

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

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 shall be given to all licensed
24 dealers; and

25 (b) The fees established in Section 4 of this Act shall be given to all county
26 clerks~~[at least twenty (20) days in advance of the first day of each calendar~~
27 ~~quarter].~~

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

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

8 *The department shall calculate the supplemental highway user motor fuel tax as*
9 *follows:*

10 *(1) For the fiscal year beginning on July 1, 2018, and ending June 30, 2019, the*
11 *supplemental highway user motor fuel tax shall be the minimum rate identified*
12 *in subsection (2)(b) of Section 2 of this Act; and*

13 *(2) (a) For fiscal years beginning on or after July 1, 2019, the supplemental*
14 *highway user motor fuel tax shall be adjusted annually to the nearest one–*
15 *tenth of one cent (\$0.001), as provided in this subsection, and shall be*
16 *effective on the first day of the fiscal year.*

17 *(b) On or before June 1, 2019, and on or before each June 1 thereafter, the*
18 *department shall compare the most current quarterly National Highway*
19 *Construction Cost Index (NHCCI) value and determine the percentage*
20 *change in relation to the NHCCI value from the same quarter for the*
21 *previous year.*

22 *(c) 1. The supplemental highway user motor fuel tax on July 1, 2019, and*
23 *on July 1 of each fiscal year thereafter, shall be adjusted by the*
24 *change in the NHCCI determined by paragraph (b) of this subsection,*
25 *unless the change is:*

26 *a. Greater than a ten percent (10%) increase, in which case the*
27 *supplemental highway user motor fuel tax shall be one hundred*

1 and ten percent (110%) of the supplemental highway user motor
 2 fuel tax in effect at the close of the previous fiscal year; or
 3 b. Greater than a ten percent (10%) decrease, in which case the
 4 supplemental highway user motor fuel tax shall be ninety
 5 percent (90%) of the supplemental highway user motor fuel tax
 6 in effect at the close of the previous fiscal year.

7 2. Notwithstanding subparagraph 1. of this paragraph, the supplemental
 8 highway user motor fuel tax shall not be less than the minimum rate
 9 identified in subsection (2)(b) of Section 2 of this Act.

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

12 (1) At the time of initial registration, and each year upon annual vehicle registration
 13 renewal under Section 8 of this Act, the county clerk shall collect from the
 14 registrant the base fee for highway usage established under subsection (2) of this
 15 section, as adjusted by the calculations in subsection (3) of this section.

16 (2) The base floor for vehicle fees in this section shall be as follows:

17 (a) Fifty dollars (\$50) for hybrid vehicles;

18 (b) One hundred dollars (\$100) for hybrid electric plug-in vehicles; and

19 (c) One hundred fifty dollars (\$150) for nonhybrid electric vehicles.

20 (3) The Department of Revenue shall adjust the fee established in subsection (2) of
 21 this section on the same schedule as the adjustments to the motor fuels tax under
 22 KRS 138.228 and Section 3 of this Act, in the following manner:

23 (a) For each two-tenths of one cent (\$0.002) increase in the tax on motor fuels
 24 imposed by Section 3 of this Act, the fee outlined in this section shall
 25 increase one dollar (\$1);

26 (b) For each two-tenths of one cent (\$0.002) decrease in the tax on motor fuels
 27 imposed by Section 3 of this Act, the fee outlined in this section shall

- 1 decrease one dollar (\$1); and
 2 (c) Any adjustment of fees under this subsection shall not result in a decrease
 3 below the base fees established in subsection (2) of this section.
 4 (4) All fees collected under this section shall be transferred to the road fund, as
 5 defined in KRS 48.010.

6 ➔Section 5. KRS 186.010 (Effective January 1, 2019) is amended to read as
 7 follows:

8 As used in this chapter, unless otherwise indicated:

- 9 (1) "Cabinet," as used in KRS 186.400 to 186.640, means the Transportation Cabinet;
 10 except as specifically designated, "cabinet," as used in KRS 186.020 to 186.270,
 11 means the Transportation Cabinet only with respect to motor vehicles, other than
 12 commercial vehicles; "cabinet," as used in KRS 186.020 to 186.270, means the
 13 Department of Vehicle Regulation when used with respect to commercial vehicles;
 14 (2) "Highway" means every way or place of whatever nature when any part of it is open
 15 to the use of the public, as a matter of right, license, or privilege, for the purpose of
 16 vehicular traffic;
 17 (3) "Manufacturer" means any person engaged in manufacturing motor vehicles who
 18 will, under normal conditions during the year, manufacture or assemble at least ten
 19 (10) new motor vehicles;
 20 (4) "Motor vehicle" means in KRS 186.020 to 186.260, all vehicles, as defined in
 21 paragraph (a) of subsection (8) of this section, which are propelled otherwise than
 22 by muscular power. As used in KRS 186.400 to 186.640, it means all vehicles, as
 23 defined in paragraph (b) of subsection (8) of this section, which are self-propelled.
 24 "Motor vehicle" shall not include a moped as defined in this section, but for
 25 registration purposes shall include low-speed vehicles and military surplus vehicles
 26 as defined in this section and vehicles operating under KRS 189.283;
 27 (5) "Moped" means either a motorized bicycle whose frame design may include one (1)

1 or more horizontal crossbars supporting a fuel tank so long as it also has pedals, or a
2 motorized bicycle with a step-through type frame which may or may not have
3 pedals rated no more than two (2) brake horsepower, a cylinder capacity not
4 exceeding fifty (50) cubic centimeters, an automatic transmission not requiring
5 clutching or shifting by the operator after the drive system is engaged, and capable
6 of a maximum speed of not more than thirty (30) miles per hour;

7 (6) "Operator" means any person in actual control of a motor vehicle upon a highway;

8 (7) (a) "Owner" means a person who holds the legal title of a vehicle or a person who
9 pursuant to a bona fide sale has received physical possession of the vehicle
10 subject to any applicable security interest.

11 (b) A vehicle is the subject of an agreement for the conditional sale or lease, with
12 the vendee or lessee entitled to possession of the vehicle, upon performance of
13 the contract terms, for a period of three hundred sixty-five (365) days or more
14 and with the right of purchase upon performance of the conditions stated in
15 the agreement and with an immediate right of possession vested in the
16 conditional vendee or lessee, or if a mortgagor of a vehicle is entitled to
17 possession, the conditional vendee or lessee or mortgagor shall be deemed the
18 owner.

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

26 (8) (a) "Vehicle," as used in KRS 186.020 to 186.260, includes all agencies for the
27 transportation of persons or property over or upon the public highways of this

1 Commonwealth and all vehicles passing over or upon said highways,
2 excepting road rollers, road graders, farm tractors, vehicles on which power
3 shovels are mounted, such other construction equipment customarily used
4 only on the site of construction and which is not practical for the
5 transportation of persons or property upon the highways, such vehicles as
6 travel exclusively upon rails, and such vehicles as are propelled by electric
7 power obtained from overhead wires while being operated within any
8 municipality or where said vehicles do not travel more than five (5) miles
9 beyond the city limit of any municipality.

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

15 (9) KRS 186.020 to 186.270 apply to motor vehicle licenses. KRS 186.400 to 186.640
16 apply to operator's licenses;

17 (10) "Dealer" means any person engaging in the business of buying or selling motor
18 vehicles;

19 (11) "Commercial vehicles" means all motor vehicles that are required to be registered
20 under the terms of KRS 186.050, but not including vehicles primarily designed for
21 carrying passengers and having provisions for not more than nine (9) passengers
22 (including driver), motorcycles, sidecar attachments, pickup trucks and passenger
23 vans which are not being used for commercial or business purposes, and motor
24 vehicles registered under KRS 186.060;

25 (12) "Resident" means any person who has established Kentucky as his or her state of
26 domicile. Proof of residency shall include but not be limited to a deed or property
27 tax bill, utility agreement or utility bill, or rental housing agreement. The possession

1 by an operator of a vehicle of a valid Kentucky operator's license shall be prima-
2 facie evidence that the operator is a resident of Kentucky;

3 (13) "Special status individual" means:

4 (a) "Asylee" means any person lawfully present in the United States who
5 possesses an I-94 card issued by the United States Department of Justice,
6 Immigration and Naturalization Service, on which it states "asylum status
7 granted indefinitely pursuant to Section 208 of the Immigration & Nationality
8 Act";

9 (b) "K-1 status" means the status of any person lawfully present in the United
10 States who has been granted permission by the United States Department of
11 Justice, Immigration and Naturalization Service to enter the United States for
12 the purpose of marrying a United States citizen within ninety (90) days from
13 the date of that entry;

14 (c) "Refugee" means any person lawfully present in the United States who
15 possesses an I-94 card issued by the United States Department of Justice,
16 Immigration and Naturalization Service, on which it states "admitted as a
17 refugee pursuant to Section 207 of the Immigration & Nationality Act"; and

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

23 (14) "Instruction permit" includes both motor vehicle instruction permits and motorcycle
24 instruction permits;

25 (15) "Motorcycle" means any motor driven vehicle having a seat or saddle for the use of
26 the operator and designed to travel on not more than three (3) wheels in contact
27 with the ground, including vehicles on which the operator and passengers ride in an

1 enclosed cab. For purposes of registration, "motorcycle" shall include an
2 alternative-speed motorcycle and an autocycle as defined in this section, but shall
3 not include a tractor or a moped as defined in this section;

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

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

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

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

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

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

12 (b) Is three (3) wheeled;

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

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

16 (e) Is not an autocycle as defined in this section;

17 (18) "Multiple-vehicle driving range" means an enclosed area that is not part of a
18 highway or otherwise open to the public on which a number of motor vehicles may
19 be used simultaneously to provide driver training under the supervision of one (1) or
20 more driver training instructors;

21 (19) "Autocycle" means any motor vehicle that:

22 (a) Is equipped with a seat that does not require the operator to straddle or sit
23 astride it;

24 (b) Is designed to travel on three (3) wheels in contact with the ground;

25 (c) Is designed to operate at a speed that exceeds forty (40) miles per hour as
26 certified by the manufacturer;

27 (d) Allows the operator and passenger to ride either side-by-side or in tandem in a

- 1 seating area that may be enclosed with a removable or fixed top;
- 2 (e) Is equipped with a three (3) point safety belt system;
- 3 (f) May be equipped with a manufacturer-installed air bags or a roll cage;
- 4 (g) Is designed to be controlled with a steering wheel and pedals; and
- 5 (h) Is not an alternative-speed motorcycle as defined in this section;
- 6 (20) "Military surplus vehicle" means a multipurpose wheeled surplus military vehicle
- 7 that:
- 8 (a) Is not operated using continuous tracks;
- 9 (b) Was originally manufactured for and sold directly to the Armed Forces of the
- 10 United States; and
- 11 (c) Was originally manufactured under the federally mandated requirements set
- 12 forth in 49 C.F.R. sec. 571.7;
- 13 (21) "Livestock" means cattle, sheep, swine, goats, horses, alpacas, llamas, buffaloes,
- 14 and any other animals of the bovine, ovine, porcine, caprine, equine, or camelid
- 15 species;
- 16 (22) "Identity document" means an instruction permit, operator's license, or personal
- 17 identification card issued under KRS 186.4102, 186.412, 186.4121, 186.4122, and
- 18 186.4123 or a commercial driver's license issued under KRS Chapter 281A;~~and~~
- 19 (23) "Travel ID," as it refers to an identity document, means a document that complies
- 20 with Pub. L. No. 109-13, Title II;
- 21 **(24) "Hybrid vehicle" means a motor vehicle that:**
- 22 **(a) Draws propulsion energy from both an internal combustion engine and an**
- 23 **energy storage device; and**
- 24 **(b) Employs a regenerative braking system to recover waste energy to charge**
- 25 **the energy storage device that is providing propulsion energy;**
- 26 **(25) "Hybrid electric plug-in vehicle" means a motor vehicle that is primarily**
- 27 **propelled by an electric motor that is powered by an energy storage device that is**

1 recharged from an external source, but is powered by a combustion engine that
2 will power the vehicle when the energy storage device that powers the electric
3 motor is low; and

4 (26) "Nonhybrid electric vehicle" means a motor vehicle that is solely propelled by an
5 electric motor.

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

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

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

23 (3) The cabinet shall charge a fee of six dollars (\$6)~~three dollars (\$3)~~ for any driving
24 history record, ten cents (\$0.10) of which shall be deposited in a special account
25 within the road fund to be used exclusively by the Transportation Cabinet for the
26 state driver education program as designated in KRS 186.535.

27 ➔Section 7. KRS 186.040 is amended to read as follows:

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

1 credit of the Cabinet for Health and Family Services for the exclusive use as
2 follows:

3 (a) Funds shall be made available to the agencies that administer child care
4 subsidy funds; and

5 (b) Funds shall be used as determined by the cabinet for working families whose
6 income exceeds the state income eligibility limits for child day care
7 assistance.

8 ~~(5)~~~~(6)~~ Notwithstanding any other provision of law, in addition to the registration fee
9 provided for county clerks in subsection~~[subsections]~~ (1) ~~and (3)~~ of this section,
10 an additional three dollars (\$3) per registration shall be collected by the county clerk
11 at the time of registration. This additional fee shall be distributed as follows:

12 (a) One dollar (\$1) shall be placed in an agency fund to provide additional funds
13 exclusively for technological improvements or replacement of the AVIS
14 system. The operation and maintenance of AVIS shall remain as currently
15 provided for from the operational budget of the Transportation Cabinet and
16 shall not be reduced below the 2005-2006 funding level;

17 (b) One dollar (\$1) shall be placed in an agency trust fund to provide funds
18 exclusively for technological improvements to the hardware and software in
19 county clerk offices related to the collection and administration of road fund
20 taxes. The Transportation Cabinet, in consultation with county clerks, shall
21 allocate funds as necessary from this fund to be used for this exclusive
22 purpose; and

23 (c) One dollar (\$1) shall be placed in a trust fund to be maintained by the
24 Transportation Cabinet to provide an unrestricted revenue supplement, for
25 operations of the office related to the collection and administration of road
26 fund taxes, to county clerk offices in counties containing a population of less
27 than twenty thousand (20,000), as determined by the decennial census, and for

1 no other purpose. Annually, by March 1, the Transportation Cabinet shall
2 calculate the amount collected in the previous calendar year and distribute the
3 entire fund proportionate to each county that qualifies under this paragraph
4 based on population. This revenue shall be considered current year revenue
5 when paid to the clerk and shall not be identified as excess fees from the
6 previous year.

7 ➔Section 8. KRS 186.050 is amended to read as follows:

- 8 (1) The annual registration fee shall be twenty-two dollars (\$22)~~eleven dollars fifty~~
9 ~~cents (\$11.50)]~~ for:
- 10 (a) Motor vehicles, including pickup trucks and passenger vans; and
11 (b) Motor carrier vehicles, as defined in KRS 281.010, primarily designed for
12 carrying passengers or passengers for hire and having been designed or
13 constructed to transport not more than fifteen (15) passengers, including the
14 operator.
- 15 (2) Except as provided in KRS 186.041 and 186.162, the annual registration fee for
16 each motorcycle shall be nine dollars (\$9).
- 17 (3) (a) All motor vehicles having a declared gross weight of vehicle and any towed
18 unit of ten thousand (10,000) pounds or less, except those mentioned in
19 subsections (1) and (2) of this section, are classified as commercial vehicles
20 and the annual registration fee, except as provided in subsections (4) to (14) of
21 this section, shall be twenty-two dollars (\$22)~~eleven dollars and fifty cents~~
22 ~~(\$11.50)]~~.
- 23 (b) All motor vehicles, except those mentioned in subsections (1) and (2) of this
24 section, and those engaged in hauling passengers for hire which are designed
25 or constructed to transport more than fifteen (15) passengers including the
26 operator, whose registration fee shall be one hundred dollars (\$100), are
27 classified as commercial vehicles and the annual registration fee, except as

1 provided in subsections (3)(a) and (4) to (14) of this section, shall be as
2 follows:

| 3 | Declared Gross Weight of Vehicle | Registration |
|----|----------------------------------|--------------|
| 4 | and Any Towed Unit | Fee |
| 5 | 10,001-14,000 | 30.00 |
| 6 | 14,001-18,000 | 50.00 |
| 7 | 18,001-22,000 | 132.00 |
| 8 | 22,001-26,000 | 160.00 |
| 9 | 26,001-32,000 | 216.00 |
| 10 | 32,001-38,000 | 300.00 |
| 11 | 38,001-44,000 | 474.00 |
| 12 | 44,001-55,000 | 669.00 |
| 13 | 55,001-62,000 | 1,007.00 |
| 14 | 62,001-73,280 | 1,250.00 |
| 15 | 73,281-80,000 | 1,410.00 |

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

- 1 2. Any farmer owning a truck having a gross weight of twenty-six
2 thousand one (26,001) pounds to thirty-eight thousand (38,000) pounds
3 may have it registered as a farmer's truck and obtain a license for twenty-
4 two dollars (\$22)~~eleven dollars and fifty cents (\$11.50)]~~. The
5 applicant's signature upon the certificate of registration and ownership
6 shall constitute a certificate that he is a farmer engaged in the production
7 of crops, livestock, or dairy products, that he owns a truck of the gross
8 weight between twenty-six thousand one (26,001) pounds and thirty-
9 eight thousand (38,000) pounds, and that during the next twelve (12)
10 months the truck shall not be used in for-hire transportation and may be
11 used in transporting persons, food, provender, feed, machinery,
12 livestock, material, and supplies necessary for his farming operation and
13 the products grown on his farm.
- 14 (b) Any farmer owning a truck having a declared gross weight in excess of thirty-
15 eight thousand (38,000) pounds shall not be required to pay the fee set out in
16 subsection (3) of this section and, in lieu thereof, shall pay forty percent (40%)
17 of the fee set out in subsection (3) of this section and shall be exempt from
18 any fee charged under the provisions of KRS 281.752. The applicant's
19 signature upon the registration receipt shall be considered to be a certification
20 that he is a farmer engaged solely in the production of crops, livestock, or
21 dairy products, and that during the current registration year the truck will be
22 used only in transporting persons, food, provender, feed, and machinery used
23 in operating his farm and the products grown on his farm.
- 24 (c) An initial applicant for, or an applicant renewing, his or her registration
25 pursuant to this subsection, may at the time of application make a voluntary
26 contribution to be deposited into the agricultural program trust fund
27 established in KRS 246.247. The recommended voluntary contribution shall

1 be set at ten dollars (\$10) and automatically added to the cost of registration or
2 renewal unless the individual registering or renewing the vehicle opts out of
3 contributing the recommended amount. The county clerk shall collect and
4 forward the voluntary contribution to the cabinet for distribution to the
5 Department of Agriculture.

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

15 (6) Any church or religious organization owning a truck or bus used solely in
16 transporting persons to and from a place of worship or for other religious work may
17 have the truck or bus registered as a church bus and obtain a license for **twenty-two**
18 **dollars (\$22)**~~eleven dollars and fifty cents (\$11.50)~~ by filing with the county clerk,
19 in addition to other information required, an affidavit stating that the truck or bus
20 will be used only for the transporting of persons to and from a place of worship, or
21 for other religious work, and that there has been printed on the truck or bus in large
22 letters the words "Church Bus," with the name of the church or religious
23 organization owning and using the truck or bus, and that during the next twelve (12)
24 months the truck or bus will be used only for the purpose stated.

25 (7) Any person owning a motor vehicle with a gross weight of fourteen thousand
26 (14,000) pounds or less on which a wrecker crane or other equipment suitable for
27 wrecker service has been permanently mounted may register the vehicle and obtain

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

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

1 named in the affidavit and the area above set out and that the vehicle will not be
2 used outside of a city and the area above set out during the current registration
3 period.

4 (9) Motor vehicles having a declared gross weight in excess of eighteen thousand
5 (18,000) pounds, which are used exclusively for the transportation of primary forest
6 products from the harvest area to a mill or other processing facility, where such mill
7 or processing facility is located at a point not more than fifty (50) air miles from the
8 harvest area or which are used exclusively for the transportation of concrete blocks
9 or ready-mixed concrete from the point at which such concrete blocks or ready-
10 mixed concrete is produced to a construction site where such concrete blocks or
11 ready-mixed concrete is to be used, where such construction site is located at a point
12 not more than thirty (30) air miles from the point at which such concrete blocks or
13 ready-mixed concrete is produced 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 out in subsection (3) of this section and shall be exempt from
16 any fee charged under the provisions of KRS 281.752. The applicant's signature
17 upon the certificate of registration and ownership shall constitute a certification that
18 the motor vehicle will not be used during the current registration period in any
19 manner other than that for which the reduced fee is provided in this section.

20 (10) Any owner of a commercial vehicle registered for a declared gross weight in excess
21 of eighteen thousand (18,000) pounds, intending to transfer same and desiring to
22 take advantage of the refund provisions of KRS 186.056(2), may reregister such
23 vehicle and obtain a "For Sale" certificate of registration and ownership for one
24 dollar (\$1). Title to a vehicle so registered may be transferred, but such registration
25 shall not authorize the operation or use of the vehicle on any public highway. No
26 refund may be made under the provisions of KRS 186.056(2) until such time as the
27 title to such vehicle has been transferred to the purchaser thereof. Provided,

1 however, that nothing herein shall be so construed as to prevent the seller of a
2 commercial vehicle from transferring the registration of such vehicle to any
3 purchaser thereof.

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

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

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

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

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

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

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

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

23 (15) An applicant for any motor vehicle registration issued pursuant to this section shall
24 have the opportunity to make a donation of two dollars (\$2) to promote a hunger
25 relief program through specific wildlife management and conservation efforts by the
26 Department of Fish and Wildlife Resources in accordance with KRS 150.015. If an
27 applicant elects to make a contribution under this subsection, the two dollar (\$2)

1 donation shall be added to the regular fee for any motor vehicle registration issued
 2 pursuant to this section. One (1) donation may be made per issuance of each
 3 registration. The fee shall be paid to the county clerk and shall be transmitted by the
 4 State Treasurer to the Department of Fish and Wildlife Resources to be used
 5 exclusively for the purpose of wildlife management and conservation activities in
 6 support of hunger relief. The county clerk may retain up to five percent (5%) of the
 7 fees collected under this subsection for administrative costs associated with the
 8 collection of this donation. Any donation requested under this subsection shall be
 9 voluntary and may be refused by the applicant at the time of issuance or renewal of
 10 a license plate.

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

14 **(17) In addition to the registration fees outlined in this section, any owner of a hybrid**
 15 **vehicle, hybrid electric plug-in vehicle, or nonhybrid electric vehicle shall, at the**
 16 **time of registration, be subject to the fees established in Section 4 of this Act.**

17 ➔Section 9. KRS 186.162 is amended to read as follows:

18 (1) As used in this section and in KRS 186.043, 186.164, 186.166, 186.1722, and
 19 186.174:

20 (a) "Special license plate" means a unique license plate issued under this chapter
 21 to a group or organization that readily identifies the operator of the motor
 22 vehicle or motorcycle bearing the plate as a member of a group or
 23 organization, or a supporter of the work, goals, or mission of a group or
 24 organization. The term shall not include regular license plates issued under
 25 KRS 186.240;

26 (b) "Street rod" means a modernized private passenger motor vehicle
 27 manufactured prior to the year 1949, or designed or manufactured to resemble

1 a vehicle manufactured prior to 1949;

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

4 (d) "CF" means the portion of an initial or renewal fee to obtain a special license
5 plate that is dedicated for use by a county clerk. **If a CF amount is charged**
6 **for a license plate listed in this section, the applicant for that plate shall also**
7 **pay the fees identified in subsection (5) of Section 7 of this Act. If a CF**
8 **amount is not charged, the applicant shall not be required to pay those fees;**
9 and

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

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

17 (a) Disabled veterans who receive assistance to purchase a vehicle from the
18 United States Department of Veterans' Affairs, veterans declared by the
19 United States Department of Veterans' Affairs to be one hundred percent
20 (100%) service-connected disabled, and recipients of the Congressional Medal
21 of Honor:

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

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

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

25 1. Initial Fee: ~~\$33~~[\$20] (~~\$22~~[\$12] SF/~~\$6~~[\$3] CF/\$5 EF to the
26 veterans' program trust fund established under KRS 40.460).

27 2. Renewal Fee: ~~\$6~~[\$3] (\$0 SF/~~\$6~~[\$3] CF/\$0 EF).

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

2 1. Initial Fee: ~~\$33~~~~[\$20]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$5 EF to the
3 veterans' program trust fund established under KRS 40.460).

4 2. Renewal Fee: ~~\$11~~~~[\$8]~~ (\$0 SF/~~\$6~~~~[\$3]~~ CF/\$5 EF to the
5 veterans' program trust fund established under KRS 40.460).

6 (d) Members of the Civil Air Patrol; active, retired, veteran, reserve, or auxiliary
7 members of the United States Army, Navy, Air Force, Marine Corps, or Coast
8 Guard; Merchant Marines who served between December 7, 1941, and August
9 15, 1945; recipients of the Silver Star Medal, or the Bronze Star Medal
10 awarded for valor; persons who wish to receive Gold Star Mothers, Gold Star
11 Fathers, or Gold Star Spouses license plates beyond the two (2) exempted
12 from fees under KRS 186.041(6); individuals eligible for a special military
13 service academy license plate under KRS 186.041(8); and disabled veterans
14 who have been declared to be between fifty percent (50%) and ninety-nine
15 percent (99%) service-connected disabled by the United States Department of
16 Veterans' Affairs:

17 1. Initial Fee: ~~\$33~~~~[\$20]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$5 EF to the
18 veterans' program trust fund established under KRS 40.460).

19 2. Renewal Fee: ~~\$33~~~~[\$20]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$5 EF to the
20 veterans' program trust fund established under KRS 40.460).

21 (e) Recipients of the Distinguished Service Cross, Navy Cross, or Air Force
22 Cross:

23 1. Initial Fee: ~~\$6~~~~[\$3]~~ (\$0 SF/~~\$6~~~~[\$3]~~ CF/\$0 EF).

24 2. Renewal Fee: ~~\$6~~~~[\$3]~~ (\$0 SF/~~\$6~~~~[\$3]~~ CF/\$0 EF).

25 (f) Disabled license plates:

26 1. Initial Fee: ~~\$28~~~~[\$15]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$0 EF).

27 2. Renewal Fee: ~~\$28~~~~[\$15]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$0 EF).

- 1 (g) Historic vehicles:
- 2 1. Initial Fee for two plates: ~~\$56~~~~[\$53]~~ (\$50 SF/~~\$6~~~~[\$3]~~ CF/\$0 EF).
- 3 2. Renewal Fee: Do not renew annually.
- 4 (h) Members of Congress:
- 5 1. Initial Fee: ~~\$43~~~~[\$40]~~ (\$37 SF/~~\$6~~~~[\$3]~~ CF/\$0 EF).
- 6 2. Renewal Fee: ~~\$33~~~~[\$20]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$5 EF to the
- 7 veterans' program trust fund established under KRS 40.460).
- 8 (i) Firefighters:
- 9 1. Initial Fee: ~~\$28~~~~[\$15]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$0 EF).
- 10 2. Renewal Fee: ~~\$28~~~~[\$15]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$0 EF).
- 11 (j) Emergency management:
- 12 1. Initial Fee: \$28 (~~\$22~~~~[\$25]~~ SF/~~\$6~~~~[\$3]~~ CF/\$0 EF).
- 13 2. Renewal Fee: ~~\$28~~~~[\$15]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$0 EF).
- 14 (k) Fraternal Order of Police:
- 15 1. Initial Fee: \$38 (~~\$22~~~~[\$25]~~ SF/~~\$6~~~~[\$3]~~ CF/\$10 EF to the
- 16 Kentucky
- 17 FOP Death Benefit Fund).
- 18 2. Renewal Fee: ~~\$38~~~~[\$25]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$10 EF to
- 19 the Kentucky
- 20 FOP Death Benefit Fund).
- 21 (l) Law Enforcement Memorial:
- 22 1. Initial Fee: ~~\$38~~~~[\$38]~~ (~~\$22~~~~[\$25]~~ SF/~~\$6~~~~[\$3]~~ CF/\$10 EF to
- 23 the Kentucky Law Enforcement Memorial Foundation, Inc.).
- 24 2. Renewal Fee: ~~\$38~~~~[\$25]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$10 EF to
- 25 the Kentucky Law Enforcement Memorial Foundation, Inc.).
- 26 (m) Personalized plates:
- 27 1. Initial Fee: ~~\$53~~~~[\$40]~~ (~~\$47~~~~[\$37]~~ SF/~~\$6~~~~[\$3]~~ CF/\$0 EF).

- 1 2. Renewal Fee: ~~\$53~~[\$40] ~~(\$47~~[\$37] SF/~~\$6~~[\$3] CF/\$0 EF).
- 2 (n) Street rods:
- 3 1. Initial Fee: ~~\$28~~[\$40] ~~(\$22~~[\$37] SF/~~\$6~~[\$3] CF/\$0 EF).
- 4 2. Renewal Fee: ~~\$28~~[\$15] ~~(\$22~~[\$12] SF/~~\$6~~[\$3] CF/\$0 EF).
- 5 (o) Nature plates:
- 6 1. Initial Fee: ~~\$38~~[\$25] ~~(\$22~~[\$12] SF/~~\$6~~[\$3] CF/\$10 EF to
- 7 ~~the~~ Kentucky Heritage Land Conservation Fund established under KRS
- 8 146.570).
- 9 2. Renewal Fee: ~~\$38~~[\$25] ~~(\$22~~[\$12] SF/~~\$6~~[\$3] CF/\$10 EF to
- 10 ~~the~~ Kentucky Heritage Land Conservation Fund established under KRS
- 11 146.570).
- 12 (p) Amateur radio:
- 13 1. Initial Fee: ~~\$28~~[\$40] ~~(\$22~~[\$37] SF/~~\$6~~[\$3] CF/\$0 EF).
- 14 2. Renewal Fee: ~~\$28~~[\$15] ~~(\$22~~[\$12] SF/~~\$6~~[\$3] CF/\$0 EF).
- 15 (q) Kentucky General Assembly:
- 16 1. Initial Fee: ~~\$43~~[\$40] (\$37 SF/~~\$6~~[\$3] CF/\$0 EF).
- 17 2. Renewal Fee: ~~\$33~~[\$20] ~~(\$22~~[\$12] SF/~~\$6~~[\$3] CF/\$5 EF to the
- 18 veterans' program trust fund established under KRS 40.460).
- 19 (r) Kentucky Court of Justice:
- 20 1. Initial Fee: ~~\$43~~[\$40] (\$37 SF/~~\$6~~[\$3] CF/\$0 EF).
- 21 2. Renewal Fee: ~~\$11~~[\$8] (\$0 SF/~~\$6~~[\$3] CF/\$5 EF to the
- 22 veterans' program trust fund established under KRS 40.460).
- 23 (s) Masons:
- 24 1. Initial Fee: \$28 ~~(\$22~~[\$25] SF/~~\$6~~[\$3] CF/\$0 EF).
- 25 2. Renewal Fee: ~~\$28~~[\$15] ~~(\$22~~[\$12] SF/~~\$6~~[\$3] CF/\$0 EF).
- 26 (t) Collegiate plates:
- 27 1. Initial Fee: ~~\$38~~[\$50] ~~(\$22~~[\$37] SF/~~\$6~~[\$3] CF/\$10 EF to

1 the general scholarship fund of the university whose name will be borne
2 on the plate).

3 2. Renewal Fee: ~~\$38~~^[\$25] (~~\$22~~^[\$12] SF/~~\$6~~^[\$3] CF/\$10 EF to
4 the general scholarship fund of the university whose name will be borne
5 on the plate).

6 (u) Independent Colleges:

7 1. Initial Fee: \$38 (~~\$22~~^[\$25] SF/~~\$6~~^[\$3] CF/\$10 EF to the
8 Association of Independent Kentucky Colleges and Universities for
9 distribution to the general scholarship funds of the Association's
10 members).

11 2. Renewal Fee: ~~\$38~~^[\$25] (~~\$22~~^[\$12] SF/~~\$6~~^[\$3] CF/\$10 EF to
12 the Association of Independent Kentucky Colleges and Universities for
13 distribution to the general scholarship funds of the Association's
14 members).

15 (v) Child Victims:

16 1. Initial Fee: \$38 (~~\$22~~^[\$25] SF/~~\$6~~^[\$3] CF/\$10 EF to the child
17 victims' trust fund established under KRS 41.400).

18 2. Renewal Fee: ~~\$33~~^[\$20] (~~\$22~~^[\$12] SF/~~\$6~~^[\$3] CF/\$5 EF to the
19 child victims' trust fund established under KRS 41.400).

20 (w) Kentucky Horse Council:

21 1. Initial Fee: \$38 (~~\$22~~^[\$25] SF/~~\$6~~^[\$3] CF/\$10 EF to the
22 Kentucky Horse Council).

23 2. Renewal Fee: ~~\$33~~^[\$20] (~~\$22~~^[\$12] SF/~~\$6~~^[\$3] CF/\$5 EF to the
24 Kentucky Horse Council).

25 (x) Ducks Unlimited:

26 1. Initial Fee: \$38 (~~\$22~~^[\$25] SF/~~\$6~~^[\$3] CF/\$10 EF to
27 Kentucky Ducks Unlimited).

- 1 2. Renewal Fee: \$38~~[\$25]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$10 EF to
2 Kentucky Ducks Unlimited).
- 3 (y) Spay neuter:
- 4 1. Initial Fee: \$38~~[\$25]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$10 EF to
5 the animal control and care fund established under KRS 258.119).
- 6 2. Renewal Fee: \$33~~[\$20]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$5 EF to the
7 animal control and care fund established under KRS 258.119).
- 8 (z) Gold Star Mothers, Gold Star Fathers, or Gold Star Spouses:
- 9 1. Initial Fee: \$0 (\$0 SF/\$0 CF/ \$0 EF).
- 10 2. Renewal Fee: \$0 (\$0 SF/\$0 CF/ \$0 EF).
- 11 3. A person may receive a maximum of two (2) plates under this paragraph
12 free of charge and may purchase additional plates for fees as established
13 in subsection (2)(d) of this section.
- 14 (aa) I Support Veterans:
- 15 1. Initial Fee: \$38~~[\$25]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$10 EF to
16 the Kentucky Department of Veterans' Affairs).
- 17 2. Renewal Fee: \$33~~[\$20]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$5 EF to the
18 Kentucky Department of Veterans' Affairs).
- 19 (ab) Gold Star Siblings, Gold Star Sons, or Gold Star Daughters:
- 20 1. Initial Fee: \$38~~[\$25]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$10 EF to
21 the veterans' program trust fund established under KRS 40.460).
- 22 2. Renewal Fee: \$33~~[\$20]~~ (~~\$22~~~~[\$12]~~ SF/~~\$6~~~~[\$3]~~ CF/\$5 EF to the
23 veterans' program trust fund established under KRS 40.460).
- 24 (3) Any special license plate may be combined with a personalized license plate for a
25 twenty-five dollar (\$25) state fee in addition to all other fees for the particular
26 special license plate established in this section and in KRS 186.164(3). The twenty-
27 five dollar (\$25) fee required under this subsection shall be divided between the

1 cabinet and the county clerk of the county where the applicant is applying for the
2 license plate with the cabinet receiving twenty dollars (\$20) and the county clerk
3 receiving five dollars (\$5).

4 (4) Owners and lessees of motorcycles registered under KRS 186.050(2) may be
5 eligible to receive special license plates issued under this section or established
6 under the provisions of KRS 186.164 after the cabinet has received three hundred
7 (300) applications and initial state fees from the sponsoring organization.
8 Applicants for a special license plate for a motorcycle shall be required to pay the
9 fee for a special plate as prescribed in this section or in KRS 186.164. The fee paid
10 for the special plate for a motorcycle shall be in lieu of the registration fee required
11 under KRS 186.050(2).

12 ➔Section 10. KRS 186.240 is amended to read as follows:

13 (1) It shall be the duty of the cabinet to carry out the provisions of KRS 186.005 to
14 186.260, and:

15 (a) Prepare and furnish to the clerk in each county a sufficient supply of all forms
16 and blanks provided for in KRS 186.005 to 186.260. The forms for receipts
17 shall be designated for the writing of not less than triplicate copies, the
18 originals of which shall be numbered consecutively for each county, the
19 second and third copies bearing the same number as the original. Receipts to
20 be used as duplicates for lost receipts, as provided in KRS 186.180(1), shall
21 be in duplicate only, and shall not be numbered;

22 (b) Keep a numerical record of all registration numbers issued in the state, for
23 which they may use the second copy of receipts forwarded by the clerk of each
24 county, and also keep a record of motor or vehicle identification numbers
25 required by KRS 186.160; and

26 (c) Furnish to each clerk, originally each year upon estimate, and thereafter upon
27 requisition at all times, a sufficient supply of plates and other insignia

1 evidencing registration for all classes of vehicles required to be registered.
 2 The cabinet shall prescribe a plate of practical form and size for police
 3 identification purposes that shall contain:

- 4 1. The registration number;
- 5 2. The word "Kentucky;" and
- 6 3. The name of the county in which the plate is issued, or in lieu thereof the
 7 words "Official," "Transportation," "Executive," or "Farm." Plates for
 8 commercial vehicles, shall contain the year the license expires and
 9 words or information the Department of Vehicle Regulation may
 10 prescribe by administrative regulation, pursuant to KRS Chapter 13A.
 11 Numerals indicating a year shall not be placed upon any license plate
 12 issued pursuant to KRS 186.060, relating to the licensing of vehicles
 13 owned exclusively by the state and KRS 186.061, relating to the
 14 licensing of vehicles owned exclusively by a nonprofit volunteer fire
 15 department, volunteer fire prevention unit, and volunteer fire protection
 16 unit. A state slogan may be placed upon the plate.

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

- 19 (a) The word "Kentucky" shall be centered above the county name in which the
 20 plate is issued;
- 21 (b) The words "Bluegrass State" shall be centered at the top of the plate above the
 22 registration number; and
- 23 (c) The name of the county in which the plate is issued shall be centered in the
 24 lower portion of the plate below the registration number and shall be printed
 25 in letters that are the same size as those used to print the word "Kentucky."
 26 ~~[Beginning January 1, 1993,] The Transportation Cabinet shall provide for the~~
 27 issuance of reflectorized plates for all motor vehicles, ~~[, and shall collect a fee,~~

1 in addition to the fee set out in ~~KRS Chapter 186 and KRS 281.631, of~~ Fifty
2 cents (\$0.50) **of the state registration fee charged under Sections 8 and 9 of**
3 **this Act or license fee charged under KRS 281.631**~~]. The fifty cents (\$0.50)~~
4 ~~fee to reflectorize license plates~~ shall be used by the cabinet as provided in
5 subsection (3) of this section;

6 (3) The reflectorized license plate program fund is established in the state road fund
7 and appropriated on a continual basis to the cabinet to administer the moneys as
8 provided in this subsection. ~~The~~ Fifty cents (\$0.50) **from each registration** fee
9 collected by the cabinet ~~to reflectorize license plates~~ shall be deposited into the
10 program fund and used to issue reflectorized license plates. If at the end of a fiscal
11 year, money remains in the program fund, it shall be retained in the fund and shall
12 not revert to the state road fund. The interest and income earned on money in the
13 program fund shall also be retained in the program fund to carry out the provisions
14 of this subsection. The Transportation Cabinet shall begin issuing the new
15 reflectorized license plate under the provisions of this subsection on January 1,
16 2003, and shall continue to issue a new reflectorized license plate on a schedule to
17 be determined at the discretion of the cabinet in the years thereafter;

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

21 (5) The Transportation Cabinet shall require an accounting by the clerk in each county
22 for any moneys received by him under the provisions of this chapter, after the
23 deduction of his fees under this chapter, and for all receipts, forms, plates, and
24 insignia consigned to him. The Auditor of Public Accounts, pursuant to KRS
25 43.071, shall annually audit each county clerk concerning his responsibilities for the
26 collection of various fees and taxes associated with motor vehicles. The secretary of
27 the Transportation Cabinet, with the advice, consultation, and approval of the

1 Auditor, shall develop and implement an inventory and accounting system which
2 shall insure that the audits mandated in KRS 43.071 are performed in accordance
3 with generally accepted auditing standards. The Transportation Cabinet shall pay for
4 the audits mandated by KRS 43.071; and

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

7 ➔Section 11. KRS 186.440 (Effective January 1, 2019) is amended to read as
8 follows:

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

- 10 (1) Any person who is not a resident of Kentucky;
- 11 (2) Any person under the age of sixteen (16);
- 12 (3) Any person under the age of eighteen (18) who holds a valid Kentucky instruction
13 permit issued pursuant to KRS 186.450, but who has not graduated from high
14 school or who is not enrolled and successfully participating in school or who is not
15 being schooled at home, except those persons who satisfy the District Court of
16 appropriate venue pursuant to KRS 159.051(3) that revocation of their license
17 would create an undue hardship. Persons under the age of eighteen (18) shall
18 present proof of complying with the requirements of KRS 159.051;
- 19 (4) Any person whose operator's license has been suspended, during the period of
20 suspension, subject to the limitations of KRS 186.442;
- 21 (5) Any person whose operator's license has been revoked, nor to any nonresident
22 whose privilege of exemption under KRS 186.430 has been refused or discontinued,
23 until the expiration of the period for which the license was revoked, or for which the
24 privilege was refused or discontinued;
- 25 (6) Any applicant adjudged incompetent by judicial decree;
- 26 (7) Any person who in the opinion of the Department of Kentucky State Police, after
27 examination, is unable to exercise reasonable and ordinary control over a motor

- 1 vehicle upon the highways;
- 2 (8) Any person who is unable to understand highway warnings or direction signs in the
3 English language;
- 4 (9) Any person required by KRS 186.480 to take an examination who has not
5 successfully passed the examination;
- 6 (10) Any person required by KRS Chapter 187 to deposit proof of financial
7 responsibility, who has not deposited that proof;
- 8 (11) Any person who has not filed a correct and complete application attested to in the
9 presence of a person authorized to administer oaths;
- 10 (12) Any person who cannot meet the requirements set forth in KRS 186.411(1) or (3);
11 or
- 12 (13) Any person whose operator's license has been suspended or revoked under the
13 provisions of KRS Chapter 186, 187, or 189A **who has not paid the reinstatement**
14 **fee required under Section 13 of this Act**~~[until the person has forwarded to the~~
15 ~~cabinet a reinstatement fee of fifteen dollars (\$15). The fee shall be paid by certified~~
16 ~~check or money order payable to the State Treasurer who shall deposit five dollars~~
17 ~~(\$5) of the fee in a trust and agency fund to be used in defraying the costs and~~
18 ~~expenses of administering a driver improvement program for problem drivers. Ten~~
19 ~~dollars (\$10) of the fee shall be deposited by the State Treasurer into the Circuit~~
20 ~~Court clerk salary account established in KRS 27A.052. The provisions of this~~
21 ~~subsection shall not apply to any person whose license was suspended for failure to~~
22 ~~meet the conditions set out in KRS 186.411 when, within one (1) year of~~
23 ~~suspension, the driving privileges of the individuals are reinstated or to any student~~
24 ~~who has had his or her license revoked pursuant to KRS 159.051].~~

25 ➔Section 12. KRS 186.450 (Effective January 1, 2019) is amended to read as
26 follows:

- 27 (1) A person who is at least sixteen (16) years of age may apply for an instruction

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

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

14 (b) If the person is under the age of eighteen (18) and in the custody of the
15 Cabinet for Health and Family Services, the instruction permit application
16 shall be signed by:

17 1. The applicant's parent, legal guardian, grandparent, adult sibling, aunt,
18 or uncle if the parental rights have not been terminated in accordance
19 with KRS Chapter 625;

20 2. The foster parent with whom the applicant resides;

21 3. Another person who is at least age eighteen (18) and is willing to
22 assume responsibility for the applicant pursuant to KRS 186.590; or

23 4. The applicant, without another person, upon verification by the Cabinet
24 for Health and Family Services in accordance with KRS 605.102 that
25 shall include proof of financial responsibility in accordance with KRS
26 186.590(2); and

27 (c) All applicants for an instruction permit shall comply with the examinations

1 required by KRS 186.480.

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

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

8 (b) Except as provided in KRS 186.415, a person who has attained the age of
9 sixteen (16) years and is under the age of eighteen (18) years shall have the
10 instruction permit a minimum of one hundred eighty (180) days before
11 applying for an intermediate license and shall have an intermediate license for
12 a minimum of one hundred eighty (180) days before applying for an operator's
13 license.

14 (c) A person who was under eighteen (18) years of age at the time of application
15 for an instruction permit and is eighteen (18) years of age or older shall have
16 the instruction permit a minimum of one hundred eighty (180) days and
17 complete a driver training program under KRS 186.410(4) before applying for
18 an operator's license.

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

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

26 (f) In accordance with KRS 15A.352(5), a person whose motorcycle instruction
27 permit has expired may apply to the circuit clerk to receive a motorcycle

- 1 operator's license or endorsement if the person presents proof of successful
2 completion of a motorcycle safety education course approved by the Justice
3 and Public Safety Cabinet under KRS 15A.350 to 15A.366.
- 4 (4) (a) A person shall have the instruction permit in his possession at all times when
5 operating a motor vehicle, motorcycle, or moped upon the highway.
- 6 (b) When operating a motor vehicle, a motor vehicle instruction permit holder
7 shall be accompanied by a person with a valid operator's license who is at
8 least twenty-one (21) years of age occupying the seat beside the operator at all
9 times.
- 10 (c) The requirements of paragraph (b) of this subsection shall not apply to a motor
11 vehicle instruction permit holder being supervised on a multiple-vehicle
12 driving range by a driver training instructor affiliated with a driver training
13 school licensed under KRS Chapter 332 or a public or nonpublic secondary
14 school.
- 15 (5) A person with an instruction permit who is under the age of eighteen (18) shall not
16 operate a motor vehicle, motorcycle, or moped between the hours of 12 midnight
17 and 6 a.m. unless the person can demonstrate good cause for driving, including but
18 not limited to emergencies, involvement in school-related activities, or involvement
19 in work-related activities.
- 20 (6) Except when accompanied by a driver training instructor affiliated with a driver
21 training school licensed under KRS Chapter 332 or a public or nonpublic secondary
22 school, a person with an instruction permit who is under the age of eighteen (18)
23 years shall not operate a motor vehicle at any time when accompanied by more than
24 one (1) unrelated person who is under the age of twenty (20) years. A peace officer
25 shall not stop or seize a person nor issue a uniform citation for a violation of this
26 subsection if the officer has no other cause to stop or seize the person other than a
27 violation of this subsection. This subsection shall not apply to any operator of a

1 vehicle registered under the provisions of KRS 186.050(4) who is engaged in
2 agricultural activities.

3 (7) A violation under subsection (4), (5), or (6) of this section, a conviction for a
4 moving violation under KRS Chapter 189 for which points are assessed by the
5 cabinet, or a conviction for a violation of KRS 189A.010(1) shall add an additional
6 minimum of one hundred eighty (180) days from the date of the violation before a
7 person who is under the age of eighteen (18) years may apply for an intermediate
8 license to operate a motor vehicle, motorcycle, or moped.

9 (8) A person under the age of eighteen (18) who accumulates more than six (6) points
10 against his driving privilege may have the driving privilege suspended pursuant to
11 KRS Chapter 186 or probated by the court.

12 (9) An applicant for relicensing after revocation or suspension shall pay the clerk the
13 reinstatement^[a] fee set forth in Section 13 of this Act^{[of twenty five dollars (\$25)].}
14 ~~The twenty five dollar (\$25) fee shall not apply to any person whose license was~~
15 ~~suspended for failure to meet the conditions described in KRS 186.411 when,~~
16 ~~within one (1) year of suspension, the driving privileges of such individuals are~~
17 ~~reinstated and persons reinstated pursuant to KRS 159.051].~~

18 ➔Section 13. KRS 186.531 (Effective January 1, 2019) is amended to read as
19 follows:

20 (1) As used in this section:

21 (a) "AOC Fund" means the circuit court clerk salary account created in KRS
22 27A.052;

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

24 (c) "IP" means instruction permit;

25 (d) "License Fund" means the KYTC photo license account created in KRS
26 174.056;

27 (e) "MC" means motorcycle;

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

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

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

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

| 9 Card | Fee | Road | License | AOC | GF | MC |
|---------------------------|------|---------|---------|--------|--------|------|
| 10 Type | | Fund | Fund | Fund | | Fund |
| 11 OL | | | | | | |
| 12 (initial/renewal) | \$48 | \$31 | \$7 | \$10 | \$0 | \$0 |
| 13 OL (Under 21) | | | | | | |
| 14 (Up to 4 years) | \$18 | \$8.50 | \$5 | \$4.50 | \$0 | \$0 |
| 15 Any OL, MC OL | | | | | | |
| 16 or combination | | | | | | |
| 17 (duplicate /corrected) | \$15 | \$5.25 | \$4 | \$4 | \$1.75 | \$0 |
| 18 Motor vehicle IP | | | | | | |
| 19 (3 years) | \$18 | \$6 | \$5 | \$5 | \$2 | \$0 |
| 20 Motorcycle IP | | | | | | |
| 21 (1 year) | \$18 | \$6 | \$5 | \$2 | \$1 | \$4 |
| 22 Motorcycle OL | | | | | | |
| 23 (initial/renewal) | \$48 | \$19.50 | \$9 | \$9.50 | \$0 | \$10 |
| 24 Combination | | | | | | |
| 25 vehicle/MC OL | | | | | | |
| 26 (initial/renewal) | \$58 | \$28 | \$7 | \$13 | \$0 | \$10 |
| 27 PIDC | | | | | | |

1 (initial/renewal) \$28 \$11 \$8 \$6 \$3 \$0

2 PIDC

3 (duplicate/corrected) \$15 \$6 \$4 \$3.50 \$1.50 \$0

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

| 8 Card | Fee | Road | License | AOC | GF | MC |
|---------------------------|------|---------|---------|--------|--------|------|
| 9 Type | | Fund | Fund | Fund | | Fund |
| 10 OL | | | | | | |
| 11 (initial/renewal) | \$43 | \$28 | \$7 | \$8 | \$0 | \$0 |
| 12 OL (Under 21) | | | | | | |
| 13 (Up to 4 years) | \$15 | \$7.50 | \$4 | \$3.50 | \$0 | \$0 |
| 14 Any OL, MC OL | | | | | | |
| 15 or combination | | | | | | |
| 16 (duplicate /corrected) | \$15 | \$5.25 | \$4 | \$4 | \$1.75 | \$0 |
| 17 Motor vehicle IP | | | | | | |
| 18 (3 years) | \$15 | \$5 | \$4 | \$4 | \$2 | \$0 |
| 19 Motorcycle IP | | | | | | |
| 20 (1 year) | \$15 | \$5 | \$4 | \$1 | \$1 | \$4 |
| 21 Motorcycle OL | | | | | | |
| 22 (initial/renewal) | \$43 | \$17.50 | \$8 | \$7.50 | \$0 | \$10 |
| 23 Combination | | | | | | |
| 24 vehicle/MC OL | | | | | | |
| 25 (initial/renewal) | \$53 | \$25 | \$7 | \$11 | \$0 | \$10 |
| 26 PIDC | | | | | | |
| 27 (initial/renewal) | \$23 | \$8 | \$8 | \$4 | \$3 | \$0 |

| | | | | | | | |
|---|-----------------------|------|-----|-----|--------|--------|-----|
| 1 | PIDC | | | | | | |
| 2 | (duplicate/corrected) | \$15 | \$6 | \$4 | \$3.50 | \$1.50 | \$0 |
| 3 | PIDC | | | | | | |
| 4 | (no fixed address) | | | | | | |
| 5 | KRS 186.4122(5) and | | | | | | |
| 6 | 186.4123(5) | \$10 | \$0 | \$5 | \$5 | \$0 | \$0 |

7 (4) The fee for a second or subsequent duplicate personal identification card for a
 8 person who does not have a fixed, permanent address, as allowed under KRS
 9 186.4122(5) and 186.4123(5), shall be the same as for a duplicate regular personal
 10 identification card.

11 (5) The fee for a four (4) year original or renewal license issued pursuant to KRS
 12 186.4101 shall be fifty percent (50%) of the amount shown in subsections (2) and
 13 (3) of this section. The distribution of fees shown in subsections (2) and (3) of this
 14 section shall also be reduced by fifty percent (50%) for licenses that are issued for
 15 four (4) years.

16 (6) Any fee for any identity document applied for using alternative technology under
 17 KRS 186.410 and 186.4122 shall be distributed in the same manner as a document
 18 applied for with the circuit clerk.

19 (7) (a) An applicant for an original or renewal operator's license, commercial driver's
 20 license, motorcycle operator's license, or personal identification card shall be
 21 requested by the clerk to make a donation to promote an organ donor program.

22 (b) A donation under this subsection shall be two dollars (\$2) for any license or
 23 card with an eight (8) year term, and one dollar (\$1) for any license or card
 24 with a term of less than eight (8) years.

25 (c) The donation under this subsection shall be added to the regular fee for an
 26 original or renewal motor vehicle operator's license, commercial driver's
 27 license, motorcycle operator's license, or personal identification card. One (1)

1 donation may be made per issuance or renewal of a license or any
2 combination thereof.

3 (d) The fee shall be paid to the circuit clerk and shall be forwarded by the clerk on
4 a monthly basis to the Kentucky Circuit Court Clerks' Trust for Life, and such
5 moneys are hereby appropriated to be used exclusively for the purpose of
6 promoting an organ donor program. A donation under this subsection shall be
7 voluntary and may be refused by the applicant at the time of issuance or
8 renewal.

9 (8) In addition to the fees outlined in this section, the following individuals, upon
10 application for an initial or renewal operator's license, instruction permit, or
11 personal identification card, shall pay an additional application fee of thirty dollars
12 (\$30), which shall be deposited in the road fund:

13 (a) An applicant who is not a United States citizen or permanent resident and who
14 applies under KRS 186.4121 or 186.4123; or

15 (b) An applicant who is applying for a instruction permit, operator's license, or
16 personal identification card without a photo under KRS 186.4102(9).

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

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

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

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

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

1 (c) This subsection shall not apply to:

- 2 1. Any person whose license was suspended for failure to meet the
 3 conditions set out in KRS 186.411 when, within one (1) year of
 4 suspension, the driving privileges of the individual are reinstated; or
 5 2. A student who has had his or her license revoked pursuant to KRS
 6 159.051.

7 ➔Section 14. KRS 281A.150 (Effective January 1, 2019) is amended to read as
 8 follows:

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

- 17 (a) Update the application; and
 18 (b) Submit the appropriate fee to the circuit clerk.

19 (2) In addition to the fees for an operator's license under KRS 186.531, the cabinet shall
 20 set fees by administrative regulation, pursuant to KRS Chapter 13A, for the
 21 following applications that shall not exceed:

22 (a) Forty dollars (\$40) for each application for a commercial driver's license. The
 23 fee shall be based on the class, type of license, endorsement, restriction, or
 24 tests to be taken;

25 (b) Thirty-five dollars (\$35) for each application for a commercial driver's
 26 instruction permit;

27 (c) Fifteen dollars (\$15) for each application for a change or addition in class or

- 1 type of license, endorsement, or restriction; and
- 2 (d) Forty dollars (\$40) for each application for a duplicate if it is the first
3 duplicate applied for within the time period for which the original license was
4 issued. Sixty dollars (\$60) for a second or subsequent duplicate applied for
5 within the time period for which the original license was issued. The fees
6 required for a duplicate shall be in addition to fees charged under subsection
7 (2)(c) of this section.
- 8 (3) In addition to the fees for an operator's license KRS 186.531, the cabinet shall set
9 fees by administrative regulation, pursuant to KRS Chapter 13A, for the following
10 commercial driver's licenses that shall not exceed:
- 11 (a) Forty-five dollars (\$45) for each initial or renewal of a commercial driver's
12 license;
- 13 (b) Sixty dollars (\$60) for each transfer of a commercial driver's license; and
- 14 (c) Thirty dollars (\$30) for each initial or renewal of a commercial driver's license
15 with an "S" endorsement.
- 16 (4) All fees remitted to the clerk shall be nonrefundable regardless of whether the
17 applicant completes the requirements for a commercial driver's license or is tested.
- 18 (5) All fees collected for the issuance of a commercial driver's license or a commercial
19 driver's instruction permit shall be deposited into trust and agency accounts to be
20 used exclusively for the administration and implementation of this chapter, except
21 as prescribed in subsection (6) of this section. The accounts shall not lapse but shall
22 be continuing from year to year.
- 23 (6) All fees collected pursuant to this section, shall be allocated between the
24 Transportation Cabinet and Department of Kentucky State Police, except a fifty cent
25 (\$0.50) issuance fee shall be allocated to the general fund from issuance of a
26 commercial driver's license permit. A three dollar (\$3) issuance fee shall be
27 allocated to the general fund from issuance of a commercial driver's license.

1 (7) Any applicant who seeks reinstatement of his or her commercial driving privilege
 2 after a suspension, withdrawal, revocation, or disqualification shall pay a
 3 reinstatement fee of **two hundred fifty dollars (\$250)**~~fifty dollars (\$50)~~ in addition
 4 to those fees required by subsection (2) of this section and shall satisfy the
 5 requirements of KRS 281A.160. This fee shall not be required if his or her
 6 commercial driving privilege was withdrawn only as a result of the withdrawal of
 7 his or her privilege to drive a noncommercial motor vehicle.

8 ➔Section 15. KRS 186A.130 is amended to read as follows:

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

11 (1) Each application for a certificate of title shall be **twenty-five dollars (\$25)**~~nine~~
 12 ~~dollars (\$9)~~, of which the county clerk shall retain **ten dollars (\$10)**~~six dollars~~
 13 ~~(\$6)~~ and the Transportation Cabinet shall receive **fifteen dollars (\$15)**~~three dollars~~
 14 ~~(\$3)~~.

15 (2) Each application for a replacement or corrected certificate of title shall be **ten**
 16 **dollars (\$10)**~~six dollars (\$6)~~, of which the county clerk shall retain four dollars
 17 ~~(\$4)~~ and the Transportation Cabinet shall receive **six dollars (\$6)**~~two dollars (\$2)~~.
 18 If a corrected certificate must be issued because of an error of the county clerk or
 19 the Department of Vehicle Regulation, there shall be no charge.

20 (3) Each application for a speed title shall be twenty-five dollars (\$25), of which the
 21 county clerk shall retain five dollars (\$5) and the Transportation Cabinet shall
 22 receive twenty dollars (\$20).

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

26 (b) Each application for a replacement or corrected certificate of title for an all-
 27 terrain vehicle shall be ten dollars (\$10), of which the county clerk shall retain

1 four dollars (\$4) and the Transportation Cabinet shall receive six dollars (\$6).
2 If a corrected certificate must be issued because of an error of the county clerk
3 or the Department of Vehicle Regulation, there shall be no charge.

4 ➔Section 16. KRS 186A.245 is amended to read as follows:

- 5 (1) If a certificate of title is lost, stolen, mutilated, or destroyed or becomes illegible,
6 the owner or legal representative of the owner named in the certificate shall
7 promptly make application to the county clerk for and may obtain a duplicate, upon
8 furnishing information satisfactory to the Department of Vehicle Regulation. The
9 duplicate certificate of title shall contain appropriate words or symbols to indicate
10 that it is a duplicate. Each application for a duplicate certificate of title shall be **ten**
11 **dollars (\$10)**~~six dollars (\$6)~~, of which the county clerk shall retain four dollars
12 (\$4), and the Transportation Cabinet **six dollars (\$6)**~~two dollars (\$2)~~. Each
13 application for a duplicate certificate of title for an all-terrain vehicle shall be ten
14 dollars (\$10), of which the county clerk shall retain four dollars (\$4) and the
15 Transportation Cabinet shall receive six dollars (\$6). It shall be mailed to the owner.
- 16 (2) The Department of Vehicle Regulation shall make provisions for production and
17 issuance of a duplicate title if update of information is requested. The provisions
18 shall be generally consistent with the procedures for production and issuance of a
19 certificate of title in the first instance as provided in this chapter.
- 20 (3) A person recovering an original certificate of title for which a duplicate has been
21 issued shall promptly surrender the original certificate to the Department of Vehicle
22 Regulation.
- 23 (4) Application for documents provided for by this section shall be made to the county
24 clerk upon forms provided to him by the Department of Vehicle Regulation.

25 ➔Section 17. KRS 186.574 is amended to read as follows:

- 26 (1) The Transportation Cabinet shall establish a state traffic school for new drivers and
27 for traffic offenders. The school shall be composed of uniform education and

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

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

17 (3) The Transportation Cabinet shall supervise, operate, and administer state traffic
18 school, and shall promulgate administrative regulations pursuant to KRS Chapter
19 13A governing facilities, equipment, courses of instruction, instructors, and records
20 of the program. In the event a person sentenced under subsection (1) of this section
21 does not attend or satisfactorily complete state traffic school, the Transportation
22 Cabinet may deny that person a license or suspend the license of that person until he
23 reschedules attendance or completes state traffic school, at which time a denial or
24 suspension shall be rescinded.

25 (4) Persons participating in the state traffic school as provided in this section shall pay a
26 fee of fifty dollars (\$50)~~fifteen dollars (\$15)~~ to defray the cost of operating the
27 school, except that if enrollment in state traffic school is to satisfy the requirement

1 of KRS 186.410(4)(c), a fee shall not be assessed. Any funds collected pursuant to
2 KRS 186.535(1) that are dedicated to the road fund for use in the state driver
3 education program may be used for the purposes of state traffic school.

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

6 (a) A person convicted of any violation of traffic codes set forth in KRS Chapters
7 177, 186, or 189, and who is otherwise eligible, may in the sole discretion of
8 the trial judge, be sentenced to attend state traffic school. Upon payment of the
9 fee required by subsection (4) of this section, and upon successful completion
10 of state traffic school, the sentence to state traffic school shall be the person's
11 penalty in lieu of any other penalty, except for the payment of court costs;

12 (b) Except as provided in KRS 189.990(28), a person shall not be eligible to
13 attend state traffic school who has been cited for a violation of KRS Chapters
14 177, 186, or 189 that has a penalty of mandatory revocation or suspension of
15 an offender's driver's license;

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

20 (d) Except as provided in KRS 189.990(28), a person shall not be eligible to
21 attend state traffic school more than once in any one (1) year period, unless
22 the person wants to attend state traffic school to comply with the driver
23 education requirements of KRS 186.410; and

24 (e) The cabinet shall notify the sentencing court regarding any person who was
25 sentenced to attend state traffic school who was ineligible to attend state
26 traffic school. A court notified by the cabinet pursuant to this paragraph shall
27 return the person's case to an active calendar for a hearing on the matter. The

1 court shall issue a summons for the person to appear and the person shall
2 demonstrate to the court why an alternative sentence should not be imposed.

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

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

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

11 1. May charge a reasonable fee to program participants, which shall only
12 be used for payment of county attorney office operating expenses; and

13 2. Shall, by October 1 of each year, report to the Prosecutors Advisory
14 Council the fee charged for the county attorney-operated traffic safety
15 program and the total number of traffic offenders diverted into the
16 county attorney-operated traffic safety program for the preceding fiscal
17 year categorized by traffic offense.

18 (d) Each participant in a county attorney-operated traffic safety program shall, in
19 addition to the fee payable to the county attorney, pay a twenty-five dollar
20 (\$25) fee to the court clerk, which shall be paid into a trust and agency
21 account with the Administrative Office of the Courts and is to be used by the
22 circuit clerks to hire additional deputy clerks and to enhance deputy clerk
23 salaries.

24 (e) Each participant in a county attorney-operated traffic safety program shall, in
25 addition to the fee payable to the county attorney and the fee required by
26 paragraph (d) of this subsection, pay a thirty dollar (\$30) fee to the county
27 attorney in lieu of court costs. On a monthly basis, the county attorney shall

- 1 forward the fees collected pursuant to this paragraph to the Finance and
2 Administration Cabinet to be distributed as follows:
- 3 1. Ten and eight-tenths percent (10.8%) to the spinal cord and head injury
4 research trust fund created in KRS 211.504;
 - 5 2. Nine and one-tenth percent (9.1%) to the traumatic brain injury trust
6 fund created in KRS 211.476;
 - 7 3. Five and eight-tenths percent (5.8%) to the special trust and agency
8 account set forth in KRS 42.320(2)(f) for the Department of Public
9 Advocacy;
 - 10 4. Five and seven-tenths percent (5.7%) to the crime victims compensation
11 fund created in KRS 49.480;
 - 12 5. One and two-tenths percent (1.2%) to the Justice and Public Safety
13 Cabinet to defray the costs of conducting record checks on prospective
14 firearms purchasers pursuant to the Brady Handgun Violence Prevention
15 Act and for the collection, testing, and storing of DNA samples;
 - 16 6. Sixteen and eight-tenths percent (16.8%) to the county sheriff in the
17 county from which the fee was received;
 - 18 7. Nine and one-tenth percent (9.1%) to the county treasurer in the county
19 from which the fee was received to be used by the fiscal court for the
20 purposes of defraying the costs of operation of the county jail and the
21 transportation of prisoners;
 - 22 8. Thirty-three and two-tenths percent (33.2%) to local governments in
23 accordance with the formula set forth in KRS 24A.176(5); and
 - 24 9. Eight and three-tenths percent (8.3%) to the Cabinet for Health and
25 Family Services for the implementation and operation of a telephonic
26 behavioral health jail triage system as provided in KRS 210.365 and
27 441.048.

1 ➔Section 18. KRS 189.270 is amended to read as follows:

- 2 (1) The department may issue permits for the operation of motor vehicles,
3 manufactured homes, recreational vehicles, boats, or any other vehicle transporting
4 a nondivisible load, whose gross weight including load, height, width, or length
5 exceeds the limits prescribed by this chapter or which in other respects fail to
6 comply with the requirements of this chapter. Permits may be issued by the
7 department for stated periods, special purposes, and unusual conditions, and upon
8 terms in the interest of public safety and the preservation of the highways as the
9 department may require.
- 10 (2) (a) Except as provided in subsection (7) of this section, the department may, at
11 the request of an applicant, issue a single-trip permit regardless of the type of
12 vehicle or equipment being transported that exceeds the weight or dimension
13 limits established by this chapter if the load being transported is a nondivisible
14 load.
- 15 (b) Except as provided in paragraph (c) of this subsection, each^[a] single-trip
16 permit shall cost one hundred fifty dollars (\$150).
- 17 (c) A single-trip permit for a load which exceeds two hundred thousand
18 (200,000) pounds shall cost one thousand five hundred dollars
19 (\$1,500)~~[sixty dollars (\$60) for each overweight or overdimensional permit~~
20 ~~requested]~~.
- 21 (3) Except as provided in subsection (7) of this section, the department may, at the
22 request of an applicant, issue an annual permit regardless of the type of vehicle or
23 equipment being transported that exceeds the weight or dimension limits
24 established by this chapter if the load being transported is a nondivisible load. The
25 vehicle shall not exceed sixteen (16) feet in width exclusive of usual and ordinary
26 overhang, one hundred twenty (120) feet in length including a towing vehicle and
27 trailer combination, thirteen (13) feet six (6) inches in height, or one hundred sixty

1 thousand (160,000) pounds. Except as provided in subsections (4) and (7) of this
2 section, an annual permit for loads less than fourteen (14) feet in width shall cost
3 six hundred twenty-five dollars (\$625)~~[two hundred fifty dollars (\$250)]~~. An
4 annual permit for loads exceeding fourteen (14) feet in width shall cost one
5 thousand two hundred fifty dollars (\$1,250)~~[five hundred dollars (\$500)]~~.

6 (4) An annual permit to transport farm equipment less than fourteen (14) feet in width
7 shall cost eighty dollars (\$80). An annual permit to transport farm equipment that
8 exceeds fourteen (14) feet in width from a dealership to a farm, from a farm to a
9 dealership, or from a dealership to a dealership shall cost one hundred fifty dollars
10 (\$150).

11 (5) Permits issued under this section shall be for nondivisible loads and shall be valid
12 statewide; however, the department may, as a condition of issuing an annual or
13 single-trip permit, limit the overweight or overdimensional vehicle to specified
14 routes, exclude certain highways, or even cancel an applicant's permit if an
15 unreasonable risk of accident or an unreasonable impedance of the flow of traffic
16 would result from the presence of the overweight or overdimensional vehicle. A
17 person who applies for, and accepts, a permit issued under this section is
18 acknowledging that the Kentucky Transportation Cabinet is not guaranteeing safe
19 passage of vehicles by issuing the permit. A person who applies for, and accepts, a
20 permit issued under this section agrees to measure all clearances of highway
21 structures, both laterally and vertically, prior to passage of the person's vehicles
22 along the routes specified in the permit. A person who applies for, and accepts, a
23 permit issued under this section is classified as a bare licensee whose duty is to
24 assume sole risk involved in using Kentucky's highways without warranty of
25 accuracy.

26 (6) Subject to the limitations of subsection (11) of this section, the department shall
27 promulgate administrative regulations under KRS Chapter 13A to establish

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

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

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

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

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

24 (11) (a) The cabinet shall not promulgate administrative regulations pursuant to this
25 section that restrict the time or days of the week when a permit holder may
26 operate on the highway, except that travel may be limited from 6 a.m. to 9
27 a.m. and 3 p.m. to 6 p.m. Monday through Friday. In addition to the

1 restrictions established in this paragraph, any manufactured home being
2 transported by permit issued under this section shall not travel on any highway
3 after daylight hours Monday through Saturday, or at any time on Sunday.

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

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

- 12 1. For a single vehicle and load in excess of twelve (12) feet in width being
13 operated on a two (2) lane highway, no more than one (1) lead vehicle
14 shall be required;
- 15 2. For a single vehicle and load in excess of twelve (12) feet in width being
16 operated on a four (4) lane highway, no more than one (1) trail vehicle
17 shall be required;
- 18 3. For a single vehicle and load in excess of eighty-five (85) feet in length
19 being operated on a two (2) lane highway, no more than one (1) lead
20 vehicle shall be required;
- 21 4. For more than one (1) vehicle and load in excess of twelve (12) feet in
22 width or eighty-five (85) feet in length being operated as a convoy on a
23 two (2) lane highway, no more than one (1) lead vehicle shall be
24 required;
- 25 5. A lead escort vehicle on a two (2) lane highway under this paragraph
26 may also serve as a tow vehicle;
- 27 6. Any distance for lead or trail escort vehicles shall contain provisions

1 allowing for a variance from that distance due to safety or road
2 conditions; and

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

6 ➔SECTION 19. A NEW SECTION OF KRS CHAPTER 174 IS CREATED TO
7 READ AS FOLLOWS:

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

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

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

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

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

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

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

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

22 *(5) Any interest earnings of the fund shall become part of the fund and shall not*
23 *lapse.*

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

27 Concurrent Resolution.

1 ➔Section 20. Whereas changes to calculations of motor fuel highway use taxes
2 are most appropriately made to coincide with the beginning of the fiscal year, an
3 emergency is declared to exist, and Sections 1 to 3 of this Act take effect July 1, 2018.

4 ➔Section 21. Sections 4, 5, and 7 to 14 of this Act take effect January 1, 2019.