

1 AN ACT relating to motor vehicle insurance.

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

3 ➔Section 1. KRS 304.99-060 is amended to read as follows:

- 4 (1) (a) The owner of any vehicle who fails to have in full force and effect the security  
5 required by Subtitle 39 of this chapter shall:
- 6 1. Be fined not less than five hundred dollars (\$500) nor more than one  
7 thousand dollars (\$1,000), or sentenced to not more than ninety (90)  
8 days in jail, or both;
  - 9 2. Have the registration of the motor vehicle revoked and the license plates  
10 of the vehicle suspended for a period of one (1) year or until such time  
11 as proof, in a form satisfactory to the commissioner, is furnished that the  
12 security is then and will remain in effect; and
  - 13 3. For the second and each subsequent offense within any five (5) year  
14 period, have his or her operator's license revoked in accordance with  
15 KRS 186.560, and may be sentenced to one hundred and eighty (180)  
16 days in jail, or fined not less than one thousand dollars (\$1,000) nor  
17 more than two thousand five hundred dollars (\$2,500), or both.
- 18 (b) Penalties under paragraph (a) of this subsection for the first offense are subject  
19 to conditional discharge, suspension, or other forms of reduction of penalty by  
20 judicial discretion upon production of proof of security.
- 21 (c) For the second and each subsequent offense, minimum fines, suspensions, and  
22 penalties under paragraph (a) of this subsection are subject to conditional  
23 discharge, suspension, or other forms of reduction of penalty, by judicial  
24 discretion only upon production of proof of security and a receipt showing that  
25 a premium for a minimum policy period of six (6) months has been paid.
- 26 (d) Upon expiration of the minimum six (6) month policy period, the court shall  
27 order the vehicle owner to appear before it to verify renewal of the security

1 required by Subtitle 39 of this chapter by production of proof of security and a  
2 receipt showing that a premium for a minimum six (6) month policy period  
3 has been paid.

4 (e) Failure to appear shall result in the suspension of the vehicle owner's  
5 operator's license pursuant to KRS 186.570.

6 (f) Unless uninterrupted coverage is maintained, cancellation or expiration of the  
7 procured security before the end of the minimum six (6) month policy period  
8 shall be a Class B misdemeanor.

9 (g) Unless the requirement of paragraph (d) of this subsection is satisfied, the  
10 court shall revoke any conditional discharge, suspension, or other form of  
11 reduction of penalty granted under paragraph (c) of this subsection.

12 (2) **Except as provided in subsection (3) of this section,** a person who operates a motor  
13 vehicle without security on the motor vehicle as required by Subtitle 39 of this  
14 chapter shall:

15 (a) Be fined not less than five hundred dollars (\$500) nor more than one thousand  
16 dollars (\$1,000) or sentenced to not more than ninety (90) days in jail, or both;  
17 and

18 (b) For the second and each subsequent offense within any five (5) year period,  
19 have his or her operator's license revoked in accordance with KRS 186.560,  
20 and may be sentenced to not more than one hundred eighty (180) days in jail  
21 or fined not less than one thousand dollars (\$1,000) nor more than two  
22 thousand five hundred dollars (\$2,500), or both.

23 (3) **(a) If the operator of a motor vehicle without security as required by Subtitle 39**  
24 **of this chapter is a minor who is not the owner of the vehicle, then the**  
25 **operator shall not be charged under subsection (2) of this section.**

26 **(b) The owner of the vehicle being operated under the circumstances described**  
27 **in paragraph (a) of this subsection shall be subject to the penalties outlined**

1                   *in subsection (1) of this section.*

2    (4) If the person who operates a motor vehicle without security on the motor vehicle as  
3       required by Subtitle 39 of this chapter is also the owner of the motor vehicle, the  
4       person shall be subject to penalties under both subsection (1) and subsection (2) of  
5       this section.