186.230 County clerk's duties -- Lien on vehicle, effect -- Issuance of plate without collecting taxes and fees prohibited.

The county clerk shall see that KRS 186.005 to 186.260 in his county are enforced. In so doing, he shall:

(1) Take all applications as provided in KRS 186.005 to 186.260;

(2) Issue the receipts on blanks furnished by the cabinet;

(3) Collect the fees due the state;

(4) Distribute the registration plates furnished by the Transportation Cabinet and Department of Vehicle Regulation and keep a complete public record of all registrations for his county, in his office;

(5) Report and remit each Monday to the Transportation Cabinet all moneys collected during the previous week, together with a duplicate of all receipts issued by him during the same period. He shall make all checks payable to the State Treasurer. Unless the clerk forwards duplicates of all receipts issued by him during the reporting period with his report and remits the amount shown due by the report within seven (7) days after the report and remittance are due, he shall pay a penalty of one percent (1%) per month or fraction thereof on the amount of money shown to be due on the report. The cabinet may in its discretion grant a county clerk a reasonable extension of time to file his report and remit all moneys not to exceed ten (10) days for any one (1) report. The extension however must be requested prior to the end of the seven (7) day period and shall begin to run at the end of said period. All penalties collected under this provision shall be paid into the State Treasury as a part of the revenue collected under KRS 186.005 to 186.260;

(6) The clerk shall mail to the Transportation Cabinet one (1) duplicate of all receipts issued by him within two (2) weeks of the date of issuance. The Transportation Cabinet shall make the receipts pertaining to commercial vehicles available to the Department of Vehicle Regulation for use in assimilating data therefrom;

(7) Account to the Transportation Cabinet for all registration plates and receipt forms consigned to him, at such time or times as the Transportation Cabinet may direct, and give the appropriate cabinet timely notice of a probable deficiency of plates or other supplies;

(8) Any county clerk, who in collecting the taxes and fees due the state or county clerk, accepts in payment thereof a check which is not honored upon presentment, shall have a lien on the vehicle for the amount of such check. This lien shall be subordinate to any prior perfected lien, either contractual or statutory;

(9) No person shall be permitted to sell, trade or transfer ownership of a motor vehicle if evidence is presented to the county clerk that any lien exists on the motor vehicle; and

(10) The county clerk shall not issue to any manufacturer or dealer any registration plate other than a manufacturer's or dealer's plate, or registration plate which is under a dealer assignment pursuant to KRS 186A.230, except when the dealer registers a motor vehicle under a U-Drive-It permit, without collecting designated registration fees and applicable taxes.

Effective: July 15, 1986

History: Amended 1986 Ky. Acts ch. 431, sec. 13, effective July 15, 1986. -- Amended 1978 Ky. Acts ch. 239, sec. 16, effective June 17, 1978. -- Amended 1976 Ky. Acts ch. 133, sec. 13, effective June 19, 1976. -- Amended 1974 Ky. Acts ch. 74, Art. IV, sec. 20(2), (7), (9). -- Amended 1964 Ky. Acts ch. 59, sec. 3. -- Amended 1962 Ky. Acts ch. 62, sec. 14, effective January 1, 1963. -- Amended 1960 Ky. Acts ch. 37, sec. 3. -- Amended 1942 Ky. Acts ch. 78, sec. 11. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 2739g-62, 2739g-63.