

1 AN ACT relating to street-legal special purpose vehicles.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) 1. "Special purpose vehicle" means an all-terrain vehicle, utility terrain*
7 *vehicle, minitruck, pneumatic-tired military vehicle, and full-size*
8 *special purpose-built vehicle, including a vehicle that is self-*
9 *constructed or built by the original equipment manufacturer and a*
10 *vehicle that has been modified.*

11 *2. "Special purpose vehicle" does not include a low-speed vehicle as*
12 *defined in KRS 186.010; and*

13 *(b) 1. "Street-legal special purpose vehicle" means a special purpose vehicle*
14 *that meets the requirements of this section and is equipped with all of*
15 *the following:*

16 *a. One (1) or more headlamps;*

17 *b. One (1) or more tail lamps;*

18 *c. One (1) or more brake lamps;*

19 *d. A trail lamp or other lamp constructed and placed to illuminate*
20 *the registration plate with a white light;*

21 *e. One (1) or more red reflectors on the rear of the vehicle;*

22 *f. An amber electric turn system, one (1) on each side of the front*
23 *of the vehicle;*

24 *g. Amber or red electric turn signals;*

25 *h. A braking system, other than a parking brake;*

26 *i. A horn or other warning device;*

27 *j. A muffler;*

- 1 *k. Rearview mirrors on the right and left side of the driver;*
- 2 *l. A windshield, unless the operator of the vehicle wears eye*
- 3 *protection while operating the vehicle;*
- 4 *m. A speedometer, illuminated for nighttime operation;*
- 5 *n. For vehicles designed by the manufacturer for carrying one (1)*
- 6 *or more passengers, a seat designed for passengers; and*
- 7 *o. Tires that have at least two thirty-seconds (2/32) of an inch or*
- 8 *greater tire tread.*
- 9 *2. "Street-legal special purpose vehicle" does not include a low-speed*
- 10 *vehicle as defined in KRS 186.010.*
- 11 *(2) A person shall not operate a street-legal special purpose vehicle on a highway if:*
- 12 *(a) The highway is a controlled-access system, including but not limited to an*
- 13 *interstate or parkway; or*
- 14 *(b) A city, county, or the Department for Natural Resources prohibits special*
- 15 *purpose vehicles where the highway is located.*
- 16 *(3) Nothing in this section authorizes the operation of a street-legal special purpose*
- 17 *vehicle in an area that is not open to motor vehicle use.*
- 18 *(4) Street-legal special purpose vehicles are prohibited from traveling a distance*
- 19 *greater than twenty (20) miles on a highway displaying centerline pavement*
- 20 *markings.*
- 21 *(5) Minitrucks shall not be operated as street-legal special purpose vehicles on a*
- 22 *highway that has been constructed pursuant to a federal highway program.*
- 23 *(6) Except as otherwise provided in this section, a street-legal special purpose vehicle*
- 24 *shall:*
- 25 *(a) Be registered in accordance with Section 2 of this Act;*
- 26 *(b) Be insured in compliance with KRS 304.39-080; and*
- 27 *(c) Comply with all other requirements in this chapter.*

1 (7) Upon registration of any street-legal special purpose vehicle under this section,
2 the county clerk shall issue the owner a standard motorcycle registration plate for
3 the vehicle.

4 (8) The Transportation Cabinet shall promulgate administrative regulations in
5 accordance with KRS Chapter 13A to implement this section.

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

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

- 22 (a) A bill of sale and a manufacturer's certificate of origin if the application is for
23 the registration of a new motor vehicle;
- 24 (b) The owner's registration receipt, if the motor vehicle was last registered in this
25 state;
- 26 (c) A bill of sale and the previous registration receipt, if last registered in another
27 state where the law of that state does not require the owner of a motor vehicle

- 1 to obtain a certificate of title or ownership;
- 2 (d) A certificate of title, if last registered in another state where the law of that
3 state requires the owner of a motor vehicle to obtain a certificate of title or
4 ownership;
- 5 (e) An affidavit from an officer of a local government saying that the motor
6 vehicle has been abandoned and that the provisions of KRS 82.630 have been
7 complied with, for local governments which elect to use the provisions of
8 KRS 82.600 to 82.640; and
- 9 (f) The application from a person who has brought a motor vehicle into the
10 Commonwealth from another state shall be accompanied by proof that the
11 motor vehicle is insured in compliance with KRS 304.39-080.
- 12 (2) After that, except as provided in subsection (6) of this section, the owner of any
13 motor vehicle registered under KRS 186.050(1) or (2) shall register his or her motor
14 vehicle on or before the date on which his or her certificate of registration expires.
15 If, before operating the motor vehicle in this state, the owner registers it at some
16 later date and pays the fee for the full year, he or she will be deemed to have
17 complied with the law. Insofar as the owner is concerned, registration with the clerk
18 shall be deemed to be registration with the cabinet.
- 19 (3) After that, the owner of any commercial vehicle registered under KRS 186.050(3)
20 to (14) shall register the commercial vehicle on or before April 1 of each year. If,
21 before operating a commercial vehicle in this state, the owner registers it at some
22 later date and pays the required fee, he or she will be deemed to have complied with
23 the law. Insofar as the owner is concerned, registration with the clerk shall be
24 deemed to be registration with the cabinet, except the owner of any commercial
25 motor vehicle to be registered pursuant to the International Registration Plan under
26 KRS 186.050(13) shall register the commercial motor vehicles on or before the last
27 day of the month of registration established pursuant to KRS 186.051(3).

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

1 vehicle, the county clerk shall, when applicable, treat the registration as a
 2 prorated renewal under KRS 186.051, and charge the individual a registration
 3 fee only for the number of months of the registration year the vehicle will be
 4 used on the public highways.

5 (7) The provisions of this section shall not apply to vehicles for which permanent
 6 registration has been obtained pursuant to KRS 186A.127.

7 ➔Section 3. KRS 186.050 is amended to read as follows:

8 (1) The annual registration fee shall be eleven dollars and fifty cents (\$11.50) for:

- 9 (a) Motor vehicles, including pickup trucks and passenger vans; and
- 10 (b) Motor carrier vehicles, as defined in KRS 281.010, primarily designed for
 11 carrying passengers or passengers for hire and having been designed or
 12 constructed to transport not more than fifteen (15) passengers, including the
 13 operator.

14 (2) (a) Except as provided in KRS 186.041 and 186.162, the annual registration fee
 15 for each motorcycle shall be nine dollars (\$9); ***and***

16 ***(b) The annual registration fee for a street-legal special purpose vehicle shall***
 17 ***be nine (\$9) dollars.***

18 (3) (a) All motor vehicles having a declared gross weight of vehicle and any towed
 19 unit of more than ten thousand (10,000) pounds are classified as commercial
 20 vehicles and the annual registration fee shall be as set forth in paragraph (b) of
 21 this subsection.

22 (b) The registration fee for all motor vehicles engaged in hauling passengers for
 23 hire which are designed or constructed to transport more than fifteen (15)
 24 passengers including the operator shall be one hundred dollars (\$100). The
 25 registration fee for all other commercial vehicles, except as provided in
 26 subsections (4) to (10) and (13) of this section, shall be as follows:

| | |
|---|--------------|
| 27 Declared Gross Weight of Vehicle | Registration |
|---|--------------|

| 1 | and Any Towed Unit | Fee |
|----|--------------------|----------|
| 2 | 10,001-14,000 | 30.00 |
| 3 | 14,001-18,000 | 50.00 |
| 4 | 18,001-22,000 | 132.00 |
| 5 | 22,001-26,000 | 160.00 |
| 6 | 26,001-32,000 | 216.00 |
| 7 | 32,001-38,000 | 300.00 |
| 8 | 38,001-44,000 | 474.00 |
| 9 | 44,001-55,000 | 699.00 |
| 10 | 55,001-62,000 | 1,037.00 |
| 11 | 62,001-73,280 | 1,280.00 |
| 12 | 73,281-80,000 | 1,440.00 |

- 13 (4) (a) 1. Any farmer owning a truck having a gross weight of twenty-six
14 thousand (26,000) pounds or less may have it registered as a farmer's
15 truck and obtain a license for eleven dollars and fifty cents (\$11.50). The
16 applicant's signature upon the certificate of registration and ownership
17 shall constitute a certificate that the applicant is a farmer engaged in the
18 production of crops, livestock, or dairy products, that the applicant owns
19 a truck of the gross weight of twenty-six thousand (26,000) pounds or
20 less, and that during the next twelve (12) months the truck shall not be
21 used in for-hire transportation and may be used in transporting persons,
22 food, provender, feed, machinery, livestock, material, and supplies
23 necessary for the applicant's farming operation, and the products grown
24 on the applicant's farm.
- 25 2. Any farmer owning a truck having a gross weight of twenty-six
26 thousand one (26,001) pounds to thirty-eight thousand (38,000) pounds
27 may have it registered as a farmer's truck and obtain a license for eleven

1 dollars and fifty cents (\$11.50). The applicant's signature upon the
2 certificate of registration and ownership shall constitute a certificate that
3 the applicant is a farmer engaged in the production of crops, livestock,
4 or dairy products, that the applicant owns a truck of the gross weight
5 between twenty-six thousand one (26,001) pounds and thirty-eight
6 thousand (38,000) pounds, and that during the next twelve (12) months
7 the truck shall not be used in for-hire transportation and may be used in
8 transporting persons, food, provender, feed, machinery, livestock,
9 material, and supplies necessary for the applicant's farming operation
10 and the products grown on the applicant's farm.

11 (b) Any farmer owning a truck having a declared gross weight in excess of thirty-
12 eight thousand (38,000) pounds shall not be required to pay the fee set out in
13 subsection (3) of this section and, in lieu thereof, shall pay forty percent
14 (40%) of the fee set out in subsection (3) of this section and shall be exempt
15 from any fee charged under the provisions of KRS 281.752. The applicant's
16 signature upon the registration receipt shall be considered to be a certification
17 that the applicant is a farmer engaged solely in the production of crops,
18 livestock, or dairy products, and that during the current registration year the
19 truck will be used only in transporting persons, food, provender, feed, and
20 machinery used in operating the applicant's farm and the products grown on
21 the applicant's farm.

22 (c) An initial applicant for, or an applicant renewing, his or her registration
23 pursuant to this subsection, may at the time of application make a voluntary
24 contribution to be deposited into the agricultural program trust fund
25 established in KRS 246.247. The recommended voluntary contribution shall
26 be set at ten dollars (\$10) and automatically added to the cost of registration
27 or renewal unless the individual registering or renewing the vehicle opts out

1 of contributing the recommended amount. The county clerk shall collect and
2 forward the voluntary contribution to the cabinet for distribution to the
3 Department of Agriculture.

4 (5) Any person owning a bus used solely in transporting school children and school
5 employees may have the bus registered as a school bus and obtain a license for
6 eleven dollars and fifty cents (\$11.50) by filing with the county clerk, in addition to
7 other information required, an affidavit stating that the bus is used solely in the
8 transportation of school children and persons employed in the schools of the
9 district, that the words "School Bus" are printed on each side of the bus and on the
10 rear door in letters at least six (6) inches high, and of a conspicuous color, and the
11 bus will be used during the next twelve (12) months only for the purpose stated.

12 (6) Any church or religious organization owning a bus used solely in transporting
13 persons to and from a place of worship or for other religious work may have the bus
14 registered as a church bus and obtain a license for eleven dollars and fifty cents
15 (\$11.50) by filing with the county clerk, in addition to other information required,
16 an affidavit stating that the bus will be used only for the transporting of persons to
17 and from a place of worship, or for other religious work, and that there has been
18 printed on the bus in large letters the words "Church Bus," with the name of the
19 church or religious organization owning and using the or bus, and that during the
20 next twelve (12) months the bus will be used only for the purpose stated.

21 (7) Any person owning a motor vehicle with a gross weight of fourteen thousand
22 (14,000) pounds or less on which a wrecker crane or other equipment suitable for
23 wrecker service has been permanently mounted may register the vehicle and obtain
24 a license for eleven dollars and fifty cents (\$11.50) by filing with the county clerk,
25 in addition to other information required, an affidavit that a wrecker crane or other
26 equipment suitable for wrecker service has been permanently mounted on the
27 vehicle and that during the next twelve (12) months the vehicle will be used only in

1 wrecker service. If the gross weight of the vehicle exceeds fourteen thousand
2 (14,000) pounds, the vehicle shall be registered in accordance with subsection (3) of
3 this section. The gross weight of a vehicle used in wrecker service shall not include
4 the weight of the vehicle being towed by the wrecker.

5 (8) Motor vehicles having a declared gross weight in excess of eighteen thousand
6 (18,000) pounds, which when operated in this state are used exclusively for the
7 transportation of property within the limits of the city named in the affidavit
8 hereinafter required to be filed, or within ten (10) miles of the city limits of the city
9 if it is a city with a population equal to or greater than three thousand (3,000) based
10 upon the most recent federal decennial census, or within five (5) miles of its limits
11 if it is a city with a population of less than three thousand (3,000) based upon the
12 most recent federal decennial census, or anywhere within a county containing an
13 urban-county government, shall not be required to pay the fee as set out in
14 subsection (3) of this section, and in lieu thereof shall pay seventy-five percent
15 (75%) of the fee set forth in subsection (3) of this section and shall be exempt from
16 any fee charged under the provisions of KRS 281.752. Nothing in this section shall
17 be construed to limit any right of nonresidents to exemption from registration under
18 any other provisions of the laws granting reciprocity to nonresidents. Operations
19 outside of this state shall not be considered in determining whether or not the
20 foregoing mileage limitations have been observed. When claiming the right to the
21 reduced fee, the applicant's signature on the certificate of registration and
22 ownership shall constitute a certification or affidavit stating that the motor vehicle
23 when used within this state is used only for the transportation of property within the
24 city to be named in the affidavit and the area above set out and that the vehicle will
25 not be used outside of a city and the area above set out during the current
26 registration period.

27 (9) Motor vehicles having a declared gross weight in excess of eighteen thousand

1 (18,000) pounds, which are used exclusively for the transportation of primary forest
2 products from the harvest area to a mill or other processing facility, where the mill
3 or processing facility is located at a point not more than fifty (50) air miles from the
4 harvest area or which are used exclusively for the transportation of concrete blocks
5 or ready-mixed concrete from the point at which the concrete blocks or ready-
6 mixed concrete is produced to a construction site where the concrete blocks or
7 ready-mixed concrete is to be used, where the construction site is located at a point
8 not more than thirty (30) air miles from the point at which the concrete blocks or
9 ready-mixed concrete is produced shall not be required to pay the fee as set out in
10 subsection (3) of this section, and in lieu thereof, shall pay seventy-five percent
11 (75%) of the fee set out in subsection (3) of this section and shall be exempt from
12 any fee charged under the provisions of KRS 281.752. The applicant's signature
13 upon the certificate of registration and ownership shall constitute a certification that
14 the motor vehicle will not be used during the current registration period in any
15 manner other than that for which the reduced fee is provided in this section.

16 (10) Any owner of a commercial vehicle registered for a declared gross weight in excess
17 of eighteen thousand (18,000) pounds, intending to transfer same and desiring to
18 take advantage of the refund provisions of KRS 186.056(2), may reregister the
19 vehicle and obtain a "For Sale" certificate of registration and ownership for one
20 dollar (\$1). Title to a vehicle so registered may be transferred, but the registration
21 shall not authorize the operation or use of the vehicle on any public highway. No
22 refund may be made under the provisions of KRS 186.056(2) until the title to the
23 vehicle has been transferred to the purchaser thereof. Provided, however, that
24 nothing herein shall be so construed as to prevent the seller of a commercial vehicle
25 from transferring the registration of the vehicle to any purchaser thereof.

26 (11) The annual registration fee for self-propelled vehicles containing sleeping or eating
27 facilities shall be twenty dollars (\$20) and the multiyear license plate issued shall be

1 designated "Recreational vehicle." The foregoing shall not include any motor
2 vehicle primarily designed for commercial or farm use having temporarily attached
3 thereto any sleeping or eating facilities, or any commercial vehicle having sleeping
4 facilities.

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

7 (13) (a) The Department of Vehicle Regulation is authorized to negotiate and execute
8 an agreement or agreements for the purpose of developing and instituting
9 proportional registration of motor vehicles engaged in interstate commerce, or
10 in a combination of interstate and intrastate commerce, and operating into,
11 through, or within the Commonwealth of Kentucky. The agreement or
12 agreements may be made on a basis commensurate with, and determined by,
13 the miles traveled on, and use made of, the highways of this Commonwealth
14 as compared with the miles traveled on and use made of highways of other
15 states, or upon any other equitable basis of proportional registration.
16 Notwithstanding the provisions of KRS 186.020, the cabinet shall promulgate
17 administrative regulations concerning the registration of motor vehicles under
18 any agreement or agreements made under this section and shall provide for
19 direct issuance by it of evidence of payment of any registration fee required
20 under the agreement or agreements. Any proportional registration fee required
21 to be collected under any proportional registration agreement or agreements
22 shall be in accordance with the taxes established in this section.

23 (b) Any owner of a commercial vehicle who is required to title his or her motor
24 vehicle under this section shall first title the vehicle with the county clerk
25 pursuant to KRS 186.020 for a state fee of one dollar (\$1). Title to the vehicle
26 may be transferred; however title without proper registration shall not
27 authorize the operation or use of the vehicle on any public highway. Any

1 commercial vehicle properly titled in Kentucky may also be registered in
2 Kentucky, and, upon payment of the required fees, the department may issue
3 an apportioned registration plate to the commercial vehicle.

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

10 (14) Any person seeking to obtain a special license plate for an automobile that has been
11 provided to the applicant pursuant to an occupation shall meet both of the following
12 requirements:

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

15 (b) The applicant shall obtain permission in writing from the vehicle owner or
16 lessee on a form provided by the cabinet to use the vehicle and for the vehicle
17 to bear the special license plate.

18 (15) An applicant for any motor vehicle registration issued pursuant to this section shall
19 have the opportunity to make a donation of two dollars (\$2) to promote a hunger
20 relief program through specific wildlife management and conservation efforts by
21 the Department of Fish and Wildlife Resources in accordance with KRS 150.015. If
22 an applicant elects to make a contribution under this subsection, the two dollar (\$2)
23 donation shall be added to the regular fee for any motor vehicle registration issued
24 pursuant to this section. One (1) donation may be made per issuance of each
25 registration. The fee shall be paid to the county clerk and shall be transmitted by the
26 State Treasurer to the Department of Fish and Wildlife Resources to be used
27 exclusively for the purpose of wildlife management and conservation activities in

1 support of hunger relief. The county clerk may retain up to five percent (5%) of the
2 fees collected under this subsection for administrative costs associated with the
3 collection of this donation. Any donation requested under this subsection shall be
4 voluntary and may be refused by the applicant at the time of issuance or renewal of
5 a license plate.

6 (16) In addition to the fees outlined in this section, the county clerk shall collect from the
7 registrants of electric vehicles and electric motorcycles the electric vehicle
8 ownership fees imposed in KRS 138.475. The county clerk may retain one dollar
9 (\$1) of the fee collected under this subsection.