

186A.195 Submission of title lien statement -- Entry of information by county clerk -- Certificate of registration -- Pending lien -- Fee for filing through electronic system -- Perfection of security interest. (Effective January 1, 2024)

- (1) As used in this section, submission of a title lien statement refers to the presentation of a title lien statement, along with the fees required under KRS 64.012(1)(b), to the cabinet through any county clerk's office in the Commonwealth.
- (2) Upon submission of a title lien statement, the county clerk shall use the information on the form to note the security interest on the certificate of title in accordance with KRS 186A.190(9). Title lien statements may be made available to the general public. However, public availability of a title lien statement shall not be considered necessary or effective to perfect a security interest in property required to be registered or titled in accordance with this chapter.
- (3)
 - (a) If the submission of a title lien statement accompanies the application for first title of any property in the name of an owner, the county clerk shall enter the information required by KRS 186A.190(9) into the system of record so as to allow the cabinet to:
 1. Use the system of record as a centralized, statewide repository for lien filings; and
 2. Produce a certificate of title bearing the information designated by KRS 186A.190(9), as well as any other information required by the cabinet.
 - (b) After the information has been entered, the county clerk shall produce a certificate of registration, if required.
- (4)
 - (a) If the form prescribed by KRS 186A.060 indicates a pending lien, but the title lien statement does not accompany the application for title, the county clerk shall enter into the system of record the name and address of the lienholder or that a lien is pending. The county clerk shall indicate a title shall not be issued until either the title lien statement and the required fees are submitted, or in thirty (30) days, whichever occurs first. The county clerk shall then issue the registration.
 - (b) After submission of the title lien statement, the county clerk shall enter the date of lien notation and the notation number into the system of record, enabling the cabinet to record the lien in the system of record and produce a title.
- (5) If a certificate of title is issued after the thirty (30) day time window identified in subsection (4) of this section has expired without the notation of a security interest, or if a title has been issued because there was no provision made for a lien to be noted within thirty (30) days, a secured party wishing to note a security interest on a title shall submit a title lien statement. The county clerk shall enter the information required by KRS 186A.190(9) into the system of record and a new certificate of title reflecting the security interest shall be produced.
- (6) The fee for the filing of a title lien statement through the electronic title

application and registration system shall be transferred electronically to the county clerk of the county in which the debtor resides.

- (7) The security interest noted on the certificate of title shall be deemed perfected at the time the security interest attaches in accordance with KRS 355.9-203 if the secured party submits a properly completed title lien statement with application for first title or, in the case of property previously titled in the name of the debtor, within thirty (30) days of attachment. Otherwise, the security interest shall be deemed perfected at the time that the title lien statement is submitted.

Effective: January 1, 2024

History: Repealed and reenacted 2022 Ky. Acts ch. 18, sec. 6, effective January 1, 2024. -- Amended 2020 Ky. Acts ch. 119, sec. 2, effective July 15, 2020. -- Amended 2017 Ky. Acts ch. 31, sec. 2, effective June 29, 2017. -- Amended 2016 Ky. Acts ch. 118, sec. 2, effective July 15, 2016. -- Amended 2000 Ky. Acts ch. 408, sec. 181, effective July 1, 2001. -- Amended 1996 Ky. Acts ch. 297, sec. 2, effective July 15, 1996. -- Amended 1988 Ky. Acts ch. 132, sec. 4, effective March 31, 1988. -- Amended 1986 Ky. Acts ch. 118, sec. 98, effective July 1, 1987. -- Created 1982 Ky. Acts ch. 164, sec. 36, effective July 15, 1982.