

Definitions

Classic Motor Vehicle Project. A motor vehicle that is:

- (a) At least twenty-five (25) years old;
- (b) Not in roadworthy condition; and
- (c) Either currently in this state and not titled or being brought into this state with a regular title from another state that does not denote it as "salvage," "junk," "rebuilt," or any similar designation

Historic Vehicle. A motor vehicle twenty-five (25) years old or older, which is used primarily for exhibition in shows, parades, tours, and other special uses, but not for general transportation.

Restored Classic Motor Vehicle Project. A classic motor vehicle project restored to roadworthy condition.

Street Rod. A modernized private passenger motor vehicle manufactured prior to the year 1949, or designed or manufactured to resemble a vehicle manufactured prior to 1949.

Titling & Registration

From Kentucky Transportation Cabinet:

Historic Vehicle

Who is eligible:

Any person who owns a vehicle that is twenty-five (25) years old or older which is used primarily for exhibition in shows, parades, tours and other special uses but not for general transportation.

Relevant KRS:

KRS186.043

Steps Required:

Plates issued at County Clerk's Office.

Initial Cost and Cost each time a new plate is issued:

\$59.50

Annual Renewal Cost:

\$0.00

Decal Expires:

No Expiration date.

Remarks:

An authentic Kentucky license plates, twenty-five (25) years or older, may be displayed if the historic motor vehicle plate and the registration receipt are kept in the vehicle at all times.



Street Rod

Who is eligible:

Any owner of a modernized private passenger motor vehicle manufactured prior to the year of 1949 or designed/manufactured to resemble a vehicle manufactured prior to 1949.

Relevant KRS:

KRS186.162

Steps Required:

Request plate at County Clerk's office. If the vehicle has a "regular" registration plate, that plate must be turned into the County Clerk.

Initial Cost and Cost each time a new plate is issued:

\$46.00

Annual Renewal Cost:

\$21.00

Decal Expires:

December 31st

Remarks:

This plate may be issued to any non-commercial motor vehicle having a gross weight of less than 10,000 lbs. This plate is available for personalization with an additional \$25.00 application fee annually. Application must be made at your local County Clerk's office. This personalized plate is limited to a maximum of 5 characters.



From Kentucky Administrative Regulations:

601 KAR 23:010. Classic motor vehicle project.

RELATES TO: KRS 186.020, 186A.115, 186A.120, 186A.170(1)(b), 186A.510, 186A.535, 190.300, 190.990(5), 49 U.S.C. 32705

STATUTORY AUTHORITY: KRS 186A.535

NECESSITY, FUNCTION, AND CONFORMITY: KRS 186A.535 authorizes the cabinet to promulgate administrative regulations governing the application process and titling of classic motor vehicle projects and restored classic motor vehicle projects. This administrative regulation establishes the procedures necessary to obtain a certificate of title for a classic motor vehicle project as defined by KRS 186A.510(2) and for a **classic motor vehicle project** that has been restored to roadworthy condition.

Section 1. Application for Certificate of Title of a **Classic Motor Vehicle Project**. (1)(a) "Salvage", "junk vehicle", and "rebuilt vehicle" as defined by KRS 186A.510 shall be considered permanent brands.

(b) The term "**classic motor vehicle project**" shall be considered a temporary brand in the process of obtaining title.

(2) The owner of a motor vehicle that meets the definition of "**classic motor vehicle project**" as defined by KRS 186A.510(2) shall apply for a certificate of title as follows:

(a) The applicant shall complete an Application for Kentucky Certificate of Title or Registration, Form TC 96-182.

(b) A certified inspector who meets the requirements of 601 KAR 9:085 shall verify the Vehicle Identification Number VIN of the motor vehicle, and complete the appropriate section of the Application for Kentucky Certificate of Title or Registration, Form TC 96-182.

(c) The applicant shall submit the completed form to the county clerk of residence accompanied by the supporting documents as required in KRS 186.020.

(d) A **classic motor vehicle project** shall not be processed through "speed title" as established in KRS 186A.170(1)(b).

Section 2. Application for Certificate of Title of a **Restored Classic Motor Vehicle Project**. (1) The owner of a **classic motor vehicle project** restored to roadworthy condition shall apply for a certificate of title as follows:

(a) The applicant shall submit a notarized Kentucky Certificate of Title or Registration, Form TC 96-182.

(b) A certified inspector who meets the requirements of 601 KAR 9:085 shall physically inspect the **classic motor vehicle project** and certify that it is roadworthy pursuant to KRS 186A.510(8).

(c) The applicant shall submit the completed form and supporting documents to the county clerk of residence.

(d) The clerk shall issue an original certificate of title without a special brand.

(e) A **restored, roadworthy classic motor vehicle project** may be processed through "speed title".

Section 3. Incorporation by Reference. (1) Form TC 96-182, "Application for Kentucky Certificate of Title or Registration", December 2009, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Transportation Cabinet Building, Department of Vehicle Regulations, Division of Motor Vehicle Licensing, Second Floor, Mero Street, Frankfort, Kentucky 40622, Monday through Friday, 8 a.m. to 4:30 p.m. (36 Ky.R. 1144; 1487; eff. 2-5-2010.)

TITLE 601. TRANSPORTATION CABINET DEPARTMENT OF VEHICLE REGULATION
CHAPTER 9. MOTOR VEHICLE TAX

601 KAR 9:090 (2016)

601 KAR 9:090. Procedures for inspecting vehicles.

Section 1. Definitions.

- (1) "Roadworthiness" means "roadworthy condition" as defined by KRS 186A.510(8).
- (2) "Salvage title" means the certificate of title for a vehicle that is not driven on a highway.

Section 2. Inspection of Vehicles Brought into Kentucky.

(1) If an owner of a vehicle brought into the state as established in KRS 186A.115 does not have the title to that vehicle available upon the vehicle's physical inspection for roadworthiness, the certified motor vehicle inspector shall be allowed to inspect the vehicle and complete the certified inspector section of the application for title.

(2) A certified inspector shall not sign or date the application for title of a vehicle brought into this state until the title for the vehicle being inspected is surrendered to the certified motor vehicle inspector for examination and verification.

(3)

(a) If the federal safety standard label on the door of the vehicle is missing or illegible, the certified motor vehicle inspector shall document this discrepancy on the application.

(b) The certified motor vehicle inspector shall certify the inspection by using the vehicle identification number plate and the corresponding number on the vehicle title document.

Section 3. Inspection of Rebuilt or Reconstructed Vehicles.

(1) A certified motor vehicle inspector shall inspect and certify a specially constructed or reconstructed vehicle if an outstanding motor vehicle title or manufacturers statement of origin document does not exist.

(2) A motor vehicle owner applying for a salvage title shall not be required to have a certified motor vehicle inspection.

Section 4. Procedures of Inspector.

(1) A certified motor vehicle inspector shall not inspect a vehicle if the inspector has an interest or ownership in the vehicle, or if the vehicle is owned by the inspector's immediate family.

(2)

(a) Before signing the certificate of inspection for a specially constructed or reconstructed vehicle, a certified motor vehicle inspector shall perform a physical inspection of the vehicle.

(b) A certified vehicle inspector shall insure that the vehicle complies with the equipment and safety requirements of KRS 189.010 through 189.210.

(c) The certified inspector shall execute a certificate of inspection if the vehicle complies wit

TITLE 601. TRANSPORTATION CABINET DEPARTMENT OF VEHICLE REGULATION
CHAPTER 9. MOTOR VEHICLE TAX

601 KAR 9:130 (2016)

601 KAR 9:130. Motor vehicle registration.

Section 1. Application for Kentucky Certificate of Title and Registration Form TC 96-182. (1) The certificate of Title and Registration Form required by KRS 186A.060 shall serve as the application for first time vehicle registration.

(2) A Kentucky certificate of registration shall serve as the application for renewal of registration.

Section 2. Title in Motor Vehicle. During the fifteen (15) day period KRS 186.020(1) allows a person to register a newly acquired motor vehicle or a new Kentucky resident to register his or her motor vehicle:

(1) An assigned title or bill of sale pursuant to KRS 186.020(1) shall be carried in the motor vehicle if the vehicle was last licensed in a title issuing jurisdiction; or

(2) If the jurisdiction in which the motor vehicle was last licensed does not issue titles, the standard document for perfecting the sale of the motor vehicle in the licensing jurisdiction shall be carried in the vehicle.

Section 3. Found License Plate. A person finding a lost, unexpired registration plate shall deliver it to the Department of Vehicle Regulation or to any Kentucky county clerk.

Section 4. Temporary Kentucky Residents. (1) A full-time college student or member of the armed forces who is temporarily maintaining a place of residence in Kentucky while attending a Kentucky college or university or while stationed at a military facility shall not be required to register his or her vehicle in Kentucky if he or she maintains residency in the applicable home state.

(2) To establish that a vehicle owner is a resident of Kentucky and therefore required to register the vehicle in Kentucky the vehicle owner shall have:

(a) Purchased primary residence real estate property in Kentucky;

(b) Registered to vote in Kentucky; or

(c) Applied for or possess a Kentucky motor vehicle operator's license.

Section 5. Placement of License Plate and Renewal Decal. (1) A license plate shall not be placed on a motor vehicle other than the vehicle for which it was issued.

(2) A renewal decal shall not be placed on a license plate except the plate for which the renewal decal was issued.

(3) A renewal decal shall only be placed on its associated license plate in the indentation provided for a decal.

Section 6. Lost or Stolen Special Plates. If a special license plate is lost or stolen the individual responsible for the registration of the vehicle may secure a replacement special license plate by following the provisions established in KRS 186.162(2) through (4).

Section 7. Renewal Decals on Special Plates. (1) Registrations for vehicles with license plates issued as established in KRS 186.162(2) through (4) shall be renewed each year to remain valid.

(2) The Transportation Cabinet shall issue a new license plate or, if the renewal is validated, place a renewal decal on the existing license plate.

(3) If the special license plate deteriorates to the point that the inscriptions are not discernible, the owner may obtain a replacement plate free of charge.

Section 13. An applicant for one (1) of the special license plates listed in this section shall provide the following required information:

(3) **Street rod** license plate: provide sufficient manufacturer's information, title documents, or photographs to prove that the vehicle either was manufactured prior to 1949 or was manufactured to look like it was built prior to 1949;

TITLE 601. TRANSPORTATION CABINET DEPARTMENT OF VEHICLE REGULATION
CHAPTER 9. MOTOR VEHICLE TAX

601 KAR 9:200 (2016)

601 KAR 9:200. Registration and titling of rebuilt motor vehicles.

Section 1. Definition. Confidential inspection means an inspection of a distinguishing number assigned and permanently affixed to a vehicle or vehicle component, such as an engine or transmission or other severable portion of a vehicle, and not readily viewable by general observation.

Section 2. Application for a Kentucky Salvage Title.

(1) A Kentucky salvage title shall be issued for a wrecked or damaged vehicle if the total estimated cost of repair exceeds seventy-five (75) percent of the retail value of the vehicle.

(2) An applicant for a salvage title shall submit an Application for Kentucky Certificate of Title or Registration, TC Form 96-182, to the county clerk.

(3) If a vehicle with a salvage certificate of title issued pursuant to KRS 186A.520 is transferred within Kentucky or if a vehicle with similar title from another jurisdiction is transferred into Kentucky, the new certificate of title shall be another salvage certificate of title until the owner of the motor vehicle has successfully gone through the process established in Section 4 of this administrative regulation.

(4) An application for a certificate of title shall be rejected by the Transportation Cabinet if there is a lien against the vehicle recorded in the Automated Vehicle Information System or Kentucky Automated Vehicle Information System.

(5) An application for a salvage or rebuilt title shall not be processed through "speed title" as established in KRS 186A.170(1)(b).

Section 3. Vehicles from Other Jurisdictions. (1) If the owner of a motor vehicle with a title from another jurisdiction applies for a Kentucky motor vehicle title, or a title and registration, the county clerk receiving the application shall enter the following information relating to brands into the Automated Vehicle Information System or Kentucky Automated Vehicle Information System:

(a) If the brand on a foreign motor vehicle title relates to prior damage to and repair of a motor vehicle, the Kentucky title, if issued, shall bear the notation "rebuilt vehicle".

(b) If a vehicle title bears both a "rebuilt" brand and a "water damaged" brand as established in KRS 186A.530(4), the Kentucky title shall bear the notation "rebuilt vehicle water damaged".

(2) If a vehicle certificate of title bears a brand relating to the previous usage of the motor vehicle but not to damage to the motor vehicle, the Kentucky certificate of title shall not be branded.

Section 4. Application for Title of Rebuilt Motor Vehicle.

(1) An owner of a motor vehicle that has been assembled from parts of wrecked or salvaged vehicles may apply for registration and title. If the owner applies for registration and title, the motor vehicle shall comply with the equipment and safety requirements of KRS Chapter 189.

(2) An application for registration and title of a motor vehicle that has been assembled from parts of wrecked or salvaged motor vehicles shall be accompanied by:

(a) A completed Application for Kentucky Certificate of Title and Registration, TC Form 96-182;

- (b) A completed Affidavit of Motor Vehicle Assembled from Wrecked or Salvaged Motor Vehicles, TC Form 96-215;
- (c) An address where the motor vehicle may be examined;
- (d) An assigned certificate of title; or
- (e) A notarized affidavit that explains the ownership of the vehicle including:
 - 1. Length of time the vehicle was owned by the current owner, which shall be a minimum of five (5) years;
 - 2. Where and from whom the vehicle was purchased;
 - 3. When and where the vehicle was last registered or licensed; and
 - 4. A statement that there are no liens against the vehicle;
- (f) A descriptive, notarized labor statement of repairs made and parts replaced;
- (g) An original receipt for each part purchased. Multiple parts may be listed on one (1) receipt. The receipt shall include:
 - 1. Seller's name;
 - 2. Seller's address;
 - 3. Seller's telephone number;
 - 4. Date of part purchase;
 - 5. Price and serial number of part purchased; and
 - 6.a. Vehicle identification number of vehicle from which the part was taken; or
 - b. A written comprehensive explanation of the reason why the part does not have a serial number;
- (h) If the motor vehicle is a motorcycle, a pencil tracing or picture of the motor identification number and frame identification number of the rebuilt motorcycle and the motorcycle from which parts were obtained;
- (i)
 - 1. The license plate from the motor vehicle even if the plate has expired; or
 - 2. A statement of why there is no longer a license plate for the rebuilt motor vehicle;
- (j)
 - 1. A separate federal odometer disclosure statement if unavailable on either the Application for Title or Registration or the back of the certificate of title. An Odometer Disclosure Statement, TC Form 96-5 may be used; and
 - 2. A title issued pursuant to KRS 186A.530(2) bearing the notation "rebuilt vehicle".

Section 5. Insurance Companies.

- (1) If an insurance company becomes the lawful owner of a stolen motor vehicle, the insurance company shall make application in the name of the company for a regular title.

(2) If the motor vehicle is subsequently recovered and damage to the motor vehicle meets the requirements of a salvage vehicle as established in KRS 186A.520, the insurance company shall make an application for a salvage certificate of title.

(3) If an insurance company has been issued a salvage certificate of title for a vehicle recovered in a theft, but the motor vehicle does not meet the requirements for a salvage vehicle established in KRS 186A.520, an insurance company may apply for a regular certificate of title.

(4) An insurance company shall apply for title by using Application for Kentucky Certificate of Title or Registration, TC Form 96-182. The application shall include:

(a) The assigned certificate of title; and

(b) Verification on the company letterhead that the motor vehicle is a theft recovery and a description of the damage to the motor vehicle.

Section 6. Additional Information. (1) The Transportation Cabinet shall require a confidential inspection of a rebuilt motor vehicle by the Kentucky State Police if:

(a) The documentation required by Section 4 of this administrative regulation is not available; or

(b) A check of the National Crime Information Center identifies the motor vehicle as stolen and a check of the Vehicle Identification Number Analysis, "VINA," identifies the motor vehicle as having a nonconforming vehicle identification number.

(2) If the repair documentation submitted in accordance with the requirements of Section 4 of this administrative regulation is less than seventy-five (75) percent of the value of the motor vehicle, the Transportation Cabinet shall require a:

(a) Written statement from the insurance company of the damage done to the motor vehicle; or

(b) Salvage pool receipt that describes the damage to the motor vehicle.

Section 7.. Mistakenly Issued Brands. (1) If a certificate of title is branded due to an error by the county clerk or the Department of Vehicle Regulation, an application for an updated or corrected title shall be submitted to the county clerk as established in KRS 186A.180.

(2) An application for an updated or corrected certificate of title shall consist of the following documents:

(a) An Application for Kentucky Certificate of Title or Registration, TC Form 96-182;

(b) The certificate of title; and

(c) An affidavit from the owner or a statement from the county clerk which that describes the nature of the error.

Section 8.. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Application for Kentucky Certificate of Title or Registration", TC Form 96-182, November, 2012;

(b) "Affidavit of Motor Vehicle Assembled from Wrecked or Salvaged Motor Vehicles", TC Form 96-215, May, 2013; and

(c) "Odometer Disclosure Statement", TC Form 96-5, May, 2013.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Transportation Cabinet Building, Division of Motor Vehicle Licensing, 200 Mero Street, Frankfort, Kentucky 40622, or on the cabinet's web site at mvl.ky.gov. This material may also be obtained at the office of a Kentucky county clerk..

21 Ky.R. 2000; Am. 2509; 2701; eff. 5-2-1995; 40 Ky.R. 130; 863; 1067; eff. 12-6-2013.

From Kentucky Revised Statutes:

TITLE XVI Motor Vehicles
CHAPTER 186A Automated Motor Vehicle Registration System
Damaged Motor Vehicles

KRS § 186A.510 (2016)

186A.510. Definitions for KRS 186A.500 to 186A.550.

As used in KRS 186A.500 to 186A.550, unless the context otherwise requires:

(1) "Brand" means a designation that is affixed as required by this chapter, or that has previously been affixed, to a motor vehicle title that establishes a portion of the history of the motor vehicle and that shall be fixed to all subsequently issued titles for that **vehicle**;

(2) "**Classic** motor **vehicle** project" means a motor vehicle that is:

(a) At least twenty-five (25) years old;

(b) Not in roadworthy condition; and

(c) Either currently in this state and not titled or being brought into this state with a regular title from another state that does not denote it as "salvage," "junk," "rebuilt," or any similar designation;

(3) "Dealer" means a person or business as defined in KRS 190.010 who sells or offers for sale a motor vehicle;

(4) "Junk vehicle" means a vehicle which meets the description set forth in KRS 186A.295(1)(a);

(5) "Motor vehicle" means a motor vehicle as defined in KRS 186.010(8)(a) and (b);

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

(7) "**Rebuilt vehicle**" means a vehicle that has been repaired to a road worthy condition after having been registered as a salvage vehicle pursuant to KRS 186A.520, or a similar salvage designation from another licensing jurisdiction;

(8) "Roadworthy condition" means a vehicle in a safe condition to operate on the highway and capable of transporting persons or property that complies fully with the provisions of KRS Chapter 189 pertaining to vehicle equipment; and

(9) "Water damage" means damage to a motor vehicle caused by submerging or partially submerging the vehicle in water to the extent that the vehicle was submerged or partially submerged at any water level above the dashboard of the vehicle, regardless of the actual dollar amount of the damage.

TITLE XVI Motor Vehicles
CHAPTER 186A Automated Motor Vehicle Registration System
Damaged Motor Vehicles

KRS § 186A.535 (2016)

186A.535. Title for classic motor vehicle project -- Administrative regulations.

(1) The owner of a motor vehicle that meets the definition of a **classic motor vehicle** project may apply for a **classic motor vehicle** project certificate of title, which shall:

(a) Bear on the face of the title the words "**CLASSIC MOTOR VEHICLE** PROJECT--NOT FOR ROAD USE"; and

(b) Not bear the designation of "salvage," "junk," "rebuilt," or any other similar brand.

(2) The owner of a motor vehicle that meets the definition of a **classic motor vehicle** project as set forth in KRS 186A.510, has been issued a **classic motor vehicle** project certificate of title under subsection (1) of this section, and has been restored to roadworthy condition may make application for a new certificate of title pursuant to KRS 186A.115. The Transportation Cabinet may promulgate administrative regulations pursuant to KRS Chapter 13A governing the form of application.

(3) Upon receipt of a **classic motor vehicle** project certificate of title issued pursuant to subsection (1) of this section and proof of passing the inspection required by KRS 186A.115, the cabinet shall issue a new regular certificate of title with no special brand printed on the face of the title.

(4) The only time a **vehicle** with a **classic motor vehicle** project certificate of title may be operated upon the highways of the Commonwealth is when it is en route to or from an inspection by the certified inspector prior to obtaining a certificate of title after having been restored in accordance with KRS 186A.115.

(5) The Transportation Cabinet shall promulgate administrative regulations pursuant to KRS Chapter 13A, regarding the administration of the **classic motor vehicle** project certificate of title procedures. The administrative regulations shall include the manner in which **classic motor vehicle** project titles are differentiated from salvage titles and rebuilt brands. The administrative regulations may include designation of additional brands which provide significant information to the owner.

TITLE XVI Motor Vehicles
CHAPTER 186 Licensing of Motor Vehicles, Operators and Trailers
Motor Vehicle Licenses

KRS § 186.115 (2016)

186.115. Registration of **vehicle assembled from parts of wrecked or salvaged motor vehicles.**

When the owner of a motor vehicle which has been assembled from parts from wrecked or salvaged motor vehicles presents such a vehicle for registration, he or she shall submit an affidavit and any invoices showing the purchase of such parts to either the county clerk or the Kentucky Transportation Cabinet's central office in Frankfort. The county clerk shall forward all applications received to the Transportation Cabinet. The cabinet will either authorize or prohibit the registration of the vehicle.

Enact. Acts 1976, ch. 133, § 18; 1978, ch. 384, § 332, effective June 17, 1978; 2013, ch. 35, § 1, effective June 25, 2013.

TITLE XVI Motor Vehicles
CHAPTER 186A Automated Motor Vehicle Registration System

KRS § 186A.115 (2016)

186A.115. Inspection of motor vehicles and documents by certified inspector -- Fee for certification of inspection -- Reciprocity between counties -- Exceptions -- Inspection of historic vehicles.

(1) Except as otherwise provided in this section, the owner of every vehicle brought into this state and required to be titled in this state shall, before submitting his application for title to the county clerk, have the vehicle together with his application for title and its supporting documents inspected by a certified inspector in the county in which the application for title is to be submitted to the county clerk.

(a) The certified inspector shall be certified through the Department of Vehicle Regulation following requirements set forth by the department by regulation and shall be designated by the county sheriff. The certified inspector will be held responsible for all certifications required pursuant to this chapter and will be liable for any and all penalties prescribed in this chapter, and shall be available during regular office hours at any and all offices and branches that issue applications for titles.

(b) There shall be a five dollar (\$5) fee for this certification, payable to the sheriff's office, upon completion of certification.

(c) There shall be an additional fee of ten dollars (\$10) per trip when it becomes necessary for the certified inspector to travel to the site of the vehicle rather than bringing the vehicle to the sheriff's inspection area.

(d) An inspection conducted in one (1) county within the Commonwealth of Kentucky under this subsection, and the fees paid for that inspection under this subsection, shall be honored by the certified inspector, sheriff, and county clerk in all other counties within this state. A second inspection shall not be required and additional fees shall not be required.

(2) The following vehicles are excluded from the requirement of inspection by a certified inspector prior to titling in this state:

(a) New motor vehicles sold by a dealer licensed in this state;

(b) Vehicles required to be registered in this state by reason of lack of a reciprocity agreement with another state and for which a nonnegotiable registration document is to be issued;

(c) Motor vehicles operated by a motor carrier under a nonnegotiable certificate or permit issued by the Department of Vehicle Regulation;

(d) Motor vehicles owned by servicemen or servicewomen who are residents of Kentucky stationed outside of Kentucky may be inspected by the post provost or similar officer of the camp, post, or station. The post provost or similar officer shall submit an affidavit stating the name of the owner, the identification or serial number, the make, body style, current license or title number, if any, and state in which currently registered or titled, if any, of the motor vehicle;

(e) Motor vehicles purchased in another state by persons who are residents of Kentucky but are temporarily residing out of state for at least thirty (30) days, but not longer than nine (9) months, may after the purchase of the vehicle be inspected by the state police, a local law enforcement agency, or the vehicle inspection program of another state. If an inspector in another state examines a vehicle under this paragraph, the purchaser may request the inspector to complete an affidavit stating the name of the owner, the vehicle identification number, the vehicle make and body style, the current state of registration, if any, and the current vehicle license or title number, if any. The Transportation Cabinet shall create an affidavit form containing at a minimum this information and shall post the form on the cabinet's Internet Web site. A person using an inspector in another state under this paragraph shall comply with all requirements of that state's inspection program, including payment of fees charged in that state. A person registering a motor vehicle for the first time in Kentucky under this paragraph shall transmit the application for registration, all supporting documentation, and payment for registration and usage tax to

the county clerk of the county in which the person resides, and upon receipt of the appropriate documentation, the county clerk shall register the vehicle; and

(f) Motor vehicles no longer located in Kentucky but which require inspection in order to issue a corrected Kentucky title due to error in vehicle identification or serial number may be inspected by an inspector authorized to inspect vehicle identification or serial number by the laws of the state or foreign country where application for a new title has been submitted.

(3) When presented to a certified inspector for inspection or to a county clerk for processing, the owner's application for a first certificate of registration or title in his name shall be accompanied by proof of insurance in compliance with KRS 304.39-080 and one (1) of the following documents as applicable:

(a) If the vehicle is a new vehicle not previously registered in this state, the properly assigned manufacturer's statement of origin for the vehicle for which registration or title is sought;

(b) If the vehicle was last registered in this state, and is a vehicle for which a title is not required in this state, a certificate of registration, or if the vehicle is one for which a certificate of title is required in this state, a properly assigned certificate of title;

(c) If the vehicle was last previously titled in another state, a properly assigned certificate of title;

(d) If the application refers to a vehicle previously registered in another country, the documents of that country establishing ownership of the vehicle;

(e) If the application refers to a vehicle last previously registered in another country by a person on active duty in the Armed Forces of the United States, the county clerk may accept on behalf of the Department of Vehicle Regulation evidence of ownership provided the applicant by the United States Department of Defense; and

(f) Except as provided in KRS 186A.072(2)(c) governing custom-built motorcycles, if the application relates to a **vehicle which has been specially** constructed or **reconstructed**, that fact shall be stated in the application, and the application shall be accompanied by the documents specified by administrative regulations of the Department of Vehicle Regulation.

(4) When requested to inspect a vehicle pursuant to this section, the certified inspector shall personally and physically inspect the vehicle, when registration or title is sought in this state, on the following points:

(a) He shall ensure that the application is legible and properly executed to the extent required at the time of execution;

(b) He shall compare the vehicle identification number as appearing on both the vehicle identification number plate, and the federal safety standards label of the vehicle which is sought to be registered or titled, with the corresponding number inscribed on the application, and its supporting documentation, and ensure that the vehicle identification number appearing at each described location appears legitimate and that they are consistent with each other;

(c) He shall examine the primary odometer of the vehicle and legibly record the reading in the space provided in the inspection section of the application; and

(d) After exercising due diligence in inspecting the vehicle, the application, and its supporting documentation, and finding that they appear to be in order, the certified inspector shall execute the preprinted certificate of inspection according to its terms by printing in the spaces provided his first name, middle initial, and last name, and his title; the name of the county in which he serves; and the telephone number including the telephone area code of his agency, and sign in ink his signature in the space provided, and print the month, day, and year in which his inspection was made, certifying under penalty of forgery in the second degree the character, accuracy, and date of his inspection.

(5) The certified inspector shall refrain from executing the certificate of inspection if:

(a) He has not personally and physically inspected the vehicle in accordance with this section;

(b) He has reason to believe that the vehicle displays an unlawfully altered vehicle identification number;

(c) The application and any of its copies are illegible or otherwise improperly executed, or contain information reasonably believed to be inaccurate or fraudulent;

(d) The documentation required in support of any application is not present, or not consistent with the vehicle and the owner's application or appears fraudulent; or

(e) He has probable cause to believe the vehicle is stolen.

(6) (a) Inspections on motor vehicles that meet the definition of a "**historic vehicle**" under KRS 186.043(2) and are brought into this state shall be limited to verification of the vehicle identification number with supporting documentation for purposes of titling.

(b) Inspections on motor vehicles that meet the definition of a **classic motor vehicle** project as set forth in KRS 186A.510 shall be limited to verification of the vehicle identification number with supporting documentation for purposes of issuing a **classic motor vehicle** project certificate of title under KRS 186A.535(1).

TITLE XVI Motor Vehicles
CHAPTER 186 Licensing of Motor Vehicles, Operators and Trailers
Motor Vehicle Licenses

KRS § 186.043 (2016)

186.043. Special license plates for historic motor vehicles -- Permanent registration.

(1) In enacting this section, it is the intention of the General Assembly to recognize the special value of **historic vehicles** to the Commonwealth, and also to recognize that **historic vehicles**, because of their limited use and easily identifiable characteristics, do not require the same degree of regulation as other vehicles.

(2) As used in this section, unless the context otherwise requires, "**historic vehicle**" shall mean all motor vehicles twenty-five (25) years old or older, which are used primarily for exhibition in shows, parades, tours, and other special uses, but not for general transportation.

(3) **Historic vehicles** shall be registered and licensed by the Transportation Cabinet. The registration shall be in lieu of registration and license required by KRS 186.020 to 186.270.

(4) Upon payment of the fee established in KRS 186.162 and an application in accordance with regulations issued by the Transportation Cabinet, the secretary of the Transportation Cabinet shall issue a certificate of registration and two (2) special license plates of a different color and design than the regular license plate, which, in the judgment of the secretary of the Transportation Cabinet, will best advertise, popularize, and promote the Commonwealth of Kentucky. These plates, besides the word "Kentucky" shall have the words, "**Historic Motor Vehicle**" inscribed in a conspicuous manner and carry no year date. These plates shall have a serial number beginning with the number "100" and continue in a consecutive numerical sequence.

(5) **Historic vehicles** may display an **authentic** Kentucky license **plate**, twenty-five (25) years or older, or a reproduction of such a **plate**, if the **historic motor vehicle plate** and the registration receipt are kept in the vehicle at all times.

(6) The registration license and license **plates** of **historic motor vehicles** shall be valid without renewal as long as the **vehicle** is in existence. If the **historic motor vehicle** is sold, the registration and license shall be assigned and transferred to the new owner on the records of the Transportation Cabinet upon receipt of an application in accordance with regulations issued by the cabinet and payment of a fee of three dollars (\$3).

TITLE XVI Motor Vehicles
CHAPTER 186 Licensing of Motor Vehicles, Operators and Trailers
Motor Vehicle Licenses

KRS § 186.0435 (2016)

186.0435. Display of vintage Kentucky license plates on historic vehicle.

Any motor vehicle that meets the age requirements of a "**historic vehicle**" as used in KRS 186.043(2) and is registered in accordance with KRS 186.050 may display an **authentic** Kentucky license **plate**, twenty-five (25) years or older, or a reproduction of such a plate, if the current motor vehicle plate and the registration receipt are kept in the vehicle at all times.

TITLE XVI Motor Vehicles
CHAPTER 186 Licensing of Motor Vehicles, Operators and Trailers
Motor Vehicle Licenses

KRS § 186.162 (2016)

186.162. Special license plates for members or supporters of certain groups and organizations -- Initial and renewal fees -- Combination of special license plate with personalized license plate -- Special license plates for motorcycles.

- (1) As used in this section and in KRS 186.043, 186.164, 186.166, 186.1722, and 186.174:
- (a) "Special license plate" means a unique license plate issued under this chapter to a group or organization that readily identifies the operator of the motor vehicle or motorcycle bearing the plate as a member of a group or organization, or a supporter of the work, goals, or mission of a group or organization. The term shall not include regular license plates issued under KRS 186.240;
 - (b) "Street rod" means a modernized private passenger motor vehicle manufactured prior to the year 1949, or designed or manufactured to resemble a vehicle manufactured prior to 1949;
 - (c) "SF" means the portion of an initial or renewal fee to obtain a special license plate that is dedicated for use by the Transportation Cabinet;
 - (d) "CF" means the portion of an initial or renewal fee to obtain a special license plate that is dedicated for use by a county clerk; and
 - (e) "EF" means the portion of an initial or renewal fee to obtain a special license plate that is mandated by this chapter to be dedicated for use by a particular group or organization.
- (2) The initial purchase fee and renewal fee for a special license plate created under this chapter shall be as established in this subsection and includes the name of group or organization and the total initial and renewal fee required for the plate. The amount in parentheses indicates how the total fee is required to be divided:
- (a) Disabled veterans who receive assistance to purchase a vehicle from the United States Department of Veterans' Affairs, veterans declared by the United States Department of Veterans' Affairs to be one hundred percent (100%) service-connected disabled, and recipients of the Congressional Medal of Honor:
 - 1. Initial Fee: \$0 (\$0 SF/\$0 CF/\$0 EF).
 - 2. Renewal Fee: \$0 (\$0 SF/\$0 CF/\$0 EF).
 - (b) Former prisoners of war and survivors of Pearl Harbor:
 - 1. Initial Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the veterans' program trust fund established under KRS 40.460).
 - 2. Renewal Fee: \$3 (\$0 SF/\$3 CF/\$0 EF).
 - (c) Members of the Kentucky National Guard and recipients of the Purple Heart:
 - 1. Initial Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the veterans' program trust fund established under KRS 40.460).
 - 2. Renewal Fee: \$8 (\$0 SF/\$3 CF/\$5 EF to the veterans' program trust fund established under KRS 40.460).
 - (d) Members of the Civil Air Patrol; active, retired, veteran, reserve, or auxiliary members of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard; Merchant Marines who served between December 7, 1941, and August 15, 1945; recipients of the Silver Star Medal, or the Bronze Star Medal awarded for valor; persons who wish to receive Gold Star Mothers, Gold Star Fathers, or Gold Star Spouses license plates beyond the two (2) exempted from fees under KRS 186.041(6); individuals eligible for a special military service academy license plate under KRS 186.041(8); and disabled veterans who have been declared to be between fifty percent (50%) and ninety-nine percent (99%) service-connected disabled by the United States Department of Veterans' Affairs:
 - 1. Initial Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the veterans' program trust fund established under KRS 40.460).
 - 2. Renewal Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the veterans' program trust fund established under KRS 40.460).
 - (e) Recipients of the Distinguished Service Cross, Navy Cross, or Air Force Cross:
 - 1. Initial Fee: \$3 (\$0 SF/\$3 CF/\$0 EF).
 - 2. Renewal Fee: \$3 (\$0 SF/\$3 CF/\$0 EF).
 - (f) Disabled license plates:
 - 1. Initial Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).
 - 2. Renewal Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).

(g) Historic vehicles:

1. Initial Fee for two plates: \$53 (\$50 SF/\$3 CF/\$0 EF).
2. Renewal Fee: Do not renew annually.

(h) Members of Congress:

1. Initial Fee: \$40 (\$37 SF/\$3 CF/\$0 EF).
2. Renewal Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the veterans' program trust fund established under KRS 40.460).

(i) Firefighters:

1. Initial Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).
2. Renewal Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).

(j) Emergency management:

1. Initial Fee: \$28 (\$25 SF/\$3 CF/\$0 EF).
2. Renewal Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).

(k) Fraternal Order of Police:

1. Initial Fee: \$38 (\$25 SF/\$3 CF/\$10 EF to the Kentucky FOP Death Benefit Fund).
2. Renewal Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to the Kentucky FOP Death Benefit Fund).

(l) Law Enforcement Memorial:

1. Initial Fee: \$38 (\$25 SF/\$3 CF/\$10 EF to the Kentucky Law Enforcement Memorial Foundation, Inc.).
2. Renewal Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to the Kentucky Law Enforcement Memorial Foundation, Inc.).

(m) Personalized plates:

1. Initial Fee: \$40 (\$37 SF/\$3 CF/\$0 EF).
2. Renewal Fee: \$40 (\$37 SF/\$3 CF/\$0 EF).

(n) Street rods:

1. Initial Fee: \$40 (\$37 SF/\$3 CF/\$0 EF).
2. Renewal Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).

(o) Nature plates:

1. Initial Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to Kentucky Heritage Land Conservation Fund established under KRS 146.570).
2. Renewal Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to Kentucky Heritage Land Conservation Fund established under KRS 146.570).

(p) Amateur radio:

1. Initial Fee: \$40 (\$37 SF/\$3 CF/\$0 EF).
2. Renewal Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).

(q) Kentucky General Assembly:

1. Initial Fee: \$40 (\$37 SF/\$3 CF/\$0 EF).
2. Renewal Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the veterans' program trust fund established under KRS 40.460).

(r) Kentucky Court of Justice:

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

(s) Masons:

1. Initial Fee: \$28 (\$25 SF/\$3 CF/\$0 EF).
2. Renewal Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).

(t) Collegiate plates:

1. Initial Fee: \$50 (\$37 SF/\$3 CF/\$10 EF to the general scholarship fund of the university whose name will be borne on the plate).
2. Renewal Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to the general scholarship fund of the university whose name will be borne on the plate).

(u) Independent Colleges:

1. Initial Fee: \$38 (\$25 SF/\$3 CF/\$10 EF to the Association of Independent Kentucky Colleges and Universities for distribution to the general scholarship funds of the Association's members).
2. Renewal Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to the Association of Independent Kentucky Colleges and Universities for distribution to the general scholarship funds of the Association's members).

(v) Child Victims:

1. Initial Fee: \$38 (\$25 SF/\$3 CF/\$10 EF to the child victims' trust fund established under KRS 41.400).

2. Renewal Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the child victims' trust fund established under KRS 41.400).

(w) Kentucky Horse Council:

1. Initial Fee: \$38 (\$25 SF/\$3 CF/\$10 EF to the Kentucky Horse Council).

2. Renewal Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the Kentucky Horse Council).

(x) Ducks Unlimited:

1. Initial Fee: \$38 (\$25 SF/\$3 CF/\$10 EF to Kentucky Ducks Unlimited).

2. Renewal Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to Kentucky Ducks Unlimited).

(y) Spay neuter:

1. Initial Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to the animal control and care fund established under KRS 258.119).

2. Renewal Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the animal control and care fund established under KRS 258.119).

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

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

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

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

(aa) I Support Veterans:

1. Initial Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to the Kentucky Department of Veterans' Affairs).

2. Renewal Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the Kentucky Department of Veterans' Affairs).

(ab) Gold Star Siblings:

1. Initial Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to the veterans' program trust fund established under KRS 40.460).

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

(3) Any special license plate may be combined with a personalized license plate for a twenty-five dollar (\$25) state fee in addition to all other fees for the particular special license plate established in this section and in KRS 186.164(3). The twenty-five dollar (\$25) fee required under this subsection shall be divided between the cabinet and the county clerk of the county where the applicant is applying for the license plate with the cabinet receiving twenty dollars (\$20) and the county clerk receiving five dollars (\$5).

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

Enact. Acts 2005, ch. 133, § 1, effective June 20, 2005; 2006, ch. 40, § 1, effective July 12, 2006; 2006, ch. 190, § 2, effective July 12, 2006; 2007, ch. 23, § 1, effective June 26, 2007; 2007, ch. 39, § 1, effective June 26, 2007; 2008, ch. 30, § 2, effective July 15, 2008; 2008, ch. 164, § 2, effective July 15, 2008; 2016, ch. 33, § 1, effective July 15, 2010; 2010, ch. 72, § 1, effective July 15, 2010; 2010, ch. 113, § 2, effective July 15, 2010; 2010, ch. 129, § 1, effective July 15, 2010; 2011, ch. 10, § 2, effective July 12, 2012 (see note); 2014, ch. 56, § 1, effective July 15, 2014; 2015, ch. 32, § 1, effective January 1, 2016.

TITLE XI Revenue and Taxation
CHAPTER 138 Excise Taxes
Motor Vehicle Usage

KRS § 138.450 (2016)

138.450. Definitions for KRS 138.455 to 138.470.

As used in KRS 138.455 to 138.470, unless the context requires otherwise:

(1) "Current model year" means a motor vehicle of either the model year corresponding to the current calendar year or of the succeeding calendar year, if the same model and make is being offered for sale by local dealers;

(2) "Dealer" means "motor vehicle dealer" as defined in KRS 190.010;

(3) "Dealer demonstrator" means a new motor vehicle or a previous model year motor vehicle with an odometer reading of least one thousand (1,000) miles that has been used either by representatives of the manufacturer or by a licensed Kentucky dealer, franchised to sell the particular model and make, for demonstration;

(4) "**Historic** motor **vehicle**" means a motor vehicle registered and licensed pursuant to KRS 186.043;

(5) "Motor vehicle" means any vehicle that is propelled by other than muscular power and that is used for transportation of persons or property over the public highways of the state, except road rollers, mopeds, vehicles that travel exclusively on rails, and vehicles propelled by electric power obtained from overhead wires;

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

(7) "New motor vehicle" means a motor vehicle of the current model year which has not previously been registered in any state or country;

(8) "Previous model year motor vehicle" means a motor vehicle not previously registered in any state or country which is neither of the current model year nor a dealer demonstrator;

(9) "Total consideration given" means the amount given, valued in money, whether received in money or otherwise, at the time of purchase or at a later date, including consideration given for all equipment and accessories, standard and optional. "Total consideration given" shall not include:

(a) Any amount allowed as a manufacturer or dealer rebate if the rebate is provided at the time of purchase and is applied to the purchase of the motor vehicle;

(b) Any interest payments to be made over the life of a loan for the purchase of a motor vehicle; and

(c) The value of any items that are not equipment or accessories including but not limited to extended warranties, service contracts, and items that are given away as part of a promotional sales campaign;

(10) "Trade-in allowance" means:

(a) The value assigned by the seller of a motor vehicle to a motor vehicle registered to the purchaser and offered in trade by the purchaser as part of the total consideration given by the purchaser and included in the notarized affidavit attesting to total consideration given; or

(b) In the absence of a notarized affidavit, the value of the vehicle being offered in trade as established by the department through the use of the reference manual;

(11) "Used motor vehicle" means a motor vehicle which has been previously registered in any state or country;

(12) "Retail price" for:

(a) New motor vehicles;

(b) Dealer demonstrator vehicles;

(c) Previous model year motor vehicles; and

(d) U-Drive-It motor vehicles that have been transferred within one hundred eighty (180) days of being registered as a U-Drive-It and that have less than five thousand (5,000) miles;

means the total consideration given, as determined in KRS 138.4602;

(13) "Retail price" for **historic** motor **vehicles** shall be one hundred dollars (\$100);

(14) "Retail price" for used motor vehicles being titled or registered by a new resident for the first time in Kentucky whose values appear in the reference manual means the trade-in value given in the reference manual;

(15) "Retail price" for older used motor vehicles being titled or registered by a new resident for the first time in Kentucky whose values no longer appear in the reference manual shall be one hundred dollars (\$100);

(16) (a) "Retail price" for:

1. Used motor vehicles, except those vehicles for which the retail price is established in subsection (13), (14), (15), (17), or (19) of this section; and

2. U-Drive-It motor vehicles that are not transferred within one hundred eighty (180) days of being registered as a U-Drive-It or that have more than five thousand (5,000) miles;

means the total consideration given, excluding any amount allowed as a trade-in allowance by the seller, as attested to in a notarized affidavit, provided that the retail price established by the notarized affidavit shall not be less than fifty percent (50%) of the difference between the trade-in value, as established by the reference manual, of the motor vehicle offered for registration and the trade-in value, as established by the reference manual, of any motor vehicle offered in trade as part of the total consideration given.

(b) The trade-in allowance shall also be disclosed in the notarized affidavit.

(c) If a notarized affidavit is not available, "retail price" shall be established by the department through the use of the reference manual;

(17) Except as provided in KRS 138.470(6), if a motor vehicle is received by an individual as a gift and not purchased or leased by the individual, "retail price" shall be the trade-in value given in the reference manual;

(18) If a dealer transfers a motor vehicle which he has registered as a loaner or rental motor vehicle within one hundred eighty (180) days of the registration, and if less than five thousand (5,000) miles have been placed on the vehicle during the period of its registration as a loaner or rental motor vehicle, then the "retail price" of the vehicle shall be the same as the retail price determined by paragraph (a) of subsection (12) of this section computed as of the date on which the vehicle is transferred;

(19) "Retail price" for motor vehicles titled pursuant to KRS 186A.520, 186A.525, 186A.530, or 186A.555 means the total consideration given as attested to in a notarized affidavit;

(20) "Loaner or rental motor vehicle" means a motor vehicle owned or registered by a dealer and which is regularly loaned or rented to customers of the service or repair component of the dealership;

(21) "Department" means the Department of Revenue;

(22) "Notarized affidavit" means a dated affidavit signed by the buyer and the seller on which the signature of the buyer and the signature of the seller are individually notarized; and

(23) "Reference manual" means the automotive reference manual prescribed by the department.

TITLE XI Revenue and Taxation
CHAPTER 132 Levy and Assessment of Property Taxes

KRS § 132.020 (2016)

132.020. State ad valorem taxes.

(1) The owner or person assessed shall pay an annual ad valorem tax for state purposes at the rate of:

(a) Thirty-one and one-half cents (\$0.315) upon each one hundred dollars (\$100) of value of all real property directed to be assessed for taxation;

(b) One and one-half cents (\$0.015) upon each one hundred dollars (\$100) of value of all privately-owned leasehold interests in industrial buildings, as defined under KRS 103.200, owned and financed by a tax-exempt governmental unit, or tax-exempt statutory authority under the provisions of KRS Chapter 103, upon the prior approval of the Kentucky Economic Development Finance Authority, except that the rate shall not apply to the proportion of value of the leasehold interest created through any private financing;

(c) One and one-half cents (\$0.015) upon each one hundred dollars (\$100) of value of all qualifying voluntary environmental remediation property, provided the property owner has corrected the effect of all known releases of hazardous substances, pollutants, contaminants, petroleum, or petroleum products located on the property consistent with a corrective action plan approved by the Environmental and Public Protection Cabinet pursuant to KRS 224.01-400, 224.01-405, or 224.60-135, and provided the cleanup was not financed through a public grant or the petroleum storage tank environmental assurance fund. This rate shall apply for a period of three (3) years following the Environmental and Public Protection Cabinet's issuance of a No Further Action Letter or its equivalent, after which the regular tax rate shall apply;

(d) One and one-half cents (\$0.015) upon each one hundred dollars (\$100) of value of all tobacco directed to be assessed for taxation;

(e) One and one-half cents (\$0.015) upon each one hundred dollars (\$100) of value of unmanufactured agricultural products;

(f) One-tenth of one cent (\$0.001) upon each one hundred dollars (\$100) of value of all farm implements and farm machinery owned by or leased to a person actually engaged in farming and used in his farm operations;

(g) One-tenth of one cent (\$0.001) upon each one hundred dollars (\$100) of value of all livestock and domestic fowl;

(h) One-tenth of one cent (\$0.001) upon each one hundred dollars (\$100) of value of all tangible personal property located in a foreign trade zone established pursuant to [19 U.S.C. sec. 81](#), provided that the zone is activated in accordance with the regulations of the United States Customs Service and the Foreign Trade Zones Board;

(i) Fifteen cents (\$0.15) upon each one hundred dollars (\$100) of value of all machinery actually engaged in manufacturing;

(j) Fifteen cents (\$0.15) upon each one hundred dollars (\$100) of value of all commercial radio, television, and telephonic equipment directly used or associated with electronic equipment which broadcasts electronic signals to an antenna;

(k) Fifteen cents (\$0.15) upon each one hundred dollars (\$100) of value of all property which has been certified as a pollution control facility as defined in KRS 224.01-300;

(l) One-tenth of one cent (\$0.001) upon each one hundred dollars (\$100) of value of all property which has been certified as an alcohol production facility as defined in KRS 247.910, or as a fluidized bed energy production facility as defined in KRS 211.390;

(m) Twenty-five cents (\$0.25) upon each one hundred dollars (\$100) of value of motor vehicles qualifying for permanent registration as **historic motor vehicles** under the provisions of KRS 186.043;

(n) Five cents (\$0.05) upon each one hundred dollars (\$100) of value of goods held for sale in the regular course of business, which includes machinery and equipment held in a retailer's inventory for sale or lease originating under a floor plan financing arrangement; and raw materials, which includes distilled spirits and distilled spirits inventory, and in-process materials, which includes distilled spirits and distilled spirits inventory, held for incorporation in finished goods held for sale in the regular course of business;

(o) Ten cents (\$0.10) per one hundred dollars (\$100) of assessed value on the operating property of railroads or railway companies that operate solely within the Commonwealth;

(p) One and one-half cents (\$0.015) per one hundred dollars (\$100) of assessed value on aircraft not used in the business of transporting persons or property for compensation or hire;

(q) One and one-half cents (\$0.015) per one hundred dollars (\$100) of assessed value on federally documented vessels not used in the business of transporting persons or property for compensation or hire, or for other commercial purposes; and

(r) Forty-five cents (\$0.45) upon each one hundred dollars (\$100) of value of all other property directed to be assessed for taxation shall be paid by the owner or person assessed, except as provided in KRS 132.030, 132.200, 136.300, and 136.320, providing a different tax rate for particular property.

(2) Notwithstanding subsection (1)(a) of this section, the state tax rate on real property shall be reduced to compensate for any increase in the aggregate assessed value of real property to the extent that the increase exceeds the preceding year's assessment by more than four percent (4%), excluding:

(a) The assessment of new property as defined in KRS 132.010(8);

(b) The assessment from property which is subject to tax increment financing pursuant to KRS Chapter 65; and

(c) The assessment from leasehold property which is owned and financed by a tax-exempt governmental unit, or tax-exempt statutory authority under the provisions of KRS Chapter 103 and entitled to the reduced rate of one and one-half cents (\$0.015) pursuant to subsection (1)(b) of this section. In any year in which the aggregate assessed value of real property is less than the preceding year, the state rate shall be increased to the extent necessary to produce the approximate amount of revenue that was produced in the preceding year from real property.

(3) By July 1 each year, the department shall compute the state tax rate applicable to real property for the current year in accordance with the provisions of subsection (2) of this section and certify the rate to the county clerks for their use in preparing the tax bills. If the assessments for all counties have not been certified by July 1, the department shall, when either real property assessments of at least seventy-five percent (75%) of the total number of counties of the Commonwealth have been determined to be acceptable by the department, or when the number of counties having at least seventy-five percent (75%) of the total real property assessment for the previous year have been determined to be acceptable by the department, make an estimate of the real property assessments of the uncertified counties and compute the state tax rate.

(4) If the tax rate set by the department as provided in subsection (2) of this section produces more than a four percent (4%) increase in real property tax revenues, excluding:

(a) The revenue resulting from new property as defined in KRS 132.010(8);

(b) The revenue from property which is subject to tax increment financing pursuant to KRS Chapter 65; and

(c) The revenue from leasehold property which is owned and financed by a tax-exempt governmental unit, or tax-exempt statutory authority under the provisions of KRS Chapter 103 and entitled to the reduced rate of one and one-half cents (\$0.015) pursuant to subsection (1) of this section;

the rate shall be adjusted in the succeeding year so that the cumulative total of each year's property tax revenue increase shall not exceed four percent (4%) per year.

(5) The provisions of subsection (2) of this section notwithstanding, the assessed value of unmined coal certified by the department after July 1, 1994, shall not be included with the assessed value of other real

property in determining the state real property tax rate. All omitted unmined coal assessments made after July 1, 1994, shall also be excluded from the provisions of subsection (2) of this section. The calculated rate shall, however, be applied to unmined coal property, and the state revenue shall be devoted to the program described in KRS 146.550 to 146.570, except that four hundred thousand dollars (\$400,000) of the state revenue shall be paid annually to the State Treasury and credited to the Office of Energy Policy for the purpose of public education of coal-related issues.

TITLE XI Revenue and Taxation
CHAPTER 132 Levy and Assessment of Property Taxes

KRS § 132.200 (2016)

132.200. Property subject to state tax only.

All property subject to taxation for state purposes shall also be subject to taxation in the county, city, school, or other taxing district in which it has a taxable situs, except the class of property described in KRS 132.030 and the following classes of property, which shall be subject to taxation for state purposes only:

- (1) Farm implements and farm machinery owned by or leased to a person actually engaged in farming and used in his farm operation;
- (2) Livestock, ratite birds, and domestic fowl;
- (3) Capital stock of savings and loan associations;
- (4) Machinery actually engaged in manufacturing, products in the course of manufacture, and raw material actually on hand at the plant for the purpose of manufacture. The printing, publication, and distribution of a newspaper or operating a job printing plant shall be deemed to be manufacturing;
- (5)
 - (a) Commercial radio and television equipment used to receive, capture, produce, edit, enhance, modify, process, store, convey, or transmit audio or video content or electronic signals which are broadcast over the air to an antenna;
 - (b) Equipment directly used or associated with the equipment identified in paragraph (a) of this subsection, including radio and television towers used to transmit or facilitate the transmission of the signal broadcast, but excluding telephone and cellular communications towers; and
 - (c) Equipment used to gather or transmit weather information;
- (6) Unmanufactured agricultural products. They shall be exempt from taxation for state purposes to the extent of the value, or amount, of any unpaid nonrecourse loans thereon granted by the United States government or any agency thereof, and except that cities and counties may each impose an ad valorem tax of not exceeding one and one-half cents (\$0.015) on each one hundred dollars (\$100) of the fair cash value of all unmanufactured tobacco and not exceeding four and one-half cents (\$0.045) on each one hundred dollars (\$100) of the fair cash value of all other unmanufactured agricultural products, subject to taxation within their limits that are not actually on hand at the plants of manufacturing concerns for the purpose of manufacture, nor in the hands of the producer or any agent of the producer to whom the products have been conveyed or assigned for the purpose of sale;
- (7) All privately owned leasehold interest in industrial buildings, as defined under KRS 103.200, owned and financed by a tax-exempt governmental unit, or tax-exempt statutory authority under the provisions of KRS Chapter 103, except that the rate shall not apply to the proportion of value of the leasehold interest created through any private financing;
- (8) Tangible personal property which has been certified as a pollution control facility as defined in KRS 224.1-300. In the case of tangible personal property certified as a pollution control facility which is incorporated into a landfill facility, the tangible personal property shall be presumed to remain tangible personal property for purposes of this subsection if the tangible personal property is being used for its intended purposes;
- (9) Property which has been certified as an alcohol production facility as defined in KRS 247.910;
- (10) On and after January 1, 1977, the assessed value of unmined coal shall be included in the formula contained in KRS 132.590(9) in determining the amount of county appropriation to the office of the property valuation administrator;
- (11) Tangible personal property located in a foreign trade zone established pursuant to 19 U.S.C. sec. 81, provided that the zone is activated in accordance with the regulations of the United States Customs Service and the Foreign Trade Zones Board;
- (12) Motor vehicles qualifying for permanent registration as historic motor vehicles under the provisions of KRS 186.043. However, nothing herein shall be construed to exempt historical motor vehicles from the usage tax imposed by KRS 138.460;
- (13) Property which has been certified as a fluidized bed energy production facility as defined in KRS 211.390;
- (14) All motor vehicles:

- (a) Held for sale in the inventory of a licensed motor vehicle dealer, including motor vehicle auction dealers, which are not currently titled and registered in Kentucky and are held on an assignment pursuant to the provisions of KRS 186A.230;
- (b) That are in the possession of a licensed motor vehicle dealer, including licensed motor vehicle auction dealers, for sale, although ownership has not been transferred to the dealer; and
- (c) With a salvage title held by an insurance company;
- (15) Machinery or equipment owned by a business, industry, or organization in order to collect, source separate, compress, bale, shred, or otherwise handle waste materials if the machinery or equipment is primarily used for recycling purposes as defined in KRS 139.010;
- (16) New farm machinery and other equipment held in the retailer's inventory for sale under a floor plan financing arrangement by a retailer, as defined under KRS 365.800;
- (17) New boats and new marine equipment held for retail sale under a floor plan financing arrangement by a dealer registered under KRS 235.220;
- (18) Aircraft not used in the business of transporting persons or property for compensation or hire if an exemption is approved by the county, city, school, or other taxing district in which the aircraft has its taxable situs;
- (19) Federally documented vessels not used in the business of transporting persons or property for compensation or hire or for other commercial purposes, if an exemption is approved by the county, city, school, or other taxing district in which the federally documented vessel has its taxable situs;
- (20) Any nonferrous metal that conforms to the quality, shape, and weight specifications set by the New York Mercantile Exchange's special contract rules for metals, and which is located or stored in a commodity warehouse and held on warrant, or for which a written request has been made to a commodity warehouse to place it on warrant, according to the rules and regulations of a trading facility. In this subsection:
 - (a) "Commodity warehouse" means a warehouse, shipping plant, depository, or other facility that has been designated or approved by a trading facility as a regular delivery point for a commodity on contracts of sale for future delivery; and
 - (b) "Trading facility" means a facility that is designated by or registered with the federal Commodity Futures Trading Commission under 7 U.S.C. secs. 1 et seq. "Trading facility" includes the Board of Trade of the City of Chicago, the Chicago Mercantile Exchange, and the New York Mercantile Exchange;
- (21) Qualifying voluntary environmental remediation property for a period of three (3) years following the Energy and Environment Cabinet's issuance of a No Further Action Letter or its equivalent, pursuant to the correction of the effect of all known releases of hazardous substances, pollutants, contaminants, petroleum, or petroleum products located on the property consistent with a corrective action plan approved by the Energy and Environment Cabinet pursuant to KRS 224.1-400, 224.1-405, or 224.60-135, and provided the cleanup was not financed through a public grant program of the petroleum storage tank environmental assurance fund;
- (22) Biotechnology products held in a warehouse for distribution by the manufacturer or by an affiliate of the manufacturer. For the purposes of this section:
 - (a) "Biotechnology products" means those products that are applicable to the prevention, treatment, or cure of a disease or condition of human beings and that are produced using living organisms, materials derived from living organisms, or cellular, subcellular, or molecular components of living organisms. Biotechnology products does not include pharmaceutical products which are produced from chemical compounds;
 - (b) "Warehouse" includes any establishment that is designed to house or store biotechnology products, but does not include blood banks, plasma centers, or other similar establishments;
 - (c) "Affiliate" means an individual, partnership, or corporation that directly or indirectly owns or controls, or is owned or controlled by, or is under common ownership or control with, another individual, partnership, or corporation; and
- (23) Recreational vehicles held for sale in a retailer's inventory.

4019a-5, 4019a-10, 4019a-16: amend. Acts 1948, ch. 207; 1954, ch. 159, § 1; 1965 (1st Ex. Sess.), ch. 2, § 12; 1968, ch. 152, § 103; 1970, ch. 185, § 1; 1974, ch. 137, § 5, effective June 21, 1974; 1976, ch. 84, § 5, effective March 29, 1976; 1978, ch. 116, § 1, effective June 17, 1978; 1978, ch. 404, § 2, effective March 30, 1978; 1980, ch. 210, § 7, effective July 15, 1980; 1982, ch. 229, § 2, effective July 15, 1982; 1984, ch. 169, § 2, effective July 13, 1984; 1986, ch. 359, § 2, effective July 15, 1986; 1986, ch. 431, § 17, effective July 15, 1986; 1986, ch. 476, § 6, effective July 15, 1986; [1990, ch. 106, § 3](#), effective July 13, 1990; [1990, ch. 461, § 2](#), effective July 13, 1990; [1990, ch. 476](#), Pt. V, § 323, effective July 13, 1990; [1991 \(1st Ex. Sess.\), ch. 12, § 47](#), effective February 26, 1991; [1992, ch. 8, § 1](#), effective July 14, 1992; [1992, ch. 338, § 22](#), effective July 14, 1992; [1994, ch. 68, § 3](#), effective July 15,

1994; [1996, ch. 254, § 26](#), effective July 15, 1996; [1998, ch. 55, § 2](#), effective July 15, 1998; [1998, ch. 168, § 2](#), effective July 15, 1998; [1998, ch. 266, § 2](#), effective July 15, 1998; [1998, ch. 385, § 2](#), effective July 15, 1998; [1998, ch. 600, § 9](#), effective April 14, 1998; [2000, ch. 327, § 3](#), effective July 14, 2000; [2001, ch. 55, § 1](#), effective June 21, 2001; [2002, ch. 324, § 2](#), effective July 15, 2002; [2005, ch. 25, § 1](#), effective June 20, 2005; [2005, ch. 168, § 57](#), effective January 1, 2006; [2007, ch. 100, § 3](#), effective June 26, 2007; [2008, ch. 81, § 1](#), effective July 15, 2008; [2008, ch. 95, § 18](#), effective August 1, 2008; [2010, ch. 24, § 98](#), effective July 15, 2010; [2013, ch. 94, § 3](#), effective June 25, 2013; [2013, ch. 119, § 8](#), effective January 1, 2014; [2014, ch. 128, § 5](#), effective July 15, 2014; [2016, ch. 93, § 3](#), effective July 15, 2016.

Equipment Exemptions

TITLE XVI Motor Vehicles CHAPTER 189 Traffic Regulations--Vehicle Equipment and Storage

KRS § 189.040 (2016)

189.040. Front lights -- Flashing lights.

(1) Every motor vehicle, other than a motorcycle or motor-driven cycle shall be equipped with at least two (2) head lamps with at least one (1) on each side of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this section.

(2) Every motorcycle, moped, and every motor-driven cycle, shall be equipped with at least one (1) and not more than two (2) head lamps which shall comply with the requirements and limitations of this section.

(3) Except as hereinafter provided, the head lamps or the auxiliary driving lamps or the auxiliary passing lamp or combinations thereof on motor vehicles, other than a motorcycle or motor-driven cycle, shall be so arranged that the driver may control the selection between distribution of light projected to different elevations, subject to the following requirements and limitations:

(a) There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred fifty (350) feet ahead for all conditions of loading;

(b) There shall be a lowermost distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead; and on a straight level road under any condition of loading none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver; and

(c) Every new motor vehicle, other than a motorcycle or motor-driven cycle, registered in this state after January 1, 1956, which has multiple-beam road-lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the head lamps is in use, and shall not otherwise be lighted. Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped.

(4) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto during the times specified in [KRS 189.030](#), the driver shall use a distribution of light or composite beam directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the requirements and limitations hereinafter set forth.

(5) Whenever a driver of a vehicle approaches an oncoming vehicle within five hundred (500) feet, such driver shall use a distribution of light or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light or composite beam specified in paragraph (b) of subsection (3) of this section shall be deemed to avoid glare at all times, regardless of road contour and loading.

(6) Whenever the driver of a vehicle follows another vehicle within three hundred (300) feet to the rear, except when engaged in the act of overtaking and passing, such driver shall use a distribution of light other than the uppermost distribution of light specified in paragraph (a) of subsection (3) of this section.

(7) Headlamps arranged to provide a single distribution of light not supplemented by auxiliary driving lights shall be permitted on motor **vehicles manufactured** and sold **prior** to May 30, 1939, in lieu of multiple-beam road-lighting equipment, if the single distribution of light complies with the following requirements and limitations:

(a) The headlamps shall be so aimed that when the vehicle is not loaded none of the high intensity portion of the light shall, at a distance of twenty-five (25) feet ahead, project higher than a level of five (5) inches below the level of the center of the light from which it comes, and in no case higher than forty-two (42) inches above the level on which the vehicle stands, at a distance of seventy-five (75) feet ahead;

(b) The intensity shall be sufficient to reveal persons and vehicles at a distance of at least two hundred (200) feet;

(c) Whenever the operator of a motor vehicle approaches an oncoming vehicle within five hundred (500) feet, he shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver. In no case shall the high intensity portion which is projected to the left of the prolongation of the extreme left side of the vehicle be aimed higher than the center of the lamp from which it comes at a distance of twenty-five (25) feet ahead, and in no case higher than a level of forty-two (42) inches above the level upon which the vehicle stands at a distance of seventy-five (75) feet ahead.

(8) Flashing lights are prohibited on all motor vehicles except as a means for indicating a right or left turn or for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing.

(9) The height of the headlamps, from the center of the lamp to level ground when the vehicle is unloaded, shall be between twenty-four (24) and fifty-four (54) inches.

Emissions Exemptions

Kentucky does not operate a vehicle emissions testing program.