

## CHAPTER 45

## ( HB 375 )

AN ACT relating to motor vehicles and declaring an emergency.

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

➔Section 1. KRS 186A.035 is amended to read as follows:

- (1) All motor vehicles, including motorcycles, with a gross vehicular weight of *ten thousand (10,000)*~~{six thousand (6,000)}~~ pounds or less, first registered, or for which the registration is renewed~~{ in this state on or after January 1, 1983}~~, shall be placed in a system of year-round registration based upon the birth ~~date~~~~{month}~~ of the owner, in order to distribute the work of registering motor vehicles as uniformly as practicable throughout the twelve (12) months of the year.
- (2) (a) If the owner of a motor vehicle is other than an individual, the month in which the owning entity came into being shall be used for purposes of this section.
- (b) *Except for motor vehicles jointly owned by spouses under paragraph (c) of this subsection*, if a motor vehicle is jointly owned:~~{}~~
  1. *One (1) of the owners, who is a resident of Kentucky*, shall *be identified as the designated owner*;
  2. *The designated owner shall indicate to the county clerk his or her*~~{the}~~ birth ~~date~~~~{month of one (1) of them}~~ to be used for purposes of this section; *and*
  3. *If the circumstances of ownership change and the designated owner is no longer an owner of the motor vehicle or no longer a resident of Kentucky, another owner may title the motor vehicle in his or her name if that owner is a resident of Kentucky. If none of the remaining owners are a resident of Kentucky, one (1) of the owners shall title the vehicle in that owner's state of residence.*
- (c) ~~{In addition,}~~ If a motor vehicle is jointly owned by a *married couple*~~{husband and wife}~~, the ownership shall exist as a joint tenancy with right of survivorship, unless the registration expressly states to the contrary and gives an alternative specific status. *One (1) of the owners shall indicate to the county clerk his or her birth date to be used for purposes of this section.* Upon the death of one (1) of the spouses, the jointly-owned vehicle shall transfer to the surviving spouse free from payment of any state-required ~~transfer~~~~{transferal}~~ fees.
- (3) The certificate of registration and license plate issued for a motor vehicle first registered, renewed, or titled in this state~~{ on or after January 1, 1983}~~ shall be valid *until the expiration date on the registration receipt*, unless revoked in accordance with KRS 186A.040 or canceled by the cabinet in accordance with KRS Chapter 186 or this chapter~~{, upon payment of the required fee, for a period beginning on the first day of the month of the year in which registration is applied for, and expiring on the last day of the next birth month of the owner following the month during which registration is applied for. Upon the owner's request, and after payment of the proper prorated fee, an owner may obtain a certificate of registration and license plate valid through the last day of his second birth month following the month and year in which he applied for a certificate of registration}~~. Any transaction relating to registration or registration renewal which would cause an unexpired Kentucky motor vehicle license plate to be surrendered shall have that unexpired fee prorated or credited against any additional fee required by a subsequent registration.
- (4) After a motor vehicle has been initially placed in the system of year-round registration, the owner shall renew the registration annually during the owner's birth month, *either* by making application to the county clerk *or on the cabinet's website*, and paying the fee required for twelve (12) consecutive months of registration, which shall take effect on the first day of the month succeeding the owner's birth month and shall expire on the last day of the owner's next birth month. The county clerk shall be entitled to a registration fee of two dollars (\$2) for each registration, or if the registration exceeds a twelve (12) month period, the clerk shall receive a fee of three dollars (\$3).
- (5) At least forty-five (45) days prior to the expiration of the registration of any motor vehicle previously registered in the Commonwealth as provided by subsection (1) of this section, the owner of the vehicle shall be

notified by mail *or email* on the same notice required by KRS 134.805(5) of the date of expiration. Nonreceipt of the notice required by this subsection shall not constitute a defense to any registration-related offense.

- (6) Any owner who fails to renew the registration of a motor vehicle during the month in which the previous registration expired shall, if he *or she* applies for renewal of the registration in some later month, pay the same fees that would have been required if the registration had been renewed in the month which the previous registration expired.
- (7) Fees which must be prorated in carrying out the intent of this section shall be prorated on the basis of twelfths of the annual registration fee. Any vehicle which is registered at any time during a month shall pay the fee required for that whole month plus any additional months of registration purchased consistent with the intent of the section.
- (8) The county clerk shall ensure that the certificate of registration issued to an owner displays the month and year in which the registration period begins and the month and year of its expiration, and shall issue to the owner a decal or decals corresponding to the month and year of expiration shown in the certificate of registration which shall be placed upon the corresponding license plate by the owner in the manner required by administrative regulations of the Department of Vehicle Regulation.

➔Section 2. KRS 186A.060 is amended to read as follows:

- (1) The Department of Vehicle Regulation is directed to develop, in cooperation with county clerks, auto dealers, and the Department of Revenue, Department of Insurance, and Department of Kentucky State Police, the forms required to record all information pertinent to the registration, titling, and taxation of a vehicle.
- (2) The Department of Vehicle Regulation shall make every effort to minimize and reduce the amount of paperwork required to apply for, or transfer, a vehicle title. When possible, the title document itself shall be used as the primary form used to effect a transfer of vehicle ownership. The title document shall contain space exclusively reserved for a minimum of two (2) dealer assignments.
- (3) When no in-state title exists, forms shall be designed by the department that require only the appropriate and essential information to effect the application for title.
- (4)
  - (a) The department shall constantly review the information needs of government agencies and other organizations with the goal of reducing or eliminating unnecessary documentation. Information being sought for application for title relevant to, but not limited to, vehicle identification, owner, buyer, usage tax, county clerk, or inspector shall be set forth by the cabinet in such a way as to promote flexibility in reaching this goal.
  - (b) *Subject to the limitations of paragraph (c) of this subsection*, an applicant for a motor vehicle title shall be required to provide his or her Kentucky operator's license number, Kentucky personal identification card number, or Social Security number as part of the application process.
  - (c) *If a motor vehicle is jointly owned, one (1) of the owners, who is a resident of Kentucky, shall be identified as the designated owner, and only the designated owner shall be required to provide his or her Kentucky operator's license number, Kentucky personal identification card number, or Social Security number as part of the application process.*
  - (d) Any vehicle owned by a business that is licensed by the Secretary of State shall be titled using a Federal Employer Identification Number.
- (5) The use of an electronic medium shall be employed so that forms can be printed by the automated system. Existing statutory language in this chapter and KRS Chapter 186 pertaining to application, signature, forms, or application transfer record may be construed to be electronic in nature at the discretion of the cabinet as provided for by administrative regulation.
- (6) Any person who knowingly enters, or attests to the entry of, false or erroneous information in pursuit of a certificate of title shall be guilty of forgery in the second degree.

➔Section 3. Whereas, the law currently restricts the ability of many motor vehicle owners from properly registering their vehicles in the Commonwealth, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

**Signed by Governor April 4, 2024.**

