

**138.665 License for use of public highways -- Exemption.**

- (1) (a) A license shall be required of each motor carrier or heavy equipment motor carrier subject to the provisions of KRS 138.660 before he uses or continues to use the public highways of this state.
  - (b) Notwithstanding the requirement in subsection (1)(a), the cabinet may issue a trip permit for each motor vehicle subject to KRS 138.660(1) for a fee of twenty dollars (\$20) for each permit. If the vehicle is subject to those taxes in KRS 138.660(1) to (3), the cabinet may issue a trip permit for each motor vehicle for a fee of forty dollars (\$40) for each permit.
- (2) Application for a license or trip permit shall be made to the cabinet and shall contain such information as the cabinet deems necessary.
- (3) The application in proper form having been accepted for filing, the bond, if required, having been accepted and approved and the other conditions and requirements of this section having been complied with, the cabinet shall issue a license. However, if an application for a license is filed by any person whose license has at any time previously been revoked for cause by the cabinet, or if the cabinet is of the opinion that the person who makes the application does so as a subterfuge for the real party in interest whose license, prior to the time of filing the application, has been revoked for cause, or that the application is not for any other reason filed in good faith or is not sufficient cause, the cabinet may, after a hearing of which the applicant shall be given ten (10) days' notice in writing and in which he shall have the right to appear in person or by counsel and present testimony, refuse to issue a license to that person.
- (4) All licenses shall be valid and remain in full force and effect until suspended or revoked for cause or otherwise canceled.
- (5) A license shall not be assignable or transferable and shall be valid only for the person in whose name it is issued.
- (6) The cabinet shall keep and file all applications and bonds, with an alphabetical index thereof.
- (7) Each holder of a license required by subsection (1) shall display his license number or other identification on or in each vehicle subject to the taxes imposed by KRS 138.655 to 138.7291 in the manner prescribed by the cabinet. The cabinet may require the license number or other identifier to be displayed so that it can be readily recorded either manually or electronically by cabinet representatives. In addition, the cabinet may require each individual unit in the license holder's fleet of vehicles subject to these taxes to be uniquely identified.
- (8) The provisions of this section shall not apply to a nonresident motor carrier engaged in transporting passengers for hire in irregular route interstate charter or special operations, provided reciprocal privileges are granted to similar nonresident carriers by the laws and regulations of his state.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 31, sec. 1, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 363, sec. 4, effective July 15, 1996. -- Amended 1990 Ky. Acts

ch. 466, sec. 6, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 175, sec. 5, effective April 1, 1988. -- Amended 1986 Ky. Acts ch. 174, sec. 3, effective January 1, 1987. -- Amended 1984 Ky. Acts ch. 151, sec. 4, effective July 13, 1984. -- Amended 1982 Ky. Acts ch. 265, sec. 2, April 1, 1982. -- Amended 1978 Ky. Acts ch. 384, sec. 564, effective June 17, 1978. -- Amended 1974 Ky. Acts ch. 74, Art. IV, sec. 20(2). -- Amended 1958 Ky. Acts ch. 70, sec. 16. -- Amended 1956 (2d Extra Sess.) Ky. Acts ch. 9, sec. 17. -- Created 1954 Ky. Acts ch. 97, sec. 4.