originally manufactured for and sold directly to the Armed Forces of the  
22 United States; and
- 23 (c) Was originally manufactured under the federally mandated requirements set  
24 forth in 49 C.F.R. sec. 571.7;
- 25 (21) "Livestock" means cattle, sheep, swine, goats, horses, alpacas, llamas, buffaloes,  
26 and any other animals of the bovine, ovine, porcine, caprine, equine, or camelid  
27 species;

1 (22) "Identity document" means an instruction permit, operator's license, or personal  
2 identification card issued under KRS 186.4102, 186.412, 186.4121, 186.4122, and  
3 186.4123 or a commercial driver's license issued under KRS Chapter 281A;[~~and~~]

4 (23) "Travel ID," as it refers to an identity document, means a document that complies  
5 with Pub. L. No. 109-13, Title II; and

6 (24) "Nonhybrid electric vehicle" means a motor vehicle that is solely propelled by an  
7 electric motor.

8 ➔Section 6. KRS 186.018 is amended to read as follows:

9 (1) For purposes of maintaining driving history records of operators of motor vehicles  
10 of the Commonwealth, the files of the Transportation Cabinet shall be used to  
11 ascertain the driving history record of each person who is licensed to operate a  
12 motor vehicle within the Commonwealth. Except as provided in subsection (2) of  
13 this section, the Transportation Cabinet shall destroy, and shall not maintain,  
14 records of moving traffic convictions that are more than five (5) years old.  
15 Notwithstanding, for any licensee who now holds, who has applied for, or has ever  
16 held a Class A, B, or C license issued pursuant to KRS 281A.170, the cabinet shall  
17 keep conviction records indefinitely.

18 (2) The Transportation Cabinet shall not release information on the driving history  
19 record of a person under the age of twenty-one (21) whose operator license has been  
20 suspended pursuant to KRS 189A.010(6). The cabinet shall destroy, and shall not  
21 maintain, the record of the suspension of a person's operator's license if the license  
22 was suspended pursuant to KRS 189A.010(6), within five (5) working days of the  
23 person's operator's license being reinstated. This subsection shall not apply to a  
24 person who holds, or is required to hold, a commercial driver's license.

25 (3) The cabinet shall charge a fee of six dollars (\$6)[~~three dollars (\$3)~~] for any driving  
26 history record, ten cents (\$0.10) of which shall be deposited in a special account  
27 within the road fund to be used exclusively by the Transportation Cabinet for the



1 state driver education program as designated in KRS 186.535.

2 ➔Section 7. KRS 186.020 is amended to read as follows:

3 (1) Before the owner of a motor vehicle, other than a motor vehicle engaged in the  
4 transportation of passengers for hire operating under a certificate of convenience  
5 and necessity, may operate it or permit its operation upon a highway, the owner  
6 shall apply for registration in accordance with administrative regulations  
7 promulgated by the cabinet, except that a person who purchases a motor vehicle, or  
8 brings a motor vehicle into the Commonwealth from another state shall make  
9 application for registration within fifteen (15) days. The bill of sale or assigned title  
10 must be in the motor vehicle during this fifteen (15) day period. If the owner of a  
11 motor vehicle is an individual and resides in the Commonwealth, the motor vehicle  
12 shall be registered with the county clerk of the county in which he resides. If the  
13 owner of a motor vehicle does not reside in the Commonwealth, the motor vehicle  
14 shall be registered with the county clerk of the county in which the motor vehicle is  
15 principally operated. If the owner of a motor vehicle is other than an individual and  
16 resides in the Commonwealth, the motor vehicle shall be registered with the county  
17 clerk of either county. The application when presented to the county clerk for  
18 registration shall be accompanied by:

19 (a) A bill of sale and a manufacturer's certificate of origin if the application is for  
20 the registration of a new motor vehicle;

21 (b) ~~—The owner's registration receipt, if the motor vehicle was last registered in this~~  
22 ~~state;~~

23 (e)} A bill of sale and the previous registration receipt, if last registered in another  
24 state where the law of that state does not require the owner of a motor vehicle  
25 to obtain a certificate of title or ownership;

26 (c){(d)} A certificate of title, if last registered in another state where the law of  
27 that state requires the owner of a motor vehicle to obtain a certificate of title

1 or ownership;

2 ~~(d)~~~~(e)~~ An affidavit from an officer of a local government saying that the motor  
3 vehicle has been abandoned and that the provisions of KRS 82.630 have been  
4 complied with, for local governments which elect to use the provisions of  
5 KRS 82.600 to 82.640; and

6 ~~(e)~~~~(f)~~ The application from a person who has brought a motor vehicle into the  
7 Commonwealth from another state shall be accompanied by proof that the  
8 motor vehicle is insured in compliance with KRS 304.39-080.

9 (2) After that, except as provided in subsection (6) of this section, the owner of any  
10 motor vehicle registered under KRS 186.050(1) or (2) shall register his motor  
11 vehicle on or before the date on which his certificate of registration expires. If,  
12 before operating the motor vehicle in this state, the owner registers it at some later  
13 date and pays the fee for the full year, he or she will be deemed to have complied  
14 with the law. Insofar as the owner is concerned, registration with the clerk shall be  
15 deemed to be registration with the cabinet.

16 (3) After that, the owner of any commercial vehicle registered under KRS 186.050(3) to  
17 (14) shall register the commercial vehicle on or before April 1 of each year. If,  
18 before operating a commercial vehicle in this state, the owner registers it at some  
19 later date and pays the required fee, he or she will be deemed to have complied with  
20 the law. Insofar as the owner is concerned, registration with the clerk shall be  
21 deemed to be registration with the cabinet, except the owner of any commercial  
22 motor vehicle to be registered pursuant to the International Registration Plan under  
23 KRS 186.050(13) shall register the commercial motor vehicles on or before the last  
24 day of the month of registration established pursuant to KRS 186.051(3).

25 (4) The application and documents presented therewith, including the sheriff's  
26 certificate of inspection, shall be affixed to the Transportation Cabinet copy of the  
27 certificate of title or registration and sent to the Transportation Cabinet by the clerk.

- 1 (5) (a) At least forty-five (45) days prior to the expiration of registration of any motor  
2 vehicle previously registered in the Commonwealth as provided by KRS  
3 186A.035, the owner of the vehicle shall be notified by mail on the same  
4 notice required by KRS 134.805(5) of the date of expiration.
- 5 (b) In addition, the department shall provide appropriate forms and information to  
6 permit renewal of motor vehicle registration to be completed by mail or  
7 online. Any registration renewal by mail or online shall not require payment  
8 of an additional fee~~[two dollar (\$2) fee which shall be received by the county~~  
9 ~~clerk]~~.
- 10 (c) Nonreceipt of the notice herein shall not constitute a defense to any  
11 registration related offense.
- 12 (6) (a) If an individual has been serving in the United States military stationed or  
13 assigned to a base or other location outside the boundaries of the United  
14 States, he or she shall renew the registration on the vehicle within thirty (30)  
15 days of his or her return if:
- 16 1. The motor vehicle has been stored on a military base during the time of  
17 deployment and has not been operated on the public highways during  
18 that time; and
  - 19 2. The vehicle's registration expired during the individual's absence.
- 20 (b) An individual who meets the criteria in paragraph (a) of this subsection shall  
21 not be convicted or cited for driving a vehicle with expired registration within  
22 thirty (30) days after the individual's return to the Commonwealth if the  
23 individual can provide proof of meeting the eligibility criteria under paragraph  
24 (a) of this subsection.
- 25 (c) When an individual presents evidence of meeting the criteria under paragraph  
26 (a) of this subsection when applying to renew the registration on the motor  
27 vehicle, the county clerk shall, when applicable, treat the registration as a

1           prorated renewal under KRS 186.051, and charge the individual a registration  
2           fee only for the number of months of the registration year the vehicle will be  
3           used on the public highways.

4           ➔Section 8. KRS 186.040 is amended to read as follows:

- 5       (1) **Except for apportioned vehicles registered under subsection (13) of Section 9 of**  
6       **this Act,** upon receiving the application and fee, the county clerk shall issue to the  
7       owner a certificate of registration containing the information required by subsection  
8       (2) of this section and a registration plate. If the cabinet finds that there is a shortage  
9       of materials suitable for making plates, or that a substantial saving will result, it  
10      may require by regulation with the approval of the Governor that previously issued  
11      plates continue to be used for a designated period. ~~[ Except as provided in~~  
12       ~~subsection (3) of this section, ]~~ For services performed, the owner shall pay the  
13      county clerk the sum of **seven dollars (\$7)** ~~[ six dollars (\$6) ]~~ for each registration, or  
14      if the registration exceeds a twelve (12) month period, the clerk shall receive a fee  
15      of **ten dollars (\$10)** ~~[ nine dollars (\$9) ]~~.
- 16      (2) The certificate of registration shall contain the registration number, the name and  
17      post office address of the owner, and such other information as the cabinet may  
18      require.
- 19      ~~(3) [ An owner who registers a vehicle under KRS 186.050 that has a declared gross~~  
20      ~~vehicle weight with any towed unit of forty four thousand and one (44,001) pounds~~  
21      ~~or greater shall pay the county clerk thirty dollars (\$30) for each registration. The~~  
22      ~~clerk shall retain the thirty dollar (\$30) fee for services performed under this~~  
23      ~~subsection.~~
- 24      ~~(4)~~ Any person requesting a certificate of registration or renewal of registration of any  
25      type of motor vehicle shall have the opportunity to donate one dollar (\$1) to the  
26      child care assistance account. The one dollar (\$1) donation shall be added to the  
27      regular fee for vehicle registration. One donation may be made per issuance or

1 renewal of vehicle registration. Donation to the child care assistance account shall  
2 be voluntary and may be refused by the applicant at the time of the issuance or  
3 renewal of any vehicle registration.

4 ~~(4)~~~~(5)~~ The county clerk may retain five percent (5%) of fees collected for the child  
5 care assistance account under subsection ~~(3)~~~~(4)~~ of this section. The remaining  
6 funds shall be deposited into a trust and agency account in the State Treasury to the  
7 credit of the Cabinet for Health and Family Services for the exclusive use as  
8 follows:

- 9 (a) Funds shall be made available to the agencies that administer child care  
10 subsidy funds; and  
11 (b) Funds shall be used as determined by the cabinet for working families whose  
12 income exceeds the state income eligibility limits for child day care  
13 assistance.

14 ~~(5)~~~~(6)~~ Notwithstanding any other provision of law, in addition to the registration fee  
15 provided for county clerks in subsection~~subsections~~ ~~(1)~~~~and (3)~~ of this section,  
16 an additional three dollars (\$3) per registration shall be collected by the county clerk  
17 at the time of registration. This additional fee shall be distributed as follows:

- 18 (a) One dollar (\$1) shall be placed in an agency fund to provide additional funds  
19 exclusively for technological improvements or replacement of the AVIS  
20 system. The operation and maintenance of AVIS shall remain as currently  
21 provided for from the operational budget of the Transportation Cabinet and  
22 shall not be reduced below the 2005-2006 funding level;  
23 (b) One dollar (\$1) shall be placed in an agency trust fund to provide funds  
24 exclusively for technological improvements to the hardware and software in  
25 county clerk offices related to the collection and administration of road fund  
26 taxes. The Transportation Cabinet, in consultation with county clerks, shall  
27 allocate funds as necessary from this fund to be used for this exclusive

1 purpose; and

2 (c) One dollar (\$1) shall be placed in a trust fund to be maintained by the  
 3 Transportation Cabinet to provide an unrestricted revenue supplement, for  
 4 operations of the office related to the collection and administration of road  
 5 fund taxes, to county clerk offices in counties containing a population of less  
 6 than twenty thousand (20,000), as determined by the decennial census, and for  
 7 no other purpose. Annually, by March 1, the Transportation Cabinet shall  
 8 calculate the amount collected in the previous calendar year and distribute the  
 9 entire fund proportionate to each county that qualifies under this paragraph  
 10 based on population. This revenue shall be considered current year revenue  
 11 when paid to the clerk and shall not be identified as excess fees from the  
 12 previous year.

13 ➔Section 9. KRS 186.050 is amended to read as follows:

14 (1) The annual registration fee shall be twenty-two dollars (\$22)~~eleven dollars fifty~~  
 15 ~~cents (\$11.50)]~~ for:

16 (a) Motor vehicles, including pickup trucks and passenger vans; and

17 (b) Motor carrier vehicles, as defined in KRS 281.010, primarily designed for  
 18 carrying passengers or passengers for hire and having been designed or  
 19 constructed to transport not more than fifteen (15) passengers, including the  
 20 operator.

21 (2) Except as provided in KRS 186.041 and 186.162, the annual registration fee for  
 22 each motorcycle shall be fifteen dollars (\$15)~~nine dollars (\$9)]~~.

23 (3) (a) All motor vehicles having a declared gross weight of vehicle and any towed  
 24 unit of ten thousand (10,000) pounds or less, except those mentioned in  
 25 subsections (1) and (2) of this section, are classified as commercial vehicles  
 26 and the annual registration fee, except as provided in subsections (4) to (14) of  
 27 this section, shall be twenty-two dollars (\$22)~~eleven dollars and fifty cents~~

1           ~~(\$11.50)]~~.

2           (b) All motor vehicles, except those mentioned in subsections (1) and (2) of this  
3           section, and those engaged in hauling passengers for hire which are designed  
4           or constructed to transport more than fifteen (15) passengers including the  
5           operator, whose registration fee shall be one hundred dollars (\$100), are  
6           classified as commercial vehicles and the annual registration fee, except as  
7           provided in subsections (3)(a) and (4) to (14) of this section, shall be as  
8           follows:

9           Declared Gross Weight of Vehicle	Registration
10                           and Any Towed Unit	Fee
11                           10,001-14,000	30.00
12                           14,001-18,000	50.00
13                           18,001-22,000	132.00
14                           22,001-26,000	160.00
15                           26,001-32,000	216.00
16                           32,001-38,000	300.00
17                           38,001-44,000	474.00
18                           44,001-55,000	669.00
19                           55,001-62,000	1,007.00
20                           62,001-73,280	1,250.00
21                           73,281-80,000	1,410.00

22       (4) (a) 1. Any farmer owning a truck having a gross weight of twenty-six  
23       thousand (26,000) pounds or less may have it registered as a farmer's  
24       truck and obtain a license for twenty-two dollars (\$22)~~eleven dollars~~  
25       ~~and fifty cents (\$11.50)]~~. The applicant's signature upon the certificate of  
26       registration and ownership shall constitute a certificate that he is a  
27       farmer engaged in the production of crops, livestock, or dairy products,

1           that he owns a truck of the gross weight of twenty-six thousand (26,000)  
2           pounds or less, and that during the next twelve (12) months the truck  
3           shall not be used in for-hire transportation and may be used in  
4           transporting persons, food, provender, feed, machinery, livestock,  
5           material, and supplies necessary for his farming operation, and the  
6           products grown on his farm.

7           2. Any farmer owning a truck having a gross weight of twenty-six  
8           thousand one (26,001) pounds to thirty-eight thousand (38,000) pounds  
9           may have it registered as a farmer's truck and obtain a license for twenty-  
10           two dollars (\$22)~~eleven dollars and fifty cents (\$11.50)]~~. The  
11           applicant's signature upon the certificate of registration and ownership  
12           shall constitute a certificate that he is a farmer engaged in the production  
13           of crops, livestock, or dairy products, that he owns a truck of the gross  
14           weight between twenty-six thousand one (26,001) pounds and thirty-  
15           eight thousand (38,000) pounds, and that during the next twelve (12)  
16           months the truck shall not be used in for-hire transportation and may be  
17           used in transporting persons, food, provender, feed, machinery,  
18           livestock, material, and supplies necessary for his farming operation and  
19           the products grown on his farm.

20           (b) Any farmer owning a truck having a declared gross weight in excess of thirty-  
21           eight thousand (38,000) pounds shall not be required to pay the fee set out in  
22           subsection (3) of this section and, in lieu thereof, shall pay forty percent (40%)  
23           of the fee set out in subsection (3) of this section and shall be exempt from  
24           any fee charged under the provisions of KRS 281.752. The applicant's  
25           signature upon the registration receipt shall be considered to be a certification  
26           that he is a farmer engaged solely in the production of crops, livestock, or  
27           dairy products, and that during the current registration year the truck will be



1 used only in transporting persons, food, provender, feed, and machinery used  
2 in operating his farm and the products grown on his farm.

3 (c) An initial applicant for, or an applicant renewing, his or her registration  
4 pursuant to this subsection, may at the time of application make a voluntary  
5 contribution to be deposited into the agricultural program trust fund  
6 established in KRS 246.247. The recommended voluntary contribution shall  
7 be set at ten dollars (\$10) and automatically added to the cost of registration or  
8 renewal unless the individual registering or renewing the vehicle opts out of  
9 contributing the recommended amount. The county clerk shall collect and  
10 forward the voluntary contribution to the cabinet for distribution to the  
11 Department of Agriculture.

12 (5) Any person owning a truck or bus used solely in transporting school children and  
13 school employees may have the truck or bus registered as a school bus and obtain a  
14 license for **twenty-two dollars (\$22)**~~eleven dollars fifty cents (\$11.50)~~ by filing  
15 with the county clerk, in addition to other information required, an affidavit stating  
16 that the truck or bus is used solely in the transportation of school children and  
17 persons employed in the schools of the district, that he has caused to be printed on  
18 each side of the truck or bus and on the rear door the words "School Bus" in letters  
19 at least six (6) inches high, and of a conspicuous color, and the truck or bus will be  
20 used during the next twelve (12) months only for the purpose stated.

21 (6) Any church or religious organization owning a truck or bus used solely in  
22 transporting persons to and from a place of worship or for other religious work may  
23 have the truck or bus registered as a church bus and obtain a license for **twenty-two**  
24 **dollars (\$22)**~~eleven dollars and fifty cents (\$11.50)~~ by filing with the county clerk,  
25 in addition to other information required, an affidavit stating that the truck or bus  
26 will be used only for the transporting of persons to and from a place of worship, or  
27 for other religious work, and that there has been printed on the truck or bus in large

1 letters the words "Church Bus," with the name of the church or religious  
2 organization owning and using the truck or bus, and that during the next twelve (12)  
3 months the truck or bus will be used only for the purpose stated.

4 (7) Any person owning a motor vehicle with a gross weight of fourteen thousand  
5 (14,000) pounds or less on which a wrecker crane or other equipment suitable for  
6 wrecker service has been permanently mounted may register the vehicle and obtain  
7 a license for twenty-two dollars (\$22)~~eleven dollars fifty cents (\$11.50)}~~ by filing  
8 with the county clerk, in addition to other information required, an affidavit that a  
9 wrecker crane or other equipment suitable for wrecker service has been permanently  
10 mounted on such vehicle and that during the next twelve (12) months the vehicle  
11 will be used only in wrecker service. If the gross weight of the vehicle exceeds  
12 fourteen thousand (14,000) pounds, the vehicle shall be registered in accordance  
13 with subsection (3) of this section. The gross weight of a vehicle used in wrecker  
14 service shall not include the weight of the vehicle being towed by the wrecker.

15 (8) Motor vehicles having a declared gross weight in excess of eighteen thousand  
16 (18,000) pounds, which when operated in this state are used exclusively for the  
17 transportation of property within the limits of the city named in the affidavit  
18 hereinafter required to be filed, or within ten (10) miles of the city limits of the city  
19 if it is a city with a population equal to or greater than three thousand (3,000) based  
20 upon the most recent federal decennial census, or within five (5) miles of its limits  
21 if it is a city with a population of less than three thousand (3,000) based upon the  
22 most recent federal decennial census, or anywhere within a county containing an  
23 urban-county government, shall not be required to pay the fee as set out in  
24 subsection (3) of this section, and in lieu thereof shall pay seventy-five percent  
25 (75%) of the fee set forth in subsection (3) of this section and shall be exempt from  
26 any fee charged under the provisions of KRS 281.752. Nothing in this section shall  
27 be construed to limit any right of nonresidents to exemption from registration under

1 any other provisions of the laws granting reciprocity to nonresidents. Operations  
2 outside of this state shall not be considered in determining whether or not the  
3 foregoing mileage limitations have been observed. When claiming the right to the  
4 reduced fee, the applicant's signature on the certificate of registration and ownership  
5 shall constitute a certification or affidavit stating that the motor vehicle when used  
6 within this state is used only for the transportation of property within the city to be  
7 named in the affidavit and the area above set out and that the vehicle will not be  
8 used outside of a city and the area above set out during the current registration  
9 period.

10 (9) Motor vehicles having a declared gross weight in excess of eighteen thousand  
11 (18,000) pounds, which are used exclusively for the transportation of primary forest  
12 products from the harvest area to a mill or other processing facility, where such mill  
13 or processing facility is located at a point not more than fifty (50) air miles from the  
14 harvest area or which are used exclusively for the transportation of concrete blocks  
15 or ready-mixed concrete from the point at which such concrete blocks or ready-  
16 mixed concrete is produced to a construction site where such concrete blocks or  
17 ready-mixed concrete is to be used, where such construction site is located at a point  
18 not more than thirty (30) air miles from the point at which such concrete blocks or  
19 ready-mixed concrete is produced shall not be required to pay the fee as set out in  
20 subsection (3) of this section, and in lieu thereof, shall pay seventy-five percent  
21 (75%) of the fee set out in subsection (3) of this section and shall be exempt from  
22 any fee charged under the provisions of KRS 281.752. The applicant's signature  
23 upon the certificate of registration and ownership shall constitute a certification that  
24 the motor vehicle will not be used during the current registration period in any  
25 manner other than that for which the reduced fee is provided in this section.

26 (10) Any owner of a commercial vehicle registered for a declared gross weight in excess  
27 of eighteen thousand (18,000) pounds, intending to transfer same and desiring to

1 take advantage of the refund provisions of KRS 186.056(2), may reregister such  
2 vehicle and obtain a "For Sale" certificate of registration and ownership for one  
3 dollar (\$1). Title to a vehicle so registered may be transferred, but such registration  
4 shall not authorize the operation or use of the vehicle on any public highway. No  
5 refund may be made under the provisions of KRS 186.056(2) until such time as the  
6 title to such vehicle has been transferred to the purchaser thereof. Provided,  
7 however, that nothing herein shall be so construed as to prevent the seller of a  
8 commercial vehicle from transferring the registration of such vehicle to any  
9 purchaser thereof.

10 (11) The annual registration fee for self-propelled vehicles containing sleeping or eating  
11 facilities shall be thirty dollars (\$30)~~twenty dollars (\$20)~~ and the multiyear  
12 license plate issued shall be designated "Recreational vehicle." The foregoing shall  
13 not include any motor vehicle primarily designed for commercial or farm use  
14 having temporarily attached thereto any sleeping or eating facilities, or any  
15 commercial vehicle having sleeping facilities.

16 (12) The registration fee on any vehicle registered under this section shall be increased  
17 fifty percent (50%) when the vehicle is not equipped wholly with pneumatic tires.

18 (13) (a) The Department of Vehicle Regulation is authorized to negotiate and execute  
19 an agreement or agreements for the purpose of developing and instituting  
20 proportional registration of motor vehicles engaged in interstate commerce, or  
21 in a combination of interstate and intrastate commerce, and operating into,  
22 through, or within the Commonwealth of Kentucky. The agreement or  
23 agreements may be made on a basis commensurate with, and determined by,  
24 the miles traveled on, and use made of, the highways of this Commonwealth  
25 as compared with the miles traveled on and use made of highways of other  
26 states, or upon any other equitable basis of proportional registration.  
27 Notwithstanding the provisions of KRS 186.020, the cabinet shall promulgate

1 administrative regulations concerning the registration of motor vehicles under  
2 any agreement or agreements made under this section and shall provide for  
3 direct issuance by it of evidence of payment of any registration fee required  
4 under such agreement or agreements. Any proportional registration fee  
5 required to be collected under any proportional registration agreement or  
6 agreements shall be in accordance with the taxes established in this section.

7 (b) Any owner of a commercial vehicle who is required to title his motor vehicle  
8 under this section shall first title such vehicle with the county clerk pursuant  
9 to KRS 186.020 for a state fee of one dollar (\$1). Title to such vehicle may be  
10 transferred; however title without proper registration shall not authorize the  
11 operation or use of the vehicle on any public highway. Any commercial  
12 vehicle properly titled in Kentucky may also be registered in Kentucky, and,  
13 upon payment of the required fees, the department may issue an apportioned  
14 registration plate to such commercial vehicle.

15 (c) Any commercial vehicle that is properly titled in a foreign jurisdiction, which  
16 vehicle is subject to apportioned registration, as provided in paragraph (a) of  
17 this subsection, may be registered in Kentucky, and, upon proof of proper title  
18 and payment of the required fees, the department may issue an apportioned  
19 registration plate to the commercial vehicle. The department shall promulgate  
20 administrative regulations in accordance with this section.

21 (14) Any person seeking to obtain a special license plate for an automobile that has been  
22 provided to him pursuant to an occupation shall meet both of the following  
23 requirements:

24 (a) The automobile shall be provided for the full-time exclusive use of the  
25 applicant; and

26 (b) The applicant shall obtain permission in writing from the vehicle owner or  
27 lessee on a form provided by the cabinet to use the vehicle and for the vehicle

1 to bear the special license plate.

2 (15) An applicant for any motor vehicle registration issued pursuant to this section shall  
3 have the opportunity to make a donation of two dollars (\$2) to promote a hunger  
4 relief program through specific wildlife management and conservation efforts by the  
5 Department of Fish and Wildlife Resources in accordance with KRS 150.015. If an  
6 applicant elects to make a contribution under this subsection, the two dollar (\$2)  
7 donation shall be added to the regular fee for any motor vehicle registration issued  
8 pursuant to this section. One (1) donation may be made per issuance of each  
9 registration. The fee shall be paid to the county clerk and shall be transmitted by the  
10 State Treasurer to the Department of Fish and Wildlife Resources to be used  
11 exclusively for the purpose of wildlife management and conservation activities in  
12 support of hunger relief. The county clerk may retain up to five percent (5%) of the  
13 fees collected under this subsection for administrative costs associated with the  
14 collection of this donation. Any donation requested under this subsection shall be  
15 voluntary and may be refused by the applicant at the time of issuance or renewal of  
16 a license plate.

17 **(16) An additional fee of ten dollars (\$10) shall be added to the registration fee of any**  
18 **motor vehicle for which the registration is not renewed within thirty (30) days of**  
19 **its expiration.**

20 **(17) In addition to the registration fees outlined in this section, any owner:**

21 **(a) Of a nonhybrid electric motor vehicle shall, at the time of registration, be**  
22 **subject to the electric vehicle highway user fees established in Section 4 of**  
23 **this Act; and**

24 **(a) Of a motor vehicle shall, at the time of registration, be subject to the**  
25 **highway preservation fees established in Section 4 of this Act.**

26 ➔Section 10. KRS 186.162 is amended to read as follows:

27 (1) As used in this section and in KRS 186.043, 186.164, 186.166, 186.1722, and

1 186.174:

2 (a) "Special license plate" means a unique license plate issued under this chapter  
3 to a group or organization that readily identifies the operator of the motor  
4 vehicle or motorcycle bearing the plate as a member of a group or  
5 organization, or a supporter of the work, goals, or mission of a group or  
6 organization. The term shall not include regular license plates issued under  
7 KRS 186.240;

8 (b) "Street rod" means a modernized private passenger motor vehicle  
9 manufactured prior to the year 1949, or designed or manufactured to resemble  
10 a vehicle manufactured prior to 1949;

11 (c) "SF" means the portion of an initial or renewal fee to obtain a special license  
12 plate that is dedicated for use by the Transportation Cabinet;

13 (d) "CF" means the portion of an initial or renewal fee to obtain a special license  
14 plate that is dedicated for use by a county clerk. **If a CF amount is charged**  
15 **for a license plate listed in this section, the applicant for that plate shall also**  
16 **pay the fees identified in subsection (5) of Section 8 of this Act. If a CF**  
17 **amount is not charged, the applicant shall not be required to pay those fees;**

18 and

19 (e) "EF" means the portion of an initial or renewal fee to obtain a special license  
20 plate that is mandated by this chapter to be dedicated for use by a particular  
21 group or organization.

22 (2) The initial purchase fee and renewal fee for a special license plate created under this  
23 chapter shall be as established in this subsection and includes the name of group or  
24 organization and the total initial and renewal fee required for the plate. The amount  
25 in parentheses indicates how the total fee is required to be divided:

26 (a) Disabled veterans who receive assistance to purchase a vehicle from the  
27 United States Department of Veterans' Affairs, veterans declared by the

1 United States Department of Veterans' Affairs to be one hundred percent  
2 (100%) service-connected disabled, and recipients of the Congressional Medal  
3 of Honor:

- 4 1. Initial Fee: \$0 (\$0 SF/\$0 CF/\$0 EF).
- 5 2. Renewal Fee: \$0 (\$0 SF/\$0 CF/\$0 EF).

6 (b) Former prisoners of war and survivors of Pearl Harbor:

- 7 1. Initial Fee: ~~\$34~~<sup>\$20</sup> (~~\$22~~<sup>\$12</sup> SF/~~\$7~~<sup>\$3</sup> CF/\$5 EF to the  
8 veterans' program trust fund established under KRS 40.460).
- 9 2. Renewal Fee: ~~\$7~~<sup>\$3</sup> (\$0 SF/~~\$7~~<sup>\$3</sup> CF/\$0 EF).

10 (c) Members of the Kentucky National Guard and recipients of the Purple Heart:

- 11 1. Initial Fee: ~~\$34~~<sup>\$20</sup> (~~\$22~~<sup>\$12</sup> SF/~~\$7~~<sup>\$3</sup> CF/\$5 EF to the  
12 veterans' program trust fund established under KRS 40.460).
- 13 2. Renewal Fee: ~~\$12~~<sup>\$8</sup> (\$0 SF/~~\$7~~<sup>\$3</sup> CF/\$5 EF to the  
14 veterans' program trust fund established under KRS 40.460).

15 (d) Members of the Civil Air Patrol; active, retired, veteran, reserve, or auxiliary  
16 members of the United States Army, Navy, Air Force, Marine Corps, or Coast  
17 Guard; Merchant Marines who served between December 7, 1941, and August  
18 15, 1945; recipients of the Silver Star Medal, or the Bronze Star Medal  
19 awarded for valor; persons who wish to receive Gold Star Mothers, Gold Star  
20 Fathers, or Gold Star Spouses license plates beyond the two (2) exempted  
21 from fees under KRS 186.041(6); individuals eligible for a special military  
22 service academy license plate under KRS 186.041(8); and disabled veterans  
23 who have been declared to be between fifty percent (50%) and ninety-nine  
24 percent (99%) service-connected disabled by the United States Department of  
25 Veterans' Affairs:

- 26 1. Initial Fee: ~~\$34~~<sup>\$20</sup> (~~\$22~~<sup>\$12</sup> SF/~~\$7~~<sup>\$3</sup> CF/\$5 EF to the  
27 veterans' program trust fund established under KRS 40.460).



- 1                   2.    Renewal Fee:   ~~\$34~~~~[\$20]~~               (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$5 EF to the  
2                                veterans' program trust fund established under KRS 40.460).
- 3                   (e)   Recipients of the Distinguished Service Cross, Navy Cross, or Air Force  
4                                Cross:
- 5                    1.    Initial Fee:       ~~\$7~~~~[\$3]~~               (\$0 SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).  
6                    2.    Renewal Fee:     ~~\$7~~~~[\$3]~~               (\$0 SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).
- 7                   (f)   Disabled license plates:
- 8                    1.    Initial Fee:       ~~\$29~~~~[\$15]~~               (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).  
9                    2.    Renewal Fee:     ~~\$29~~~~[\$15]~~               (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).
- 10                  (g)   Historic vehicles:
- 11                  1.    Initial Fee for two plates:   ~~\$57~~~~[\$53]~~   (\$50 SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).  
12                  2.    Renewal Fee: Do not renew annually.
- 13                  (h)   Members of Congress:
- 14                  1.    Initial Fee:       ~~\$44~~~~[\$40]~~               (\$37 SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).  
15                  2.    Renewal Fee:     ~~\$34~~~~[\$20]~~               (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$5 EF to the  
16                                veterans' program trust fund established under KRS 40.460).
- 17                  (i)   Firefighters:
- 18                  1.    Initial Fee:       ~~\$29~~~~[\$15]~~               (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).  
19                  2.    Renewal Fee:     ~~\$29~~~~[\$15]~~               (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).
- 20                  (j)   Emergency management:
- 21                  1.    Initial Fee:       ~~\$29~~~~[\$28]~~               (~~\$22~~~~[\$25]~~ SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).  
22                  2.    Renewal Fee:     ~~\$29~~~~[\$15]~~               (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).
- 23                  (k)   Fraternal Order of Police:
- 24                  1.    Initial Fee:       ~~\$39~~~~[\$38]~~               (~~\$22~~~~[\$25]~~ SF/~~\$7~~~~[\$3]~~ CF/\$10 EF to  
25                                the Kentucky  
26    FOP Death Benefit Fund).  
27                  2.    Renewal Fee:     ~~\$39~~~~[\$25]~~               (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$10 EF to

1 the Kentucky

2 FOP Death Benefit Fund).

3 (l) Law Enforcement Memorial:

4 1. Initial Fee: ~~\$39~~~~[\$38]~~ (~~\$22~~~~[\$25]~~ SF/~~\$7~~~~[\$3]~~ CF/\$10 EF to  
5 the Kentucky Law Enforcement Memorial Foundation, Inc.).

6 2. Renewal Fee: ~~\$39~~~~[\$25]~~ (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$10 EF to  
7 the Kentucky Law Enforcement Memorial Foundation, Inc.).

8 (m) Personalized plates:

9 1. Initial Fee: ~~\$54~~~~[\$40]~~ (~~\$47~~~~[\$37]~~ SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).

10 2. Renewal Fee: ~~\$54~~~~[\$40]~~ (~~\$47~~~~[\$37]~~ SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).

11 (n) Street rods:

12 1. Initial Fee: ~~\$29~~~~[\$40]~~ (~~\$22~~~~[\$37]~~ SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).

13 2. Renewal Fee: ~~\$29~~~~[\$15]~~ (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).

14 (o) Nature plates:

15 1. Initial Fee: ~~\$39~~~~[\$25]~~ (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$10 EF to  
16 *the* Kentucky Heritage Land Conservation Fund established under KRS  
17 146.570).

18 2. Renewal Fee: ~~\$39~~~~[\$25]~~ (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$10 EF to  
19 *the* Kentucky Heritage Land Conservation Fund established under KRS  
20 146.570).

21 (p) Amateur radio:

22 1. Initial Fee: ~~\$29~~~~[\$40]~~ (~~\$22~~~~[\$37]~~ SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).

23 2. Renewal Fee: ~~\$29~~~~[\$15]~~ (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).

24 (q) Kentucky General Assembly:

25 1. Initial Fee: ~~\$44~~~~[\$40]~~ (\$37 SF/~~\$7~~~~[\$3]~~ CF/\$0 EF).

26 2. Renewal Fee: ~~\$34~~~~[\$20]~~ (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$5 EF to the  
27 veterans' program trust fund established under KRS 40.460).

## 1 (r) Kentucky Court of Justice:

- 2 1. Initial Fee: ~~\$44~~[\$40] (~~\$37~~ SF/~~\$7~~[\$3] CF/\$0 EF).
- 3 2. Renewal Fee: ~~\$12~~[\$8] (~~\$0~~ SF/~~\$7~~[\$3] CF/\$5 EF to the
- 4 veterans' program trust fund established under KRS 40.460).

## 5 (s) Masons:

- 6 1. Initial Fee: ~~\$29~~[\$28] (~~\$22~~[\$25] SF/~~\$7~~[\$3] CF/\$0 EF).
- 7 2. Renewal Fee: ~~\$29~~[\$15] (~~\$22~~[\$12] SF/~~\$7~~[\$3] CF/\$0 EF).

## 8 (t) Collegiate plates:

- 9 1. Initial Fee: ~~\$39~~[\$50] (~~\$22~~[\$37] SF/~~\$7~~[\$3] CF/\$10 EF to
- 10 the general scholarship fund of the university whose name will be borne
- 11 on the plate).
- 12 2. Renewal Fee: ~~\$39~~[\$25] (~~\$22~~[\$12] SF/~~\$7~~[\$3] CF/\$10 EF to
- 13 the general scholarship fund of the university whose name will be borne
- 14 on the plate).

## 15 (u) Independent Colleges:

- 16 1. Initial Fee: ~~\$39~~[\$38] (~~\$22~~[\$25] SF/~~\$7~~[\$3] CF/\$10 EF to
- 17 the Association of Independent Kentucky Colleges and Universities for
- 18 distribution to the general scholarship funds of the Association's
- 19 members).
- 20 2. Renewal Fee: ~~\$39~~[\$25] (~~\$22~~[\$12] SF/~~\$7~~[\$3] CF/\$10 EF to
- 21 the Association of Independent Kentucky Colleges and Universities for
- 22 distribution to the general scholarship funds of the Association's
- 23 members).

## 24 (v) Child Victims:

- 25 1. Initial Fee: ~~\$39~~[\$38] (~~\$22~~[\$25] SF/~~\$7~~[\$3] CF/\$10 EF to
- 26 the child victims' trust fund established under KRS 41.400).
- 27 2. Renewal Fee: ~~\$34~~[\$20] (~~\$22~~[\$12] SF/~~\$7~~[\$3] CF/\$5 EF to the

1 child victims' trust fund established under KRS 41.400).

2 (w) Kentucky Horse Council:

3 1. Initial Fee: ~~\$39~~~~[\$38]~~ (~~\$22~~~~[\$25]~~ SF/~~\$7~~~~[\$3]~~ CF/\$10 EF to  
4 the Kentucky Horse Council).

5 2. Renewal Fee: ~~\$34~~~~[\$20]~~ (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$5 EF to the  
6 Kentucky Horse Council).

7 (x) Ducks Unlimited:

8 1. Initial Fee: ~~\$39~~~~[\$38]~~ (~~\$22~~~~[\$25]~~ SF/~~\$7~~~~[\$3]~~ CF/\$10 EF to  
9 Kentucky Ducks Unlimited).

10 2. Renewal Fee: ~~\$39~~~~[\$25]~~ (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$10 EF to  
11 Kentucky Ducks Unlimited).

12 (y) Spay neuter:

13 1. Initial Fee: ~~\$39~~~~[\$25]~~ (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$10 EF to  
14 the animal control and care fund established under KRS 258.119).

15 2. Renewal Fee: ~~\$34~~~~[\$20]~~ (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$5 EF to the  
16 animal control and care fund established under KRS 258.119).

17 (z) Gold Star Mothers, Gold Star Fathers, or Gold Star Spouses:

18 1. Initial Fee: \$0 (\$0 SF/\$0 CF/ \$0 EF).

19 2. Renewal Fee: \$0 (\$0 SF/\$0 CF/ \$0 EF).

20 3. A person may receive a maximum of two (2) plates under this paragraph  
21 free of charge and may purchase additional plates for fees as established  
22 in subsection (2)(d) of this section.

23 (aa) I Support Veterans:

24 1. Initial Fee: ~~\$39~~~~[\$25]~~ (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$10 EF to  
25 the Kentucky Department of Veterans' Affairs).

26 2. Renewal Fee: ~~\$34~~~~[\$20]~~ (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$5 EF to the  
27 Kentucky Department of Veterans' Affairs).

- 1 (ab) Gold Star Siblings, Gold Star Sons, or Gold Star Daughters:
- 2 1. Initial Fee: ~~\$39~~~~[\$25]~~ (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$10 EF to
- 3 the veterans' program trust fund established under KRS 40.460).
- 4 2. Renewal Fee: ~~\$34~~~~[\$20]~~ (~~\$22~~~~[\$12]~~ SF/~~\$7~~~~[\$3]~~ CF/\$5 EF to the
- 5 veterans' program trust fund established under KRS 40.460).
- 6 (3) Any special license plate may be combined with a personalized license plate for a
- 7 twenty-five dollar (\$25) state fee in addition to all other fees for the particular
- 8 special license plate established in this section and in KRS 186.164(3). The twenty-
- 9 five dollar (\$25) fee required under this subsection shall be divided between the
- 10 cabinet and the county clerk of the county where the applicant is applying for the
- 11 license plate with the cabinet receiving twenty dollars (\$20) and the county clerk
- 12 receiving five dollars (\$5).
- 13 (4) Owners and lessees of motorcycles registered under KRS 186.050(2) may be
- 14 eligible to receive special license plates issued under this section or established
- 15 under the provisions of KRS 186.164 after the cabinet has received three hundred
- 16 (300) applications and initial state fees from the sponsoring organization.
- 17 Applicants for a special license plate for a motorcycle shall be required to pay the
- 18 fee for a special plate as prescribed in this section or in KRS 186.164. The fee paid
- 19 for the special plate for a motorcycle shall be in lieu of the registration fee required
- 20 under KRS 186.050(2).
- 21 ➔Section 11. KRS 186.180 is amended to read as follows:
- 22 (1) (a) If the owner loses his or her copy of a registration or transfer receipt, he or she
- 23 may obtain a duplicate from the county clerk who issued the present owner's
- 24 copy of the receipt by presenting the clerk proof of insurance on the motor
- 25 vehicle in compliance with KRS 304.39-080, and by filing an affidavit, upon a
- 26 form furnished by the cabinet. The owner shall pay to the clerk a fee of three
- 27 dollars (\$3), except proof of insurance shall not be required for duplicates

1 applied for by motor vehicle dealers as defined in KRS 190.010.

2 (b) When the owner's copy of any registration or transfer receipt shows that the  
3 spaces provided thereon for noting and discharging security interests have  
4 been exhausted, the owner may apply to the county clerk who issued the  
5 receipt in order to obtain a duplicate thereof. The owner shall surrender his or  
6 her copy of the current receipt to the clerk and provide proof of insurance on  
7 the motor vehicle in compliance with KRS 304.39-080, before a duplicate  
8 may be issued. The owner shall pay the clerk a fee of three dollars (\$3), except  
9 proof of insurance shall not be required for duplicates applied for by motor  
10 vehicle dealers as defined in KRS 190.010.

11 (c) Any security interest which has been discharged as shown by the records of  
12 the clerk or upon the owner's copy of the current receipt shall be omitted from  
13 the duplicate receipt to be issued by the clerk.

14 (2) If the owner loses a registration plate, he or she shall surrender his or her  
15 registration receipt to the county clerk from whom it was obtained and file a written  
16 statement as to the loss of the plate. Upon presenting the clerk proof of insurance on  
17 the motor vehicle in compliance with KRS 304.39-080, and upon the payment of  
18 the sum of three dollars (\$3) for each plate and a fee of three dollars (\$3) to the  
19 clerk for his or her services, the owner shall be issued another registration receipt  
20 and a plate or plates which shall bear a different number from that of the lost plate.  
21 The clerk shall retain the owner's statement and a copy of the owner's proof of  
22 insurance, and shall make a notation on the triplicate copy of the surrendered  
23 registration receipt stating the number of the registration receipt replacing it. The  
24 original copy of the surrendered receipt shall be forwarded to the cabinet. The  
25 cabinet shall forthwith cancel the registration corresponding to the number of the  
26 lost plate. The cancellation shall be reported by the cabinet to the commissioner of  
27 the Department of Kentucky State Police. Any person finding a lost registration

1 plate shall deliver it to the Transportation Cabinet or to any county clerk for  
2 forwarding it to the cabinet.

3 (3) If the owner moves from one (1) county into another county of the Commonwealth,  
4 he or she may obtain a registration plate bearing the name of the county of  
5 residence. In order to obtain a new registration plate, the owner shall surrender his  
6 or her current registration receipt and current registration plate to the county clerk.  
7 Upon being provided with proof of insurance on the motor vehicle in compliance  
8 with KRS 304.39-080, the clerk shall provide the owner with a new registration  
9 receipt and plate bearing the county name. The surrendered receipt and plate shall  
10 be forwarded to the Transportation Cabinet. The fee for this registration shall be  
11 five dollars (\$5) of which the clerk shall be entitled to three dollars (\$3) and the  
12 cabinet shall be entitled to two dollars (\$2).

13 (4) If the owner's registration is revoked as a result of the provisions set forth in KRS  
14 186A.040, the owner may have his or her registration reinstated by the county clerk  
15 who issued the present owner's copy of the receipt by presenting the clerk proof of:

- 16 (a) Insurance on the motor vehicle in compliance with KRS 304.39-080 and by  
17 filing an affidavit upon a form furnished by the cabinet; or  
18 (b) A valid compliance or exemption certificate in compliance with KRS 224.20-  
19 720 or issued under the authority of an air pollution control district under KRS  
20 224.20-760.

21 (5) The owner of a motor vehicle that has the vehicle's registration revoked ~~under KRS~~  
22 ~~186.290~~ shall pay to the clerk a fee of twenty dollars (\$20), which shall be equally  
23 divided between the county clerk and the cabinet.

24 (6) On and after January 1, 2006, if the motor vehicle is a personal motor vehicle as  
25 defined in KRS 304.39-087, proof of insurance required under this section shall be  
26 determined by the county clerk as provided in KRS 186A.042.

27 ➔Section 12. KRS 186.240 is amended to read as follows:

- 1 (1) It shall be the duty of the cabinet to carry out the provisions of KRS 186.005 to  
2 186.260, and:
- 3 (a) Prepare and furnish to the clerk in each county a sufficient supply of all forms  
4 and blanks provided for in KRS 186.005 to 186.260. The forms for receipts  
5 shall be designated for the writing of not less than triplicate copies, the  
6 originals of which shall be numbered consecutively for each county, the  
7 second and third copies bearing the same number as the original. Receipts to  
8 be used as duplicates for lost receipts, as provided in KRS 186.180(1), shall  
9 be in duplicate only, and shall not be numbered;
- 10 (b) Keep a numerical record of all registration numbers issued in the state, for  
11 which they may use the second copy of receipts forwarded by the clerk of each  
12 county, and also keep a record of motor or vehicle identification numbers  
13 required by KRS 186.160; and
- 14 (c) Furnish to each clerk, originally each year upon estimate, and thereafter upon  
15 requisition at all times, a sufficient supply of plates and other insignia  
16 evidencing registration for all classes of vehicles required to be registered.  
17 The cabinet shall prescribe a plate of practical form and size for police  
18 identification purposes that shall contain:
- 19 1. The registration number;
- 20 2. The word "Kentucky;" and
- 21 3. The name of the county in which the plate is issued, or in lieu thereof the  
22 words "Official," "Transportation," "Executive," or "Farm." Plates for  
23 commercial vehicles, shall contain the year the license expires and  
24 words or information the Department of Vehicle Regulation may  
25 prescribe by administrative regulation, pursuant to KRS Chapter 13A.  
26 Numerals indicating a year shall not be placed upon any license plate  
27 issued pursuant to KRS 186.060, relating to the licensing of vehicles



1 owned exclusively by the state and KRS 186.061, relating to the  
2 licensing of vehicles owned exclusively by a nonprofit volunteer fire  
3 department, volunteer fire prevention unit, and volunteer fire protection  
4 unit. A state slogan may be placed upon the plate.

5 (2) License plates issued pursuant to KRS 186.050(1) shall conform to the provisions  
6 of subsection (1)(c) of this section except:

7 (a) The word "Kentucky" shall be centered above the county name in which the  
8 plate is issued;

9 (b) The words "Bluegrass State" shall be centered at the top of the plate above the  
10 registration number; and

11 (c) The name of the county in which the plate is issued shall be centered in the  
12 lower portion of the plate below the registration number and shall be printed  
13 in letters that are the same size as those used to print the word "Kentucky."  
14 ~~[Beginning January 1, 1993,]~~ The Transportation Cabinet shall provide for the  
15 issuance of reflectorized plates for all motor vehicles, ~~[and shall collect a fee,~~  
16 ~~in addition to the fee set out in KRS Chapter 186 and KRS 281.631, of]~~ Fifty  
17 cents (\$0.50) **of the state registration fee charged under Sections 9 and 10 of**  
18 **this Act or license fee charged under KRS 281.631** ~~[. The fifty cents (\$0.50)~~  
19 ~~fee to reflectorize license plates]~~ shall be used by the cabinet as provided in  
20 subsection (3) of this section;

21 (3) The reflectorized license plate program fund is established in the state road fund  
22 and appropriated on a continual basis to the cabinet to administer the moneys as  
23 provided in this subsection. ~~[The]~~ Fifty cents (\$0.50) **from each registration** fee  
24 collected by the cabinet ~~[to reflectorize license plates]~~ shall be deposited into the  
25 program fund and used to issue reflectorized license plates. If at the end of a fiscal  
26 year, money remains in the program fund, it shall be retained in the fund and shall  
27 not revert to the state road fund. The interest and income earned on money in the

1 program fund shall also be retained in the program fund to carry out the provisions  
2 of this subsection. The Transportation Cabinet shall begin issuing the new  
3 reflectorized license plate under the provisions of this subsection on January 1,  
4 2003, and shall continue to issue a new reflectorized license plate on a schedule to  
5 be determined at the discretion of the cabinet in the years thereafter;

6 (4) Except as directed under subsection (3) of this section, the Transportation Cabinet  
7 shall receive all moneys forwarded by the clerk in each county and turn it over to  
8 the State Treasurer for the benefit of the state road fund;

9 (5) The Transportation Cabinet shall require an accounting by the clerk in each county  
10 for any moneys received by him under the provisions of this chapter, after the  
11 deduction of his fees under this chapter, and for all receipts, forms, plates, and  
12 insignia consigned to him. The Auditor of Public Accounts, pursuant to KRS  
13 43.071, shall annually audit each county clerk concerning his responsibilities for the  
14 collection of various fees and taxes associated with motor vehicles. The secretary of  
15 the Transportation Cabinet, with the advice, consultation, and approval of the  
16 Auditor, shall develop and implement an inventory and accounting system which  
17 shall insure that the audits mandated in KRS 43.071 are performed in accordance  
18 with generally accepted auditing standards. The Transportation Cabinet shall pay for  
19 the audits mandated by KRS 43.071; and

20 (6) When applied for under KRS 186.160, motor or vehicle numbers assigned shall be  
21 distinctive to show that they were designated by the cabinet.

22 ➔Section 13. KRS 186.440 is amended to read as follows:

23 An operator's license shall not be granted to:

- 24 (1) Any person who is not a resident of Kentucky;  
25 (2) Any person under the age of sixteen (16);  
26 (3) Any person under the age of eighteen (18) who holds a valid Kentucky instruction  
27 permit issued pursuant to KRS 186.450, but who has not graduated from high

- 1 school or who is not enrolled and successfully participating in school or who is not  
2 being schooled at home, except those persons who satisfy the District Court of  
3 appropriate venue pursuant to KRS 159.051(3) that revocation of their license  
4 would create an undue hardship. Persons under the age of eighteen (18) shall  
5 present proof of complying with the requirements of KRS 159.051;
- 6 (4) Any person whose operator's license has been suspended, during the period of  
7 suspension, subject to the limitations of KRS 186.442;
- 8 (5) Any person whose operator's license has been revoked, nor to any nonresident  
9 whose privilege of exemption under KRS 186.430 has been refused or discontinued,  
10 until the expiration of the period for which the license was revoked, or for which the  
11 privilege was refused or discontinued;
- 12 (6) Any applicant adjudged incompetent by judicial decree;
- 13 (7) Any person who in the opinion of the Department of Kentucky State Police, after  
14 examination, is unable to exercise reasonable and ordinary control over a motor  
15 vehicle upon the highways;
- 16 (8) Any person who is unable to understand highway warnings or direction signs in the  
17 English language;
- 18 (9) Any person required by KRS 186.480 to take an examination who has not  
19 successfully passed the examination;
- 20 (10) Any person required by KRS Chapter 187 to deposit proof of financial  
21 responsibility, who has not deposited that proof;
- 22 (11) Any person who has not filed a correct and complete application attested to in the  
23 presence of a person authorized to administer oaths;
- 24 (12) Any person who cannot meet the requirements set forth in KRS 186.411(1) or (3);  
25 or
- 26 (13) Any person whose operator's license has been suspended or revoked under the  
27 provisions of KRS Chapter 186, 187, or 189A **who has not paid the reinstatement**

1 ~~*fee required under Section 15 of this Act*~~[until the person has forwarded to the  
2 cabinet a reinstatement fee of fifteen dollars (\$15). The fee shall be paid by certified  
3 check or money order payable to the State Treasurer who shall deposit five dollars  
4 (\$5) of the fee in a trust and agency fund to be used in defraying the costs and  
5 expenses of administering a driver improvement program for problem drivers. Ten  
6 dollars (\$10) of the fee shall be deposited by the State Treasurer into the Circuit  
7 Court clerk salary account established in KRS 27A.052. The provisions of this  
8 subsection shall not apply to any person whose license was suspended for failure to  
9 meet the conditions set out in KRS 186.411 when, within one (1) year of  
10 suspension, the driving privileges of the individuals are reinstated or to any student  
11 who has had his or her license revoked pursuant to KRS 159.051].

12 ➔Section 14. KRS 186.450 is amended to read as follows:

13 (1) A person who is at least sixteen (16) years of age may apply for an instruction  
14 permit to operate a motor vehicle. A person who possesses a valid intermediate  
15 motor vehicle operator's license issued under KRS 186.452 or a person who is at  
16 least eighteen (18) years of age may apply for an instruction permit to operate a  
17 motorcycle. A holder of either a motor vehicle or motorcycle instruction permit may  
18 also operate a moped under that permit. A person applying for an instruction permit  
19 under this section shall make application in the office of the circuit clerk in the  
20 county where the person lives. A person applying for an instruction permit shall be  
21 required to comply with the following:

22 (a) If the person is under the age of eighteen (18), the instruction permit  
23 application shall be signed by the applicant's parent or legal guardian. If the  
24 person does not have a living parent or does not have a legal guardian, the  
25 instruction permit application shall be signed by a person willing to assume  
26 responsibility for the applicant pursuant to KRS 186.590;

27 (b) If the person is under the age of eighteen (18) and in the custody of the

1 Cabinet for Health and Family Services, the instruction permit application  
2 shall be signed by:

- 3 1. The applicant's parent, legal guardian, grandparent, adult sibling, aunt,  
4 or uncle if the parental rights have not been terminated in accordance  
5 with KRS Chapter 625;
- 6 2. The foster parent with whom the applicant resides;
- 7 3. Another person who is at least age eighteen (18) and is willing to  
8 assume responsibility for the applicant pursuant to KRS 186.590; or
- 9 4. The applicant, without another person, upon verification by the Cabinet  
10 for Health and Family Services in accordance with KRS 605.102 that  
11 shall include proof of financial responsibility in accordance with KRS  
12 186.590(2); and

13 (c) All applicants for an instruction permit shall comply with the examinations  
14 required by KRS 186.480.

15 (2) If an applicant successfully passes the examinations required by KRS 186.480, the  
16 applicant shall be issued an instruction permit upon payment of the fee set forth in  
17 KRS 186.531.

18 (3) (a) An instruction permit to operate a motor vehicle shall be valid for three (3)  
19 years and may be renewed. An instruction permit to operate a motorcycle shall  
20 be valid for one (1) year and may be renewed one (1) time.

21 (b) Except as provided in KRS 186.415, a person who has attained the age of  
22 sixteen (16) years and is under the age of eighteen (18) years shall have the  
23 instruction permit a minimum of one hundred eighty (180) days before  
24 applying for an intermediate license and shall have an intermediate license for  
25 a minimum of one hundred eighty (180) days before applying for an operator's  
26 license.

27 (c) A person who was under eighteen (18) years of age at the time of application

1 for an instruction permit and is eighteen (18) years of age or older shall have  
2 the instruction permit a minimum of one hundred eighty (180) days and  
3 complete a driver training program under KRS 186.410(4) before applying for  
4 an operator's license.

5 (d) A person who is at least eighteen (18) years of age and is under the age of  
6 twenty-one (21) years at the time of application for an instruction permit shall  
7 have the instruction permit a minimum of one hundred eighty (180) days  
8 before applying for an operator's license.

9 (e) A person who is at least twenty-one (21) years of age at the time of  
10 application for an instruction permit shall have the instruction permit a  
11 minimum of thirty (30) days before applying for an operator's license.

12 (f) In accordance with KRS 15A.352(5), a person whose motorcycle instruction  
13 permit has expired may apply to the circuit clerk to receive a motorcycle  
14 operator's license or endorsement if the person presents proof of successful  
15 completion of a motorcycle safety education course approved by the Justice  
16 and Public Safety Cabinet under KRS 15A.350 to 15A.366.

17 (4) (a) A person shall have the instruction permit in his possession at all times when  
18 operating a motor vehicle, motorcycle, or moped upon the highway.

19 (b) When operating a motor vehicle, a motor vehicle instruction permit holder  
20 shall be accompanied by a person with a valid operator's license who is at  
21 least twenty-one (21) years of age occupying the seat beside the operator at all  
22 times.

23 (c) The requirements of paragraph (b) of this subsection shall not apply to a motor  
24 vehicle instruction permit holder being supervised on a multiple-vehicle  
25 driving range by a driver training instructor affiliated with a driver training  
26 school licensed under KRS Chapter 332 or a public or nonpublic secondary  
27 school.

- 1 (5) A person with an instruction permit who is under the age of eighteen (18) shall not  
2 operate a motor vehicle, motorcycle, or moped between the hours of 12 midnight  
3 and 6 a.m. unless the person can demonstrate good cause for driving, including but  
4 not limited to emergencies, involvement in school-related activities, or involvement  
5 in work-related activities.
- 6 (6) Except when accompanied by a driver training instructor affiliated with a driver  
7 training school licensed under KRS Chapter 332 or a public or nonpublic secondary  
8 school, a person with an instruction permit who is under the age of eighteen (18)  
9 years shall not operate a motor vehicle at any time when accompanied by more than  
10 one (1) unrelated person who is under the age of twenty (20) years. A peace officer  
11 shall not stop or seize a person nor issue a uniform citation for a violation of this  
12 subsection if the officer has no other cause to stop or seize the person other than a  
13 violation of this subsection. This subsection shall not apply to any operator of a  
14 vehicle registered under the provisions of KRS 186.050(4) who is engaged in  
15 agricultural activities.
- 16 (7) A violation under subsection (4), (5), or (6) of this section, a conviction for a  
17 moving violation under KRS Chapter 189 for which points are assessed by the  
18 cabinet, or a conviction for a violation of KRS 189A.010(1) shall add an additional  
19 minimum of one hundred eighty (180) days from the date of the violation before a  
20 person who is under the age of eighteen (18) years may apply for an intermediate  
21 license to operate a motor vehicle, motorcycle, or moped.
- 22 (8) A person under the age of eighteen (18) who accumulates more than six (6) points  
23 against his driving privilege may have the driving privilege suspended pursuant to  
24 KRS Chapter 186 or probated by the court.
- 25 (9) An applicant for relicensing after revocation or suspension shall pay the clerk the  
26 reinstatement fee set forth in Section 15 of this Act of twenty-five dollars (\$25).  
27 ~~The twenty-five dollar (\$25) fee shall not apply to any person whose license was~~

1 ~~suspended for failure to meet the conditions described in KRS 186.411 when,~~  
 2 ~~within one (1) year of suspension, the driving privileges of such individuals are~~  
 3 ~~reinstated and persons reinstated pursuant to KRS 159.051].~~

4 ➔Section 15. KRS 186.531 is amended to read as follows:

5 (1) As used in this section:

6 (a) "AOC Fund" means the circuit court clerk salary account created in KRS  
 7 27A.052;

8 (b) "GF" means the general fund;

9 (c) "IP" means instruction permit;

10 (d) "License Fund" means the KYTC photo license account created in KRS  
 11 174.056;

12 (e) "MC" means motorcycle;

13 (f) "MC Fund" means the motorcycle safety education program fund established  
 14 in KRS 15A.358;

15 (g) "OL" means operator's license; and

16 (h) "PIDC" means personal identification card.

17 (2) The fees imposed for voluntary travel ID operator's licenses, instruction permits,  
 18 and personal identification cards shall be as follows. The fees received shall be  
 19 distributed as shown in the table. The fees shown, unless otherwise noted, are for an  
 20 eight (8) year period:

21 Card	Fee	Road	License	AOC	GF	MC
22 Type		Fund	Fund	Fund		Fund
23 OL						
24 (initial/renewal)	\$48	\$31	\$7	\$10	\$0	\$0
25 OL (Under 21)						
26 (Up to 4 years)	\$18	\$8.50	\$5	\$4.50	\$0	\$0
27 Any OL, MC OL						



1	or combination						
2	(duplicate /corrected)	\$15	\$5.25	\$4	\$4	\$1.75	\$0
3	Motor vehicle IP						
4	(3 years)	\$18	\$6	\$5	\$5	\$2	\$0
5	Motorcycle IP						
6	(1 year)	\$18	\$6	\$5	\$2	\$1	\$4
7	Motorcycle OL						
8	(initial/renewal)	\$48	\$19.50	\$9	\$9.50	\$0	\$10
9	Combination						
10	vehicle/MC OL						
11	(initial/renewal)	\$58	\$28	\$7	\$13	\$0	\$10
12	PIDC						
13	(initial/renewal)	\$28	\$11	\$8	\$6	\$3	\$0
14	PIDC						
15	(duplicate/corrected)	\$15	\$6	\$4	\$3.50	\$1.50	\$0

16 (3) The fees imposed for standard operator's licenses, instruction permits, and personal  
 17 identification cards shall be as follows. The fees received shall be distributed as  
 18 shown in the table. The fees shown, unless otherwise noted, are for an eight (8) year  
 19 period:

20	Card	Fee	Road	License	AOC	GF	MC
21	Type		Fund	Fund	Fund		Fund
22	OL						
23	(initial/renewal)	\$43	\$28	\$7	\$8	\$0	\$0
24	OL (Under 21)						
25	(Up to 4 years)	\$15	\$7.50	\$4	\$3.50	\$0	\$0
26	Any OL, MC OL						
27	or combination						

1	(duplicate /corrected)	\$15	\$5.25	\$4	\$4	\$1.75	\$0
2	Motor vehicle IP						
3	(3 years)	\$15	\$5	\$4	\$4	\$2	\$0
4	Motorcycle IP						
5	(1 year)	\$15	\$5	\$4	\$1	\$1	\$4
6	Motorcycle OL						
7	(initial/renewal)	\$43	\$17.50	\$8	\$7.50	\$0	\$10
8	Combination						
9	vehicle/MC OL						
10	(initial/renewal)	\$53	\$25	\$7	\$11	\$0	\$10
11	PIDC						
12	(initial/renewal)	\$23	\$8	\$8	\$4	\$3	\$0
13	PIDC						
14	(duplicate/corrected)	\$15	\$6	\$4	\$3.50	\$1.50	\$0
15	PIDC						
16	(no fixed address)						
17	KRS 186.4122(5) and						
18	186.4123(5)	\$10	\$0	\$5	\$5	\$0	\$0

19 (4) The fee for a second or subsequent duplicate personal identification card for a  
20 person who does not have a fixed, permanent address, as allowed under KRS  
21 186.4122(5) and 186.4123(5), shall be the same as for a duplicate regular personal  
22 identification card.

23 (5) The fee for a four (4) year original or renewal license issued pursuant to KRS  
24 186.4101 shall be fifty percent (50%) of the amount shown in subsections (2) and  
25 (3) of this section. The distribution of fees shown in subsections (2) and (3) of this  
26 section shall also be reduced by fifty percent (50%) for licenses that are issued for  
27 four (4) years.

- 1 (6) Any fee for any identity document applied for using alternative technology under  
2 KRS 186.410 and 186.4122 shall be distributed in the same manner as a document  
3 applied for with the circuit clerk.
- 4 (7) (a) An applicant for an original or renewal operator's license, commercial driver's  
5 license, motorcycle operator's license, or personal identification card shall be  
6 requested by the clerk to make a donation to promote an organ donor program.
- 7 (b) A donation under this subsection shall be two dollars (\$2) for any license or  
8 card with an eight (8) year term, and one dollar (\$1) for any license or card  
9 with a term of less than eight (8) years.
- 10 (c) The donation under this subsection shall be added to the regular fee for an  
11 original or renewal motor vehicle operator's license, commercial driver's  
12 license, motorcycle operator's license, or personal identification card. One (1)  
13 donation may be made per issuance or renewal of a license or any  
14 combination thereof.
- 15 (d) The fee shall be paid to the circuit clerk and shall be forwarded by the clerk on  
16 a monthly basis to the Kentucky Circuit Court Clerks' Trust for Life, and such  
17 moneys are hereby appropriated to be used exclusively for the purpose of  
18 promoting an organ donor program. A donation under this subsection shall be  
19 voluntary and may be refused by the applicant at the time of issuance or  
20 renewal.
- 21 (8) In addition to the fees outlined in this section, the following individuals, upon  
22 application for an initial or renewal operator's license, instruction permit, or  
23 personal identification card, shall pay an additional application fee of thirty dollars  
24 (\$30), which shall be deposited in the road fund:
- 25 (a) An applicant who is not a United States citizen or permanent resident and who  
26 applies under KRS 186.4121 or 186.4123; or
- 27 (b) An applicant who is applying for a instruction permit, operator's license, or

1 personal identification card without a photo under KRS 186.4102(9).

2 **(9) (a) Except for individuals exempted under paragraph (c) of this subsection, an**  
 3 **applicant for relicensing after revocation or suspension shall pay a**  
 4 **reinstatement fee of one hundred dollars (\$100).**

5 **(b) The reinstatement fee under this subsection shall be distributed by the State**  
 6 **Treasurer as follows:**

7 **1. Ten dollars (\$10) shall be deposited into the Circuit Court clerk salary**  
 8 **account established in KRS 27A.052;**

9 **2. Five dollars (\$5) shall be deposited into a trust and agency fund to be**  
 10 **used in defraying the costs and expenses of administering a driver**  
 11 **improvement program for problem drivers; and**

12 **3. Eighty-five dollars (\$85) shall be deposited into the road fund.**

13 **(c) This subsection shall not apply to:**

14 **1. Any person whose license was suspended for failure to meet the**  
 15 **conditions set out in KRS 186.411 when, within one (1) year of**  
 16 **suspension, the driving privileges of the individual are reinstated; or**

17 **2. A student who has had his or her license revoked pursuant to KRS**  
 18 **159.051.**

19 ➔Section 16. KRS 281A.150 is amended to read as follows:

20 (1) Every person seeking a commercial driver's license or a commercial driver's  
 21 instruction permit shall first apply in person to the circuit clerk of the county in  
 22 which the applicant resides or in the county where the person is enrolled in a driver  
 23 training school if the applicant is not a resident. The application shall be in the form  
 24 prescribed by KRS 281A.140 as provided by the cabinet. Except as provided in  
 25 KRS 281A.160(6), each time a person applies for a commercial driver's license, an  
 26 instruction permit, or seeks to upgrade or change his or her commercial driver's  
 27 license, the person shall be required to:

- 1 (a) Update the application; and
- 2 (b) Submit the appropriate fee to the circuit clerk.
- 3 (2) In addition to the fees for an operator's license under KRS 186.531, the cabinet shall
- 4 set fees by administrative regulation, pursuant to KRS Chapter 13A, for the
- 5 following applications that shall not exceed:
- 6 (a) Forty dollars (\$40) for each application for a commercial driver's license. The
- 7 fee shall be based on the class, type of license, endorsement, restriction, or
- 8 tests to be taken;
- 9 (b) Thirty-five dollars (\$35) for each application for a commercial driver's
- 10 instruction permit;
- 11 (c) Fifteen dollars (\$15) for each application for a change or addition in class or
- 12 type of license, endorsement, or restriction; and
- 13 (d) Forty dollars (\$40) for each application for a duplicate if it is the first
- 14 duplicate applied for within the time period for which the original license was
- 15 issued. Sixty dollars (\$60) for a second or subsequent duplicate applied for
- 16 within the time period for which the original license was issued. The fees
- 17 required for a duplicate shall be in addition to fees charged under subsection
- 18 (2)(c) of this section.
- 19 (3) In addition to the fees for an operator's license KRS 186.531, the cabinet shall set
- 20 fees by administrative regulation, pursuant to KRS Chapter 13A, for the following
- 21 commercial driver's licenses that shall not exceed:
- 22 (a) Forty-five dollars (\$45) for each initial or renewal of a commercial driver's
- 23 license;
- 24 (b) Sixty dollars (\$60) for each transfer of a commercial driver's license; and
- 25 (c) Thirty dollars (\$30) for each initial or renewal of a commercial driver's license
- 26 with an "S" endorsement.
- 27 (4) All fees remitted to the clerk shall be nonrefundable regardless of whether the

1 applicant completes the requirements for a commercial driver's license or is tested.

2 (5) All fees collected for the issuance of a commercial driver's license or a commercial  
3 driver's instruction permit shall be deposited into trust and agency accounts to be  
4 used exclusively for the administration and implementation of this chapter, except  
5 as prescribed in subsection (6) of this section. The accounts shall not lapse but shall  
6 be continuing from year to year.

7 (6) All fees collected pursuant to this section, shall be allocated between the  
8 Transportation Cabinet and Department of Kentucky State Police, except a fifty cent  
9 (\$0.50) issuance fee shall be allocated to the general fund from issuance of a  
10 commercial driver's license permit. A three dollar (\$3) issuance fee shall be  
11 allocated to the general fund from issuance of a commercial driver's license.

12 (7) Any applicant who seeks reinstatement of his or her commercial driving privilege  
13 after a suspension, withdrawal, revocation, or disqualification shall pay a  
14 reinstatement fee of ***one hundred dollars (\$100)***~~fifty dollars (\$50)~~ in addition to  
15 those fees required by subsection (2) of this section and shall satisfy the  
16 requirements of KRS 281A.160. This fee shall not be required if his or her  
17 commercial driving privilege was withdrawn only as a result of the withdrawal of  
18 his or her privilege to drive a noncommercial motor vehicle.

19 ➔Section 17. KRS 186.164 is amended to read as follows:

20 (1) The SF portion of the fee required under KRS 186.162 shall include the fee to  
21 reflectorize all license plates under KRS 186.240. All EF fees required under KRS  
22 186.162 shall be collected at the time of an initial or renewal application by the  
23 county clerk who shall forward the EF fee to the cabinet. The cabinet shall remit EF  
24 fees to the group or organization identified in KRS 186.162 on a quarterly basis.  
25 The cabinet may retain any investment income earned from holding EF fees  
26 designated to be remitted under this subsection to offset administrative costs  
27 incurred by the cabinet in the administration of EF fees.

- 1 (2) A special license plate shall be the color and design selected by the group or  
2 organization identified in subsection (13) of this section, contingent upon the  
3 approval of the Transportation Cabinet. In addition to the design selected for a  
4 special license plate, the name "Kentucky," an annual renewal decal, and any  
5 combination of letters or numerals required by the cabinet in the design shall also  
6 appear on the plate.
- 7 (3) Except as provided in KRS 186.162, the total initial fee for a special license plate  
8 created under this chapter shall be forty dollars (\$40)~~twenty-eight dollars (\$28)~~, of  
9 which the Transportation Cabinet shall receive thirty-three dollars (\$33)~~twenty-~~  
10 ~~five dollars (\$25)~~ and the county clerk shall receive seven dollars (\$7)~~three dollars~~  
11 ~~(\$3)~~, and the total renewal fee shall be twenty-nine dollars (\$29)~~fifteen dollars~~  
12 ~~(\$15)~~, of which the Transportation Cabinet shall receive twenty-two dollars  
13 (\$22)~~twelve dollars (\$12)~~ and the county clerk shall receive seven dollars  
14 (\$7)~~three dollars (\$3)~~. The fees~~twenty-five dollar (\$25) initial fee and twelve~~  
15 ~~dollar (\$12) renewal fee received by the Transportation Cabinet under this~~  
16 ~~subsection]~~ shall include an applicant's registration fee required under KRS  
17 186.050.
- 18 (4) An actual metal special license plate shall be issued on the same schedule as regular  
19 license plates are issued under KRS 186.240. The cabinet shall have the discretion  
20 to extend the time period that will exist between the date a metal special license  
21 plate is issued and the date that regular plates are issued under KRS 186.240. A  
22 renewal registration decal shall be issued all other years during the owner's or  
23 lessee's birth month, except as provided in KRS 186.041(2) and 186.042(5). A  
24 person seeking a special license plate for a vehicle provided as part of the person's  
25 occupation shall conform to the requirements of KRS 186.050(14).
- 26 (5) (a) If a special license plate issued under this chapter deteriorates to the point that  
27 the lettering, numbering, or images on the face of the plate are not legible, the

1 plate shall be replaced free of charge, if the owner or lessee has not transferred  
2 the vehicle to which the plate was issued during the current licensing period.

3 (b) If a special license plate issued under this chapter is lost, stolen, or damaged in  
4 an accident, the county clerk shall issue a new plate upon payment of a three  
5 dollar (\$3) county clerk fee, if the owner or lessee has not transferred the  
6 vehicle to which the plate was issued during the current licensing period.

7 (6) Upon the sale, transfer, or termination of a lease of a vehicle with any special  
8 license plate issued under this chapter, the owner or lessee shall remove the special  
9 plate and return it and the certificate of registration to the county clerk. The county  
10 clerk shall reissue the owner or lessee a regular license plate and a certificate of  
11 registration upon payment of a three dollar (\$3) county clerk fee. If the owner or  
12 lessee requests, the county clerk shall reissue the special plate upon payment of a  
13 three dollar (\$3) county clerk fee for use on any other vehicle of the same  
14 classification and category owned, leased, or acquired by the person during the  
15 current licensing period. If the owner or lessee has the special plate reissued to a  
16 vehicle which has been previously registered in this state, the regular license plate  
17 that is being replaced shall be returned to the county clerk who shall forward the  
18 plate to the Transportation Cabinet.

19 (7) A special license plate may be issued to the owner or lessee of a motor vehicle that  
20 is required to be registered under KRS 186.050(1), (3)(a), or (4)(a), except a special  
21 license plate shall not be issued to a taxicab, limousine, or U-Drive-It registered and  
22 licensed under this chapter or KRS Chapter 281. A person applying for a special  
23 license plate shall apply in the office of the county clerk in the county of the  
24 person's residence, except as provided in KRS 186.168(3). All special license plates  
25 issued under this chapter may be combined with a personalized license plate under  
26 the provisions of KRS 186.174. The fee to combine a special license plate with a  
27 personalized license plate shall be as established in KRS 186.162(3).



- 1 (8) Within thirty (30) days of termination from election to, appointment to, or  
2 membership with any group or organization, an applicant to whom a special license  
3 plate was issued under this chapter shall return the special license plate to the  
4 county clerk of the county of his or her residence, unless the person is merely  
5 changing his or her status with the group or organization to retired.
- 6 (9) A group wanting to create a special license plate that is not authorized under this  
7 chapter on June 20, 2005, shall comply with the following conditions before being  
8 eligible to apply for a special license plate:
- 9 (a) The group shall be nonprofit and based, headquartered, or have a chapter in  
10 Kentucky;
  - 11 (b) The group may be organized for, but shall not be restricted to, social, civic, or  
12 entertainment purposes;
  - 13 (c) The group, or the group's lettering, logo, image, or message to be placed on  
14 the license plate, if created, shall not discriminate against any race, color,  
15 religion, sex, or national origin, and shall not be construed, as determined by  
16 the cabinet, as an attempt to victimize or intimidate any person due to the  
17 person's race, color, religion, sex, or national origin;
  - 18 (d) The group shall not be a political party and shall not have been created  
19 primarily to promote a specific political belief;
  - 20 (e) The group shall not have as its primary purpose the promotion of any specific  
21 faith, religion, or antireligion;
  - 22 (f) The name of the group shall not be the name of a special product or brand  
23 name, and shall not be construed, as determined by the cabinet, as promoting a  
24 product or brand name; and
  - 25 (g) The group's lettering, logo, image, or message to be placed on the license  
26 plate, if created, shall not be obscene, as determined by the cabinet.
- 27 (10) If the cabinet denies to issue a group a special license plate based upon the

1 conditions specified in subsection (9) of this section, the cabinet shall, immediately  
2 upon denying to issue a group a special license plate, notify in writing the  
3 chairperson of both the House and Senate standing committees on transportation of  
4 the denial and the reasons upon which the cabinet based the denial. A person  
5 seeking a personalized license plate under KRS 186.174 shall be subject to the  
6 conditions specified in subsection (9)(c) to (g) of this section.

7 (11) If the cabinet approves a request for a special license plate, the cabinet shall begin  
8 designing and printing the plate after the group collects a minimum of nine hundred  
9 (900) applications with each application being accompanied by a twenty-five dollar  
10 (\$25) state fee. The applications and accompanying fee shall be submitted to the  
11 cabinet at one (1) time as a whole and shall not be submitted individually or  
12 intermittently.

13 (12) An initial applicant for, or an applicant renewing, his or her registration for a special  
14 license plate may, at the time of application, make a voluntary contribution that the  
15 county clerk shall forward to the cabinet. The entity that sponsors a special plate  
16 established by the process outlined in this section may set a requested donation  
17 amount, not to exceed ten dollars (\$10), that will automatically be added to the cost  
18 of registration or renewal, unless the individual registering or renewing the vehicle  
19 registration opts out of contributing that recommended amount. The cabinet shall,  
20 on an annual basis, remit the voluntary contributions to the appropriate group  
21 identified to be used for the declared purpose stated under subsection (13) of this  
22 section. The cabinet may retain any investment income earned from holding  
23 voluntary contributions designated to be remitted under this subsection to offset  
24 administrative costs incurred by the cabinet in the administration of the  
25 contributions. Any group or organization that receives a mandatory EF fee under  
26 KRS 186.162 shall submit the information required under subsection (13)(a) and (c)  
27 of this section to the Transportation Cabinet within thirty (30) days of June 20,

1 2005.

- 2 (13) If a group wants to receive a donation when the group or organization's special  
3 license plate is initially purchased or renewed under subsection (12) of this section,  
4 the group shall, at the time the nine hundred (900) applications are submitted to the  
5 Transportation Cabinet, also submit a notarized affidavit to the cabinet attesting to:
- 6 (a) The name, address, and telephone number for the group or organization. If the  
7 group or organization does not have its headquarters in the Commonwealth,  
8 then the name, address, and telephone number for the group or organization's  
9 Kentucky state chapter shall be required. The names of the officers of the  
10 group or organization shall also be required. If the entity receiving funds  
11 under subsection (12) of this section is not a state governmental agency, a  
12 program unit within a state governmental agency, or is a group or organization  
13 that does not have a statewide chapter, then an extra donation for use by the  
14 group or organization shall be prohibited;
- 15 (b) The amount of the monetary donation the group wants to receive when a  
16 person purchases the group or organization's special license plate; and
- 17 (c) The purpose for which the donated funds will be used by the group or  
18 organization. Donated funds shall not be limited for use by members of the  
19 group or organization, and shall not be used for administrative or personnel  
20 costs of the group or organization.
- 21 (14) All funds received by a group or organization under subsection (12) of this section  
22 shall be deposited into an account separate from all other accounts the group or  
23 organization may have, and the account shall be audited yearly at the expense of the  
24 group or organization. The completed audit shall be forwarded to the Transportation  
25 Cabinet in Frankfort. One hundred percent (100%) of the funds received by a group  
26 or organization under subsection (12) of this section shall be used for the express  
27 purpose identified by the group in subsection (13) of this section. Any group or

1 organization that receives a mandatory EF fee under KRS 186.162 shall comply  
2 with the provisions of this subsection.

3 (15) The secretary of the Transportation Cabinet shall promulgate administrative  
4 regulations under KRS Chapter 13A to establish additional rules to implement the  
5 issuance of special license plates issued under this chapter, including but not limited  
6 to:

7 (a) Documentation that will be required to accompany an application for a special  
8 license plate to provide proof of:

- 9 1. Election to the United States Congress or the Kentucky General  
10 Assembly;
- 11 2. Election or appointment to the Kentucky Court of Justice;
- 12 3. Membership in a Masonic Order, Fraternal Order of Police, or  
13 emergency management organization;
- 14 4. Eligibility for membership in the Gold Star Mothers of America;
- 15 5. Eligibility as a father for associate membership in the Gold Star Mothers  
16 of America;
- 17 6. Eligibility for membership in the Gold Star Wives of America;
- 18 7. Ownership of an amateur radio operator license;
- 19 8. Receipt of the Silver Star Medal;
- 20 9. Receipt of the Bronze Star Medal awarded for valor;
- 21 10. Eligibility for a Gold Star Siblings license plate for a person whose  
22 sibling died while serving the country in the United States Armed  
23 Forces. For the purposes of this subparagraph, "sibling" means a sibling  
24 by blood, a sibling by half-blood, a sibling by adoption, or a stepsibling;  
25 or
- 26 11. Eligibility for a Gold Star Sons or Gold Star Daughters license plate for  
27 a person whose parent or stepparent died while serving the country in

1 the United States Armed Forces;

2 (b) The time schedule permissible for a group or organization to request a design  
3 change for the special license plate; and

4 (c) The procedures for review of proposed license plates and the standards by  
5 which proposed special license plates are approved or rejected in accordance  
6 with subsection (9) of this section.

7 (16) Any individual, group, or organization that fails to audit any funds received under  
8 this chapter, or that intentionally uses any funds received in any way other than  
9 attested to under subsection (13) of this section or for administrative or personnel  
10 costs in violation of subsection (13) of this section, shall be guilty of a Class D  
11 felony and upon conviction shall, in addition to being subject to criminal penalties,  
12 be assessed a mandatory five thousand dollar (\$5,000) fine.

13 ➔Section 18. KRS 186A.130 is amended to read as follows:

14 There shall be paid for issuing and processing documents required by this chapter fees  
15 according to the following schedule:

16 (1) Each application for a certificate of title shall be twenty-five dollars (\$25)~~nine~~  
17 ~~dollars (\$9)~~, of which the county clerk shall retain seven dollars (\$7)~~six dollars~~  
18 ~~(\$6)~~ and the Transportation Cabinet shall receive eighteen dollars (\$18)~~three~~  
19 ~~dollars (\$3)~~.

20 (2) Each application for a replacement or corrected certificate of title shall be ten  
21 dollars (\$10)~~six dollars (\$6)~~, of which the county clerk shall retain four dollars  
22 (\$4) and the Transportation Cabinet shall receive six dollars (\$6)~~two dollars (\$2)~~.

23 If a corrected certificate must be issued because of an error of the county clerk or  
24 the Department of Vehicle Regulation, there shall be no charge.

25 (3) Each application for a speed title shall be forty dollars (\$40)~~twenty-five dollars~~  
26 ~~(\$25)~~, of which the county clerk shall retain eight dollars (\$8)~~five dollars (\$5)~~  
27 and the Transportation Cabinet shall receive thirty-two dollars (\$32)~~twenty dollars~~

1       ~~(\$20)~~.

2       (4) (a) Each application for a certificate of title for an all-terrain vehicle shall be  
3               fifteen dollars (\$15), of which the county clerk shall retain six dollars (\$6) and  
4               the Transportation Cabinet shall receive nine dollars (\$9).

5       (b) Each application for a replacement or corrected certificate of title for an all-  
6               terrain vehicle shall be ten dollars (\$10), of which the county clerk shall retain  
7               four dollars (\$4) and the Transportation Cabinet shall receive six dollars (\$6).

8               If a corrected certificate must be issued because of an error of the county clerk  
9               or the Department of Vehicle Regulation, there shall be no charge.

10       ➔Section 19. KRS 186A.245 is amended to read as follows:

11       (1) If a certificate of title is lost, stolen, mutilated, or destroyed or becomes illegible,  
12               the owner or legal representative of the owner named in the certificate shall  
13               promptly make application to the county clerk for and may obtain a duplicate, upon  
14               furnishing information satisfactory to the Department of Vehicle Regulation. The  
15               duplicate certificate of title shall contain appropriate words or symbols to indicate  
16               that it is a duplicate. Each application for a duplicate certificate of title shall be **ten**  
17               **dollars (\$10)**~~six dollars (\$6)~~, of which the county clerk shall retain four dollars  
18               (\$4), and the Transportation Cabinet **six dollars (\$6)**~~two dollars (\$2)~~. Each  
19               application for a duplicate certificate of title for an all-terrain vehicle shall be ten  
20               dollars (\$10), of which the county clerk shall retain four dollars (\$4) and the  
21               Transportation Cabinet shall receive six dollars (\$6). It shall be mailed to the owner.

22       (2) The Department of Vehicle Regulation shall make provisions for production and  
23               issuance of a duplicate title if update of information is requested. The provisions  
24               shall be generally consistent with the procedures for production and issuance of a  
25               certificate of title in the first instance as provided in this chapter.

26       (3) A person recovering an original certificate of title for which a duplicate has been  
27               issued shall promptly surrender the original certificate to the Department of Vehicle

1 Regulation.

2 (4) Application for documents provided for by this section shall be made to the county  
3 clerk upon forms provided to him by the Department of Vehicle Regulation.

4 ➔Section 20. KRS 186.574 is amended to read as follows:

5 (1) The Transportation Cabinet shall establish a state traffic school for new drivers and  
6 for traffic offenders. The school shall be composed of uniform education and  
7 training elements designed to create a lasting influence on new drivers and a  
8 corrective influence on traffic offenders. District Courts may in lieu of assessing  
9 penalties for traffic offenses, other than for KRS 189A.010, sentence offenders to  
10 state traffic school and no other. The Transportation Cabinet shall enroll a person in  
11 state traffic school who fails to complete a driver's education course pursuant to  
12 KRS 186.410(5).

13 (2) If a District Court stipulates in its judgment of conviction that a person attend state  
14 traffic school, the court shall indicate this in the space provided on the abstract of  
15 conviction filed with the Transportation Cabinet. Upon receipt of an abstract, the  
16 Transportation Cabinet, or its representative, shall schedule the person to attend  
17 state traffic school. Failure of the person to attend and satisfactorily complete state  
18 traffic school in compliance with the court order, may be punished as contempt of  
19 the sentencing court. The Transportation Cabinet shall not assess points against a  
20 person who satisfactorily completes state traffic school. However, if the person  
21 referred to state traffic school holds or is required to hold a commercial driver's  
22 license, the underlying offense shall appear on the person's driving history record.

23 (3) The Transportation Cabinet shall supervise, operate, and administer state traffic  
24 school, and shall promulgate administrative regulations pursuant to KRS Chapter  
25 13A governing facilities, equipment, courses of instruction, instructors, and records  
26 of the program. In the event a person sentenced under subsection (1) of this section  
27 does not attend or satisfactorily complete state traffic school, the Transportation

1 Cabinet may deny that person a license or suspend the license of that person until he  
2 reschedules attendance or completes state traffic school, at which time a denial or  
3 suspension shall be rescinded.

4 (4) Persons participating in the state traffic school as provided in this section shall pay a  
5 fee of fifty dollars (\$50)~~fifteen dollars (\$15)~~ to defray the cost of operating the  
6 school, except that if enrollment in state traffic school is to satisfy the requirement  
7 of KRS 186.410(4)(c), a fee shall not be assessed. Any funds collected pursuant to  
8 KRS 186.535(1) that are dedicated to the road fund for use in the state driver  
9 education program may be used for the purposes of state traffic school.

10 (5) The following procedures shall govern persons attending state traffic school  
11 pursuant to this section:

12 (a) A person convicted of any violation of traffic codes set forth in KRS Chapters  
13 177, 186, or 189, and who is otherwise eligible, may in the sole discretion of  
14 the trial judge, be sentenced to attend state traffic school. Upon payment of the  
15 fee required by subsection (4) of this section, and upon successful completion  
16 of state traffic school, the sentence to state traffic school shall be the person's  
17 penalty in lieu of any other penalty, except for the payment of court costs;

18 (b) Except as provided in KRS 189.990(28), a person shall not be eligible to  
19 attend state traffic school who has been cited for a violation of KRS Chapters  
20 177, 186, or 189 that has a penalty of mandatory revocation or suspension of  
21 an offender's driver's license;

22 (c) Except as provided in KRS 189.990(28), a person shall not be eligible to  
23 attend state traffic school for any violation if, at the time of the violation, the  
24 person did not have a valid driver's license or the person's driver's license was  
25 suspended or revoked by the cabinet;

26 (d) Except as provided in KRS 189.990(28), a person shall not be eligible to  
27 attend state traffic school more than once in any one (1) year period, unless



1 the person wants to attend state traffic school to comply with the driver  
2 education requirements of KRS 186.410; and

3 (e) The cabinet shall notify the sentencing court regarding any person who was  
4 sentenced to attend state traffic school who was ineligible to attend state  
5 traffic school. A court notified by the cabinet pursuant to this paragraph shall  
6 return the person's case to an active calendar for a hearing on the matter. The  
7 court shall issue a summons for the person to appear and the person shall  
8 demonstrate to the court why an alternative sentence should not be imposed.

9 (6) (a) Except as provided in paragraph (b) of this subsection, a county attorney may  
10 operate a traffic safety program for traffic offenders prior to the adjudication  
11 of the offense.

12 (b) Offenders alleged to have violated KRS 189A.010 or 304.39-080, offenders  
13 holding a commercial driver's license under KRS Chapter 281A, or offenders  
14 coming within the provisions of subsection (5)(b) or (c) of this section shall be  
15 excluded from participation in a county attorney-operated program.

16 (c) A county attorney that operates a traffic safety program:

- 17 1. May charge a reasonable fee to program participants, which shall only  
18 be used for payment of county attorney office operating expenses; and
- 19 2. Shall, by October 1 of each year, report to the Prosecutors Advisory  
20 Council the fee charged for the county attorney-operated traffic safety  
21 program and the total number of traffic offenders diverted into the  
22 county attorney-operated traffic safety program for the preceding fiscal  
23 year categorized by traffic offense.

24 (d) Each participant in a county attorney-operated traffic safety program shall, in  
25 addition to the fee payable to the county attorney, pay a twenty-five dollar  
26 (\$25) fee to the court clerk, which shall be paid into a trust and agency  
27 account with the Administrative Office of the Courts and is to be used by the

1 circuit clerks to hire additional deputy clerks and to enhance deputy clerk  
2 salaries.

3 (e) Each participant in a county attorney-operated traffic safety program shall, in  
4 addition to the fee payable to the county attorney and the fee required by  
5 paragraph (d) of this subsection, pay a thirty dollar (\$30) fee to the county  
6 attorney in lieu of court costs. On a monthly basis, the county attorney shall  
7 forward the fees collected pursuant to this paragraph to the Finance and  
8 Administration Cabinet to be distributed as follows:

- 9 1. Ten and eight-tenths percent (10.8%) to the spinal cord and head injury  
10 research trust fund created in KRS 211.504;
- 11 2. Nine and one-tenth percent (9.1%) to the traumatic brain injury trust  
12 fund created in KRS 211.476;
- 13 3. Five and eight-tenths percent (5.8%) to the special trust and agency  
14 account set forth in KRS 42.320(2)(f) for the Department of Public  
15 Advocacy;
- 16 4. Five and seven-tenths percent (5.7%) to the crime victims compensation  
17 fund created in KRS 49.480;
- 18 5. One and two-tenths percent (1.2%) to the Justice and Public Safety  
19 Cabinet to defray the costs of conducting record checks on prospective  
20 firearms purchasers pursuant to the Brady Handgun Violence Prevention  
21 Act and for the collection, testing, and storing of DNA samples;
- 22 6. Sixteen and eight-tenths percent (16.8%) to the county sheriff in the  
23 county from which the fee was received;
- 24 7. Nine and one-tenth percent (9.1%) to the county treasurer in the county  
25 from which the fee was received to be used by the fiscal court for the  
26 purposes of defraying the costs of operation of the county jail and the  
27 transportation of prisoners;

- 1           8. Thirty-three and two-tenths percent (33.2%) to local governments in  
2           accordance with the formula set forth in KRS 24A.176(5); and
- 3           9. Eight and three-tenths percent (8.3%) to the Cabinet for Health and  
4           Family Services for the implementation and operation of a telephonic  
5           behavioral health jail triage system as provided in KRS 210.365 and  
6           441.048.

7           ➔Section 21. KRS 189.270 is amended to read as follows:

- 8           (1) The department may issue permits for the operation of motor vehicles,  
9           manufactured homes, recreational vehicles, boats, or any other vehicle transporting  
10          a nondivisible load, whose gross weight including load, height, width, or length  
11          exceeds the limits prescribed by this chapter or which in other respects fail to  
12          comply with the requirements of this chapter. Permits may be issued by the  
13          department for stated periods, special purposes, and unusual conditions, and upon  
14          terms in the interest of public safety and the preservation of the highways as the  
15          department may require.
- 16          (2) (a) Except as provided in subsection (7) of this section, the department may, at  
17          the request of an applicant, issue a single-trip permit regardless of the type of  
18          vehicle or equipment being transported that exceeds the weight or dimension  
19          limits established by this chapter if the load being transported is a nondivisible  
20          load.
- 21          (b) Except as provided in paragraph (c) of this subsection, each~~[a]~~ single-trip  
22          permit shall cost one hundred fifty dollars (\$150).
- 23          (c) A single-trip permit for a load which exceeds two hundred thousand  
24          (200,000) pounds shall cost one thousand five hundred dollars  
25          (\$1,500)~~[sixty dollars (\$60) for each overweight or overdimensional permit~~  
26          ~~requested]~~.
- 27          (3) Except as provided in subsection (7) of this section, the department may, at the

1 request of an applicant, issue an annual permit regardless of the type of vehicle or  
2 equipment being transported that exceeds the weight or dimension limits  
3 established by this chapter if the load being transported is a nondivisible load. The  
4 vehicle shall not exceed sixteen (16) feet in width exclusive of usual and ordinary  
5 overhang, one hundred twenty (120) feet in length including a towing vehicle and  
6 trailer combination, thirteen (13) feet six (6) inches in height, or one hundred sixty  
7 thousand (160,000) pounds. Except as provided in subsections (4) and (7) of this  
8 section, an annual permit for loads less than ***or equal to*** fourteen (14) feet in width  
9 shall cost ***six hundred twenty-five dollars (\$625)***~~two hundred fifty dollars (\$250)~~.

10 An annual permit for loads exceeding fourteen (14) feet in width shall cost ***one***  
11 ***thousand two hundred fifty dollars (\$1,250)***~~five hundred dollars (\$500)~~.

12 (4) An annual permit to transport farm equipment less than fourteen (14) feet in width  
13 shall cost eighty dollars (\$80). An annual permit to transport farm equipment that  
14 exceeds fourteen (14) feet in width from a dealership to a farm, from a farm to a  
15 dealership, or from a dealership to a dealership shall cost one hundred fifty dollars  
16 (\$150).

17 (5) Permits issued under this section shall be for nondivisible loads and shall be valid  
18 statewide; however, the department may, as a condition of issuing an annual or  
19 single-trip permit, limit the overweight or overdimensional vehicle to specified  
20 routes, exclude certain highways, or even cancel an applicant's permit if an  
21 unreasonable risk of accident or an unreasonable impedance of the flow of traffic  
22 would result from the presence of the overweight or overdimensional vehicle. A  
23 person who applies for, and accepts, a permit issued under this section is  
24 acknowledging that the Kentucky Transportation Cabinet is not guaranteeing safe  
25 passage of vehicles by issuing the permit. A person who applies for, and accepts, a  
26 permit issued under this section agrees to measure all clearances of highway  
27 structures, both laterally and vertically, prior to passage of the person's vehicles

1 along the routes specified in the permit. A person who applies for, and accepts, a  
2 permit issued under this section is classified as a bare licensee whose duty is to  
3 assume sole risk involved in using Kentucky's highways without warranty of  
4 accuracy.

5 (6) Subject to the limitations of subsection (11) of this section, the department shall  
6 promulgate administrative regulations under KRS Chapter 13A to establish  
7 requirements for escort vehicles, safety markings, and other safety restrictions  
8 governing the operation of an overweight or overdimensional vehicle. The  
9 department shall provide each applicant for an annual or single-trip permit issued  
10 under this section a copy of all restrictions associated with the overweight or  
11 overdimensional permit at no charge to the applicant. The department shall be  
12 prohibited from raising the permit fee established in subsections (2) and (3) of this  
13 section by levying additional fees for an overweight or overdimensional permit  
14 through the administrative regulation process.

15 (7) The cabinet shall not issue an annual permit under this section if the person  
16 applying for the permit is eligible for an annual permit issued under KRS 189.2716  
17 or 189.2717.

18 (8) The department may require the applicant to give bond, with approved surety, to  
19 indemnify the state or counties against damage to highways or bridges resulting  
20 from use by the applicant. The operation of vehicles in accordance with the terms of  
21 the permit issued under this section shall not constitute a violation of this chapter if  
22 the operator has the permit, or an authenticated copy of it, in his possession.

23 (9) Any person transporting a parade float which exceeds the dimensional limits on a  
24 highway over which it is transported shall be required to obtain a permit as required  
25 in subsection (2) of this section. If the float is being used in conjunction with a  
26 parade to be held within the boundaries of the Commonwealth, a fee shall not be  
27 assessed by the department to issue the permit.

1 (10) A person shall not operate any vehicle in violation of the terms of the permit issued  
2 under this section.

3 (11) (a) The cabinet shall not promulgate administrative regulations pursuant to this  
4 section that restrict the time or days of the week when a permit holder may  
5 operate on the highway, except that travel may be limited from 6 a.m. to 9  
6 a.m. and 3 p.m. to 6 p.m. Monday through Friday. In addition to the  
7 restrictions established in this paragraph, any manufactured home being  
8 transported by permit issued under this section shall not travel on any highway  
9 after daylight hours Monday through Saturday, or at any time on Sunday.

10 (b) The cabinet shall allow a permit holder who has obtained a permit to transport  
11 equipment to a work site to return to the permit holder's place of business  
12 immediately after work is completed at the job site, subject to the limitations  
13 of paragraph (a) of this subsection.

14 (c) The cabinet shall not promulgate administrative regulations pursuant to this  
15 section setting forth escort vehicle requirements for overdimensional farm  
16 implements or vehicles towing overdimensional farm implements that are  
17 more stringent than the following:

18 1. For a single vehicle and load in excess of twelve (12) feet in width being  
19 operated on a two (2) lane highway, no more than one (1) lead vehicle  
20 shall be required;

21 2. For a single vehicle and load in excess of twelve (12) feet in width being  
22 operated on a four (4) lane highway, no more than one (1) trail vehicle  
23 shall be required;

24 3. For a single vehicle and load in excess of eighty-five (85) feet in length  
25 being operated on a two (2) lane highway, no more than one (1) lead  
26 vehicle shall be required;

27 4. For more than one (1) vehicle and load in excess of twelve (12) feet in

1 width or eighty-five (85) feet in length being operated as a convoy on a  
 2 two (2) lane highway, no more than one (1) lead vehicle shall be  
 3 required;

4 5. A lead escort vehicle on a two (2) lane highway under this paragraph  
 5 may also serve as a tow vehicle;

6 6. Any distance for lead or trail escort vehicles shall contain provisions  
 7 allowing for a variance from that distance due to safety or road  
 8 conditions; and

9 7. A vehicle or its escort shall be required to bear a sign declaring that the  
 10 vehicle is oversized or be required to use lights, flashers, or flags, but a  
 11 vehicle or its escort shall not be required to do both.

12 ➔SECTION 22. A NEW SECTION OF KRS CHAPTER 174 IS CREATED TO  
 13 READ AS FOLLOWS:

14 **(1) There is hereby established in the State Treasury a trust and agency account to be**  
 15 **known as the multimodal transportation fund. The fund shall consist of moneys**  
 16 **received from state appropriations, gifts, grants, and federal funds.**

17 **(2) The fund shall be administered by the Transportation Cabinet.**

18 **(3) Amounts deposited in the fund shall be used for the following purposes and for**  
 19 **no other purposes:**

20 **(a) To provide assistance to transit programs in the state by helping to offset the**  
 21 **loss of toll credits;**

22 **(b) To make improvements and correct issues at rail crossings that impact the**  
 23 **safe movement of people and goods;**

24 **(c) To maintain and improve Kentucky's riverports; and**

25 **(d) To maintain and improve Kentucky's general aviation airports.**

26 **(4) Notwithstanding KRS 45.229, fund amounts not expended at the close of a fiscal**  
 27 **year shall not lapse but shall be carried forward into the next fiscal year.**

1 (5) Any interest earnings of the fund shall become part of the fund and shall not  
 2 lapse.

3 (6) Moneys deposited into this fund are hereby appropriated for the purposes set  
 4 forth in this section and shall not be appropriated or transferred by the General  
 5 Assembly for any other purpose.

6 ➔Section 23. KRS 177.320 is amended to read as follows:

7 (1) Twenty-two and two-tenths percent (22.2%) of all funds arising from the imposition  
 8 of taxes provided by KRS 138.220(1) and (2), 138.660(1) and (2) and 234.320 shall  
 9 be set aside for the construction, reconstruction and maintenance of secondary and  
 10 rural roads and for no other purpose, and shall be expended for said purposes by the  
 11 Transportation Cabinet of the Commonwealth of Kentucky according to the terms  
 12 and conditions prescribed in KRS 177.330 to 177.360.

13 (2) (a) In any fiscal year in which the amount of funds available for revenue  
 14 sharing arising from the implementation of taxes provided by subsections  
 15 (1) and (2) of Section 2 of this Act, KRS 138.660(1) and (2), and KRS  
 16 234.320 is less than or equal to seven hundred sixty million dollars  
 17 (\$760,000,000)~~[On or after July 1, 1980]~~, eighteen and three-tenths percent  
 18 (18.3%) of those~~[all]~~ funds~~[arising from the imposition of taxes provided by~~  
 19 ~~KRS 138.220(1) and (2), 138.660(1) and (2), and 234.320]~~ shall be set aside  
 20 for the construction, reconstruction and maintenance of county roads and  
 21 bridges provided by KRS 179.410 and 179.415.

22 (b) In any fiscal year in which the amount of funds available for revenue  
 23 sharing arising from the implementation of taxes provided by subsections  
 24 (1) and (2) of Section 2 of this Act, KRS 138.660(1) and (2), and KRS  
 25 234.320 is greater than seven hundred sixty million dollars (\$760,000,000),  
 26 the following amounts shall be set aside for the construction,  
 27 reconstruction, and maintenance of county roads and bridges provided by



1                    **KRS 179.410 and 179.415:**

2                    **1. One hundred thirty-nine million eighty thousand dollars**  
 3                    **(\$139,080,000); and**

4                    **2. Thirteen percent (13%) of those funds in excess of seven hundred sixty**  
 5                    **million dollars (\$760,000,000).**

6 (3) All funds set aside in subsection (2) of this section for the construction,  
 7 reconstruction and maintenance of county roads and bridges shall be allocated to the  
 8 county in accordance with the formula established in KRS 177.360(1) pursuant to  
 9 KRS 179.410.

10 (4) ~~On or after July 1, 1986,~~ One-tenth of one percent (0.1%) of all funds arising from  
 11 the imposition of taxes provided by KRS 138.220(1) and (2), 138.660 and 234.320  
 12 shall be set aside for the purposes and functions of the Kentucky Transportation  
 13 Center as established by KRS 177.375 to 177.380, except that the receipts provided  
 14 to the center by this subsection shall not exceed one hundred ninety thousand  
 15 dollars (\$190,000) for any fiscal year.

16                    ➔Section 24. KRS 177.365 is amended to read as follows:

17 (1) **(a) In any fiscal year in which the amount of funds available for revenue**  
 18 **sharing arising from the implementation of taxes provided by subsections**  
 19 **(1) and (2) of Section 2 of this Act, KRS 138.660(1) and (2), and KRS**  
 20 **234.320 is less than or equal to seven hundred sixty million dollars**  
 21 **(\$760,000,000)**~~On and after July 1, 1980~~, seven and seven-tenths percent  
 22 (7.7%) of **those funds**~~all amounts received from the imposition of the taxes~~  
 23 ~~provided for in KRS 138.220(1) and (2), 138.660(1) and (2) and 234.320~~  
 24 shall be set aside by the Finance and Administration Cabinet for the  
 25 construction, reconstruction and maintenance of urban roads and streets and  
 26 for no other purpose.

27 **(b) In any fiscal year in which the amount of funds available for revenue**

1           sharing arising from the implementation of taxes provided by subsections  
 2           (1) and (2) of Section 2 of this Act, KRS 138.660(1) and (2), and KRS  
 3           234.320 is greater than seven hundred sixty million dollars (\$760,000,000),  
 4           the following amounts shall be set aside by the Finance and Administration  
 5           Cabinet for the construction, reconstruction, and maintenance of urban  
 6           roads and streets and for no other purpose:

7           1. Fifty-eight million five hundred twenty thousand dollars  
 8           (\$58,520,000); and  
 9           2. Thirteen percent (13%) of those funds in excess of seven hundred sixty  
 10           million dollars (\$760,000,000).

11 (2) As used in this section unless the context requires otherwise "construction,"  
 12 "reconstruction," and "maintenance" mean the supervising, inspecting, actual  
 13 building, and all expenses incidental to the construction, reconstruction, or  
 14 maintenance of a road or street, including planning, locating, surveying, and  
 15 mapping or preparing roadway plans, acquisition of rights-of-way, relocation of  
 16 utilities, lighting and the elimination of other hazards such as roadway grade  
 17 crossings, and all other items defined in the Department of Highways, design,  
 18 operations, and construction manuals.

19 (3) "Urban roads" mean all public ways lying within the limits of the unincorporated  
 20 urban place as defined in KRS 81.015, and as described by the Bureau of Census  
 21 tracts.

22 (4) "Streets" mean all public ways which have been designated by the incorporated city  
 23 as being city streets and said streets lying within the boundaries of an incorporated  
 24 city.

25 ➔Section 25. Sections 1 to 3, 23, and 24 of this Act take effect July 1, 2019.

26 ➔Section 26. Sections 4, 5, and 7 to 17 of this Act take effect January 1, 2020.