

186.070 Registration of manufacturers and dealers -- Dealer's plates and stickers -- Names of drivers authorized to use dealer's plates to be available to law enforcement agencies -- Revocation of licenses -- Appeal.

- (1)
 - (a) Every manufacturer of, or dealer in, motor vehicles in this state shall register with each county clerk in which his principal office or place of business and branch office, sub-agent, or agency is located, and pay an annual registration fee of twenty-five dollars (\$25) to each clerk.
 - (b) Upon receipt of the twenty-five dollar (\$25) fee, the clerk shall issue the manufacturer or dealer a certificate of registration and one (1) dealer plate. Every manufacturer or dealer registered under this section shall be furnished additional dealer's plates upon the payment of fourteen dollars and fifty cents (\$14.50) for each additional plate requested. Three dollars (\$3) shall be retained by the clerk for each additional plate issued.
 - (c) A motor vehicle bearing dealer's plates may be used on the highways only by the following people:
 1. A licensed dealer, bona fide salesman, or employee of the dealer;
 2. A manufacturer or dealer licensed pursuant to the laws of this state transporting a motor vehicle to his place of retail business from a manufacturer or wholesale dealer in motor vehicles; and
 3. A bona fide customer of a licensed dealer, or the customer's employees when a motor vehicle is being demonstrated. This provision shall be limited to one (1) trip or demonstration to the same prospective customer.
 - (d) License plates issued under this section shall annually expire on December 31.
 - (e) As used in this section, "bona fide salesman or employee" means a licensed salesman, or an employee, who is actively engaged in and devotes a substantial part of his time to the conduct of the dealer business.
 - (f) A vehicle bearing a dealer plate, except when the vehicle is being transported to a dealer's place of business from a manufacturer, shall have, in the case of a new motor vehicle, a "monroney" sticker attached to the vehicle, or, in the case of a used motor vehicle, a Federal Trade Commission buyer's guide sticker attached to the vehicle.
- (2)
 - (a) Each manufacturer and dealer when making application for dealer's plates shall file a verified statement on at least a quarterly basis with the county clerk, giving the name, address, and Social Security number of each dealer, and each bona fide salesman or employee entitled to the use of the plates for demonstration purposes only. When any bona fide registered salesman or employee is no longer employed by the manufacturer or dealer, the manufacturer or dealer shall file an amended verified statement with the clerk stating that fact, and when any additional salesmen or employees are employed, an amended verified statement showing their names and addresses shall be filed with the clerk so that the records in the clerk's office will at all times show the bona fide salesmen and employees actually in the service of the registered dealer

- or manufacturer;
- (b) The names of each dealer and each bona fide salesman and employee shall be entered by the clerk into the AVIS where it will be readily available to law enforcement agencies. The information shall be entered by the clerk immediately after each quarterly filing of the verified statement by the dealer;
 - (c) Any person who is hired as a driver by a motor vehicle dealer for the limited, specific purpose of transporting a motor vehicle to or from that dealer's place of business may, for that purpose only, operate a motor vehicle bearing a dealer plate. For the purpose of that operation, the dealer shall provide to that driver a permit, provided by the Transportation Cabinet. The permit shall be valid for five (5) days from the date of issuance. A fee shall not be charged for the permit.
- (3) The license of any dealer or manufacturer may be revoked by the Transportation Cabinet for the violation of any of the provisions of this section. The manufacturer or dealer shall be given an opportunity to be heard in defense of the charge that he has violated any of the provisions of this section, and the Transportation Cabinet shall promulgate administrative regulations governing the revocation procedure. A manufacturer or dealer whose license is revoked may appeal the revocation to the Kentucky Board of Tax Appeals as provided by law. The manufacturer or dealer whose license has been suspended shall be prohibited from engaging in the business of selling or buying motor vehicles. The license of any manufacturer or dealer shall be revoked for a period of one (1) year and his dealer's plates canceled if he violates any of the provisions of this section during this suspension period or has been suspended by the cabinet more than twice for violations of this section. At the end of the revocation or suspension period the manufacturer or dealer whose license has been revoked or suspended and dealer's plates canceled may follow the provisions of this section and again be registered and secure dealer's plates from the clerk.
- (4) The Transportation Cabinet shall be responsible for the issuance and cancellation of the plates provided for in this section, and the motor vehicle commission shall be responsible for the enforcement of this section, except for the normal responsibilities of law enforcement agencies. The cabinet may promulgate administrative regulations pertaining to the administration of this section.

Effective: July 15, 1994

History: Amended 1994 Ky. Acts ch. 84, sec. 1, effective July 15, 1994; and ch. 428, sec. 11, effective July 15, 1994. -- Amended 1986 Ky. Acts ch. 431, sec. 10, effective July 15, 1986. -- Amended 1976 Ky. Acts ch. 133, sec. 6, effective June 19, 1976. -- Amended 1974 Ky. Acts ch. 74, Art. IV, sec. 20(9). -- Amended 1970 Ky. Acts ch. 173, sec. 1. -- Amended 1968 Ky. Acts ch. 40, Part IV, sec. 3. -- Amended 1964 Ky. Acts ch. 141, sec. 31. -- Amended 1962 Ky. Acts ch. 62, sec. 6, effective January 1, 1963. -- Amended 1960 Ky. Acts ch. 186, Art IV, sec. 10. -- Amended 1950 Ky. Acts ch. 190, sec. 3, effective June 15, 1950. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2739g-6.

Legislative Research Commission Note (7/15/94). This section was amended by 1994 Ky. Acts chs. 84 and 428. Where these Acts are not in conflict, they have

been codified together. Where a conflict exists, Acts ch. 428, which was last enacted by the General Assembly, prevails under KRS 446.250.