GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY

2015 REGULAR SESSION

HOUSE BILL NO. 209

THURSDAY, FEBRUARY 26, 2015

The following bill was reported to the Senate from the House and ordered to be printed.

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ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY K. Adler

1 AN ACT relating to special license plates.

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

3 ➔Section 1. KRS 186.162 is amended to read as follows:

4 (1) As used in this section and in KRS 186.043, 186.164, 186.166, 186.1722, and
5 186.174:

6 (a) "Special license plate" means a unique license plate issued under this chapter
7 to a group or organization that readily identifies the operator of the motor
8 vehicle or motorcycle bearing the plate as a member of a group or
9 organization, or a supporter of the work, goals, or mission of a group or
10 organization. The term shall not include regular license plates issued under
11 KRS 186.240;

12 (b) "Street rod" means a modernized private passenger motor vehicle
13 manufactured prior to the year 1949, or designed or manufactured to resemble
14 a vehicle manufactured prior to 1949;

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

17 (d) "CF" means the portion of an initial or renewal fee to obtain a special license
18 plate that is dedicated for use by a county clerk; and

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

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

26 (a) Disabled veterans who receive assistance to purchase a vehicle from the
27 United States Department of Veterans' Affairs, veterans declared by the

1 United States Department of Veterans' Affairs to be one hundred percent
2 (100%) service-connected disabled, and recipients of the Congressional Medal
3 of Honor:
4 1. Initial Fee: $0 ($0 SF/$0 CF/$0 EF).
5 2. Renewal Fee: $0 ($0 SF/$0 CF/$0 EF).
6 (b) Former prisoners of war and survivors of Pearl Harbor:
7 1. Initial Fee: $20 ($12 SF/$3 CF/$5 EF to the veterans'
8 program trust fund established under KRS 40.460).
9 2. Renewal Fee: $3 ($0 SF/$3 CF/$0 EF).
10 (c) Members of the Kentucky National Guard and recipients of the Purple Heart:
11 1. Initial Fee: $20 ($12 SF/$3 CF/$5 EF to the veterans'
12 program trust fund established under KRS 40.460).
13 2. Renewal Fee: $8 ($0 SF/$3 CF/$5 EF to the veterans'
14 program trust fund established under KRS 40.460).
15 (d) Members of the Civil Air Patrol; active, retired, veteran, reserve, or auxiliary
16 members of the United States Army, Navy, Air Force, Marine Corps, or Coast
17 Guard; Merchant Marines who served between December 7, 1941, and August
18 15, 1945; recipients of the Silver Star Medal, or the Bronze Star Medal
19 awarded for valor; persons who wish to receive Gold Star Mothers, Gold Star
20 Fathers, or Gold Star Spouses license plates beyond the two (2) exempted
21 from fees under KRS 186.041(6); individuals eligible for a special military
22 service academy license plate under KRS 186.041(8); and disabled veterans
23 who have been declared to be between fifty percent (50%) and ninety-nine
24 percent (99%) service-connected disabled by the United States Department of
25 Veterans' Affairs:
26 1. Initial Fee: $20 ($12 SF/$3 CF/$5 EF to the veterans'
27 program trust fund established under KRS 40.460).

1 2. Renewal Fee: $20 ($12 SF/$3 CF/$5 EF to the veterans'
2 program trust fund established under KRS 40.460).
3 (e) Recipients of the Distinguished Service Cross, Navy Cross, or Air Force
4 Cross:
5 1. Initial Fee: $3 ($0 SF/$3 CF/$0 EF).
6 2. Renewal Fee: $3 ($0 SF/$3 CF/$0 EF).
7 (f) Disabled license plates:
8 1. Initial Fee: $15 ($12 SF/$3 CF/$0 EF).
9 2. Renewal Fee: $15 ($12 SF/$3 CF/$0 EF).
10 (g) Historic vehicles:
11 1. Initial Fee for two plates: $53 ($50 SF/$3 CF/$0 EF).
12 2. Renewal Fee: Do not renew annually.
13 (h) Members of Congress:
14 1. Initial Fee: $40 ($37 SF/$3 CF/$0 EF).
15 2. Renewal Fee: $20 ($12 SF/$3 CF/$5 EF to the veterans'
16 program trust fund established under KRS 40.460).
17 (i) Firefighters:
18 1. Initial Fee: $15 ($12 SF/$3 CF/$0 EF).
19 2. Renewal Fee: $15 ($12 SF/$3 CF/$0 EF).
20 (j) Emergency management:
21 1. Initial Fee: $28 ($25 SF/$3 CF/$0 EF).
22 2. Renewal Fee: $15 ($12 SF/$3 CF/$0 EF).
23 (k) Fraternal Order of Police:
24 1. Initial Fee: $38 ($25 SF/$3 CF/$10 EF to the Kentucky
25 FOP Death Benefit Fund).
26 2. Renewal Fee: $25 ($12 SF/$3 CF/$10 EF to the Kentucky
27 FOP Death Benefit Fund).

1 (l) Law Enforcement Memorial:

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

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

6 (m) Personalized plates:

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

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

9 (n) Street rods:

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

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

12 (o) Nature plates:

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

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

17 (p) Amateur radio:

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

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

20 (q) Kentucky General Assembly:

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

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

24 (r) Kentucky Court of Justice:

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

26 2. Renewal Fee: $8 ($0 SF/$3 CF/$5 EF to the veterans'
27 program trust fund established under KRS 40.460).

1 (s) Masons:
2 1. Initial Fee: $28 ($25 SF/$3 CF/$0 EF).
3 2. Renewal Fee: $15 ($12 SF/$3 CF/$0 EF).
4 (t) Collegiate plates:
5 1. Initial Fee: $50 ($37 SF/$3 CF/$10 EF to the general
6 scholarship fund of the university whose name will be borne on the
7 plate).
8 2. Renewal Fee: $25 ($12 SF/$3 CF/$10 EF to the general
9 scholarship fund of the university whose name will be borne on the
10 plate).
11 (u) Independent Colleges:
12 1. Initial Fee: $38 ($25 SF/$3 CF/$10 EF to the Association of
13 Independent Kentucky Colleges and Universities for distribution to the
14 general scholarship funds of the Association's members).
15 2. Renewal Fee: $25 ($12 SF/$3 CF/$10 EF to the Association of
16 Independent Kentucky Colleges and Universities for distribution to the
17 general scholarship funds of the Association's members).
18 (v) Child Victims:
19 1. Initial Fee: $38 ($25 SF/$3 CF/$10 EF to the child victims'
20 trust fund established under KRS 41.400).
21 2. Renewal Fee: $20 ($12 SF/$3 CF/$5 EF to the child victims'
22 trust fund established under KRS 41.400).
23 (w) Kentucky Horse Council:
24 1. Initial Fee: $38 ($25 SF/$3 CF/$10 EF to the Kentucky
25 Horse Council).
26 2. Renewal Fee: $20 ($12 SF/$3 CF/$5 EF to the Kentucky
27 Horse Council).

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

1 twenty-five dollar ($25) state fee in addition to all other fees for the particular
2 special license plate established in this section and in KRS 186.164(3). The twenty-
3 five dollar ($25) fee required under this subsection shall be divided between the
4 cabinet and the county clerk of the county where the applicant is applying for the
5 license plate with the cabinet receiving twenty dollars ($20) and the county clerk
6 receiving five dollars ($5).
7 (4) Owners and lessees of motorcycles registered under KRS 186.050(2) may be
8 eligible to receive special license plates issued under this section or established
9 under the provisions of KRS 186.164 after the cabinet has received three hundred
10 (300) applications and initial state fees from the sponsoring organization.
11 Applicants for a special license plate for a motorcycle shall be required to pay the
12 fee for a special plate as prescribed in this section or in KRS 186.164. The fee paid
13 for the special plate for a motorcycle shall be in lieu of the registration fee required
14 under KRS 186.050(2).
15 ➔Section 2. KRS 186.164 is amended to read as follows:
16 (1) The SF portion of the fee required under KRS 186.162 shall include the fee to
17 reflectorize all license plates under KRS 186.240. All EF fees required under KRS
18 186.162 shall be collected at the time of an initial or renewal application by the
19 county clerk who shall forward the EF fee to the cabinet. The cabinet shall remit EF
20 fees to the group or organization identified in KRS 186.162 on a quarterly basis.
21 The cabinet may retain any investment income earned from holding EF fees
22 designated to be remitted under this subsection to offset administrative costs
23 incurred by the cabinet in the administration of EF fees.
24 (2) A special license plate shall be the color and design selected by the group or
25 organization identified in subsection (13) of this section, contingent upon the
26 approval of the Transportation Cabinet. In addition to the design selected for a
27 special license plate, the name "Kentucky," an annual renewal decal, and any

1 combination of letters or numerals required by the cabinet in the design shall also
2 appear on the plate.
3 (3) Except as provided in KRS 186.162, the total initial fee for a special license plate
4 created under this chapter shall be twenty-eight dollars ($28), of which the
5 Transportation Cabinet shall receive twenty-five dollars ($25) and the county clerk
6 shall receive three dollars ($3), and the total renewal fee shall be fifteen dollars
7 ($15), of which the Transportation Cabinet shall receive twelve dollars ($12) and
8 the county clerk shall receive three dollars ($3). The twenty-five dollar ($25) initial
9 fee and twelve dollar ($12) renewal fee received by the Transportation Cabinet
10 under this subsection shall include an applicant's registration fee required under
11 KRS 186.050.
12 (4) An actual metal special license plate shall be issued on the same schedule as regular
13 license plates are issued under KRS 186.240. The cabinet shall have the discretion
14 to extend the time period that will exist between the date a metal special license
15 plate is issued and the date that regular plates are issued under KRS 186.240. A
16 renewal registration decal shall be issued all other years during the owner's or
17 lessee's birth month, except as provided in KRS 186.041(2), 186.042(5), and
18 186.174(2). A person seeking a special license plate for a vehicle provided as part
19 of the person's occupation shall conform to the requirements of KRS 186.050(14).
20 (5) (a) If a special license plate issued under this chapter deteriorates to the point that
21 the lettering, numbering, or images on the face of the plate are not legible, the
22 plate shall be replaced free of charge, if the owner or lessee has not transferred
23 the vehicle to which the plate was issued during the current licensing period.
24 (b) If a special license plate issued under this chapter is lost, stolen, or damaged in
25 an accident, the county clerk shall issue a new plate upon payment of a three
26 dollar ($3) county clerk fee, if the owner or lessee has not transferred the
27 vehicle to which the plate was issued during the current licensing period.

1 (6) Upon the sale, transfer, or termination of a lease of a vehicle with any special
2 license plate issued under this chapter, the owner or lessee shall remove the special
3 plate and return it and the certificate of registration to the county clerk. The county
4 clerk shall reissue the owner or lessee a regular license plate and a certificate of
5 registration upon payment of a three dollar ($3) county clerk fee. If the owner or
6 lessee requests, the county clerk shall reissue the special plate upon payment of a
7 three dollar ($3) county clerk fee for use on any other vehicle of the same
8 classification and category owned, leased, or acquired by the person during the
9 current licensing period. If the owner or lessee has the special plate reissued to a
10 vehicle which has been previously registered in this state, the regular license plate
11 that is being replaced shall be returned to the county clerk who shall forward the
12 plate to the Transportation Cabinet.
13 (7) A special license plate may be issued to the owner or lessee of a motor vehicle that
14 is required to be registered under KRS 186.050(1), (3)(a), or (4)(a), except a special
15 license plate shall not be issued to a taxicab, airport limousine, or U-Drive-It
16 registered and licensed under this chapter or KRS Chapter 281. A person applying
17 for a special license plate shall apply in the office of the county clerk in the county
18 of the person's residence, except as provided in KRS 186.168(3). All special license
19 plates issued under this chapter may be combined with a personalized license plate
20 under the provisions of KRS 186.174. The fee to combine a special license plate
21 with a personalized license plate shall be as established in KRS 186.162(3).
22 (8) Within thirty (30) days of termination from election to, appointment to, or
23 membership with any group or organization, an applicant to whom a special license
24 plate was issued under this chapter shall return the special license plate to the
25 county clerk of the county of his or her residence, unless the person is merely
26 changing his or her status with the group or organization to retired.
27 (9) A group wanting to create a special license plate that is not authorized under this

1 chapter on June 20, 2005, shall comply with the following conditions before being
2 eligible to apply for a special license plate:
3 (a) The group shall be nonprofit and based, headquartered, or have a chapter in
4 Kentucky;
5 (b) The group may be organized for, but shall not be restricted to, social, civic, or
6 entertainment purposes;
7 (c) The group, or the group's lettering, logo, image, or message to be placed on
8 the license plate, if created, shall not discriminate against any race, color,
9 religion, sex, or national origin, and shall not be construed, as determined by
10 the cabinet, as an attempt to victimize or intimidate any person due to the
11 person's race, color, religion, sex, or national origin;
12 (d) The group shall not be a political party and shall not have been created
13 primarily to promote a specific political belief;
14 (e) The group shall not have as its primary purpose the promotion of any specific
15 faith, religion, or antireligion;
16 (f) The name of the group shall not be the name of a special product or brand
17 name, and shall not be construed, as determined by the cabinet, as promoting a
18 product or brand name; and
19 (g) The group's lettering, logo, image, or message to be placed on the license
20 plate, if created, shall not be obscene, as determined by the cabinet.
21 (10) If the cabinet denies to issue a group a special license plate based upon the
22 conditions specified in subsection (9) of this section, the cabinet shall, immediately
23 upon denying to issue a group a special license plate, notify in writing the
24 chairperson of both the House and Senate standing committees on transportation of
25 the denial and the reasons upon which the cabinet based the denial. A person
26 seeking a personalized license plate under KRS 186.174 shall be subject to the
27 conditions specified in subsection (9)(c) to (g) of this section.

1 (11) If the cabinet approves a request for a special license plate, the cabinet shall begin
2 designing and printing the plate after the group collects a minimum of nine hundred
3 (900) applications with each application being accompanied by a twenty-five dollar
4 ($25) state fee. The applications and accompanying fee shall be submitted to the
5 cabinet at one (1) time as a whole and shall not be submitted individually or
6 intermittently.
7 (12) An initial applicant for, or an applicant renewing, his or her registration for a special
8 license plate may, at the time of application, make a voluntary contribution that the
9 county clerk shall forward to the cabinet. The entity that sponsors a special plate
10 established by the process outlined in this section may set a requested donation
11 amount, not to exceed ten dollars ($10), that will automatically be added to the cost
12 of registration or renewal, unless the individual registering or renewing the vehicle
13 registration opts out of contributing that recommended amount. The cabinet shall,
14 on an annual basis, remit the voluntary contributions to the appropriate group
15 identified to be used for the declared purpose stated under subsection (13) of this
16 section. The cabinet may retain any investment income earned from holding
17 voluntary contributions designated to be remitted under this subsection to offset
18 administrative costs incurred by the cabinet in the administration of the
19 contributions. Any group or organization that receives a mandatory EF fee under
20 KRS 186.162 shall submit the information required under subsection (13)(a) and (c)
21 of this section to the Transportation Cabinet within thirty (30) days of June 20,
22 2005.
23 (13) If a group wants to receive a donation when the group or organization's special
24 license plate is initially purchased or renewed under subsection (12) of this section,
25 the group shall, at the time the nine hundred (900) applications are submitted to the
26 Transportation Cabinet, also submit a notarized affidavit to the cabinet attesting to:
27 (a) The name, address, and telephone number for the group or organization. If the

1 group or organization does not have its headquarters in the Commonwealth,
2 then the name, address, and telephone number for the group or organization's
3 Kentucky state chapter shall be required. The names of the officers of the
4 group or organization shall also be required. If the entity receiving funds
5 under subsection (12) of this section is not a state governmental agency, a
6 program unit within a state governmental agency, or is a group or organization
7 that does not have a statewide chapter, then an extra donation for use by the
8 group or organization shall be prohibited;
9 (b) The amount of the monetary donation the group wants to receive when a
10 person purchases the group or organization's special license plate; and
11 (c) The purpose for which the donated funds will be used by the group or
12 organization. Donated funds shall not be limited for use by members of the
13 group or organization, and shall not be used for administrative or personnel
14 costs of the group or organization.
15 (14) All funds received by a group or organization under subsection (12) of this section
16 shall be deposited into an account separate from all other accounts the group or
17 organization may have, and the account shall be audited yearly at the expense of the
18 group or organization. The completed audit shall be forwarded to the Transportation
19 Cabinet in Frankfort. One hundred percent (100%) of the funds received by a group
20 or organization under subsection (12) of this section shall be used for the express
21 purpose identified by the group in subsection (13) of this section. Any group or
22 organization that receives a mandatory EF fee under KRS 186.162 shall comply
23 with the provisions of this subsection.
24 (15) The secretary of the Transportation Cabinet shall promulgate administrative
25 regulations under KRS Chapter 13A to establish additional rules to implement the
26 issuance of special license plates issued under this chapter, including but not limited
27 to:

1 (a) Documentation that will be required to accompany an application for a special
2 license plate to provide proof of:
3 1. Election to the United States Congress or the Kentucky General
4 Assembly;
5 2. Election or appointment to the Kentucky Court of Justice;
6 3. Membership in a Masonic Order, Fraternal Order of Police, or
7 emergency management organization;
8 4. Eligibility for membership in the Gold Star Mothers of America;
9 5. Eligibility as a father for associate membership in the Gold Star Mothers
10 of America;
11 6. Eligibility for membership in the Gold Star Wives of America;
12 7. Ownership of an amateur radio operator license;
13 8. Receipt of the Silver Star Medal;~~[or]~~
14 9. Receipt of the Bronze Star Medal awarded for valor***; or***
15 ***10. Eligibility for a Gold Star Siblings license plate for a person whose***
16 ***sibling died while serving the country in the United States Armed***
17 ***Forces. For the purposes of this subparagraph, "sibling" means a***
18 ***sibling by blood, a sibling by half-blood, a sibling by adoption, or a***
19 ***stepsibling***.
20 (b) The time schedule permissible for a group or organization to request a design
21 change for the special license plate; and
22 (c) The procedures for review of proposed license plates and the standards by
23 which proposed special license plates are approved or rejected in accordance
24 with subsection (9) of this section.
25 (16) Any individual, group, or organization that fails to audit any funds received under
26 this chapter, or that intentionally uses any funds received in any way other than
27 attested to under subsection (13) of this section or for administrative or personnel

1 costs in violation of subsection (13) of this section, shall be guilty of a Class D
2 felony and upon conviction shall, in addition to being subject to criminal penalties,
3 be assessed a mandatory five thousand dollar ($5,000) fine.
4 ➔Section 3. This Act shall take effect January 1, 2016.

Speaker-House of Representatives

President of Senate

Attest: Chief Clerk of House of Representatives

Approved Governor

Date 3/20/15