

186.190 Change of registration upon transfer of ownership -- Permitted registration plate transfers -- Clerk's fee.

- (1)
 - (a) Except as provided for in paragraph (e) of this subsection, when a motor vehicle that has been previously registered changes ownership, the registration plate shall not remain upon the motor vehicle, but shall be retained by the seller and may be transferred to another vehicle owned or leased by the seller in accordance with paragraph (b) or (c) of this subsection.
 - (b) An individual who sells a motor vehicle which has a valid registration plate may transfer that plate to another vehicle of the same classification at the time the individual transfers the vehicle. If the individual does not have a vehicle to transfer the plate to at the time the individual sells a vehicle, the individual may hold the registration plate for the period of registration. At any time during the period of registration, the individual shall notify the county clerk and transfer the plate to a vehicle of the same classification that he or she has obtained prior to operating that vehicle on a public highway. If the plate transfer occurs in the final month in which the existing registration is still valid, the individual shall be required to renew the registration on the newly acquired vehicle.
 - (c) An individual who trades in a motor vehicle with a valid registration plate during the purchase of a motor vehicle from a licensed motor vehicle dealer shall remove the plate from the vehicle offered in trade. A photocopy of the valid certificate of registration shall be included with the application for title and registration for the purchased vehicle, and the plate shall be retained by the purchaser. The dealer shall equip the purchased vehicle with a temporary tag in accordance with KRS 186A.100 before the buyer may operate it on the highway. When the buyer receives a valid certificate of registration from the county clerk, the buyer shall remove the temporary tag and affix the registration plate to the vehicle.
 - (d) All vehicle transfers and registration plate transfers shall be initiated within the fifteen (15) day period established under KRS 186.020 and 186A.070.
 - (e) This subsection shall not apply to transfers between motor vehicle dealers licensed under KRS Chapter 190. A secured party who repossesses a vehicle shall comply with KRS 186.045(6).
- (2) A person shall not purchase, sell, or trade any motor vehicle without delivering to the county clerk of the county in which the sale or trade is made the title, and a notarized affidavit if required and available under KRS 138.450 attesting to the total and actual consideration paid or to be paid for the motor vehicle. Except for transactions handled by a motor vehicle dealer licensed pursuant to KRS Chapter 190, the person who is purchasing the vehicle shall present proof of insurance in compliance with KRS 304.39-080 to the county clerk before the clerk transfers the registration on the vehicle. Proof of insurance shall be in the manner prescribed in administrative regulations promulgated by the Department of Insurance pursuant to KRS Chapter 13A. On and after January 1, 2006, if the motor vehicle is a personal motor vehicle as defined in KRS

304.39-087, proof of insurance shall be determined by the county clerk as provided in KRS 186A.042.

- (3) Upon delivery of the title, and a notarized affidavit if required and available under KRS 138.450 attesting to the total and actual consideration paid or to be paid for the motor vehicle to the county clerk of the county in which the sale or trade was made, the seller shall pay to the county clerk a transfer fee of two dollars (\$2), which shall be remitted to the Transportation Cabinet. If an affidavit is required, and available, the signatures on the affidavit shall be individually notarized before the county clerk shall issue to the purchaser a transfer of registration bearing the same data and information as contained on the original registration receipt, except the change in name and address. The seller shall pay to the county clerk a fee of six dollars (\$6) for his services.
- (4) If the owner junks or otherwise renders a motor vehicle unfit for future use, he shall deliver the registration plate and registration receipt to the county clerk of the county in which the motor vehicle is junked. The county clerk shall return the plate and motor vehicle registration receipt to the Transportation Cabinet. The owner shall pay to the county clerk one dollar (\$1) for his services.
- (5) A licensed motor vehicle dealer shall not be required to pay the transfer fee provided by this section, but shall be required to pay the county clerk's fee provided by this section.
- (6) The motor vehicle registration receipt issued by the clerk under this section shall contain information required by the Department of Vehicle Regulation.

Effective: January 1, 2014

History: Amended 2011 Ky. Acts ch. 5, sec. 1, effective January 1, 2013. -- Amended 2010 Ky. Acts ch.24, sec.235, effective July 15, 2010. -- Amended 2006 Ky. Acts ch.255, sec.9, effective January 1, 2007. -- Amended 2004 Ky. Acts ch.130, sec.8, effective July 13, 2004. -- Amended 1998 Ky. Acts ch.128, sec.11, effective July 15, 1998; and ch.600, sec.6, effective April 14, 1998. -- Amended 1994 Ky. Acts ch.428, sec. 31, effective July 15, 1994; and ch.504, sec.1, effective July 15, 1994. -- Amended 1984 Ky. Acts ch.36, sec.1, effective July 13, 1984. -- Amended 1980 Ky. Acts ch.296, sec.4, effective July 15, 1980. -- Amended 1978 Ky. Acts ch.239, sec.13, effective June 17, 1978. -- Amended 1976 Ky. Acts ch.133, sec.10, effective June 19, 1976. -- Amended 1974 Ky. Acts ch.74, Art.IV, sec.20(2),(9); and ch.222, sec.3. -- Amended 1962 Ky. Acts ch.62, sec.11, effective January 1, 1963. -- Amended 1960 Ky. Acts ch.37, sec.1. -- Amended 1958 Ky. Acts ch.82, sec.6, effective January 1, 1960; and ch.95, sec.1. -- Amended 1942 Ky. Acts ch.202, sec.1. -- Recodified 1942 Ky. Acts ch.208, sec.1, effective October 1, 1942, from Ky. Stat. sec.2739g-13.

Legislative Research Commission Note (7/12/2012).The amendment of this statute in 2011 Ky. Acts ch. 5 was to be effective January 1, 2013, pursuant to Section 7 of that Act. However, in 2012 Ky. Acts ch. 12, sec. 1, 2011 Ky. Acts ch. 5, sec. 7, was repealed, and a new effective date of January 1, 2014, was established for the 2011 amendment of this statute, pursuant to 2012 Ky. Acts ch. 12, sec. 2.

Legislative Research Commission Note (7/15/98).This section was amended by 1998 Ky. Acts chs. 128 and 600. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 600, which was last enacted by the General Assembly, prevails under KRS 446.250.