

**189A.085 Surrender and impoundment of motor vehicle license plates --
Hardship exception for affected individuals other than offender.**

- (1) Unless a person has been issued an ignition interlock license under KRS 189A.340 or a hardship license under KRS 189A.410, a person who has been convicted of an offense under KRS 189A.010 may have the license plate or plates on all of the motor vehicles or motorcycles owned by him or her, either solely or jointly, impounded by the court of competent jurisdiction in accordance with the following procedures:
 - (a) Following a court order of impoundment of a license plate or plates, the person shall physically surrender any and all license plate or plates currently in force on any motor vehicle or motorcycle owned either individually or jointly by him or her to the court at the final sentencing hearing, or within forty-five (45) days after the hearing. If the person fails to surrender his or her license plate or plates at the final sentencing hearing or within forty-five (45) days thereafter, the court may issue an order directing the sheriff or any other peace officer to seize the license plate or plates and to deliver any seized license plate or plates to the court. The order of the court suspending the license plate or plates shall not exceed the time for the suspension of the operator's license as specified in KRS 189A.070; and
 - (b) The clerk of the court shall retain any surrendered plate or plates and then transmit all surrendered plate or plates to the Transportation Cabinet in the manner set forth by the Transportation Cabinet in administrative regulations promulgated by the Transportation Cabinet.
- (2) Upon application, the court may grant hardship exceptions to family members or other individuals affected by the surrender of any license plate or plates of any motor vehicle or motorcycle owned by the offender. Hardship exceptions may be granted by the court to the offender's family members or other affected individuals only if the family members or other affected individuals prove to the court's satisfaction that their inability to utilize the surrendered motor vehicles or motorcycles would pose an undue hardship upon the family members or other affected individuals. Upon the court's granting of hardship exceptions, the clerk or the Transportation Cabinet as appropriate, shall return to the family members or other affected individuals the license plate or plates of the motor vehicles or motorcycles of the offender for their utilization. The offender shall not be permitted to operate a motor vehicle or motorcycle for which the license plate has been suspended or for which a hardship exception has been granted, unless the offender has been issued an ignition interlock license under KRS 189A.340 or a hardship license under KRS 189A.410.
- (3) If the license plate of a jointly owned vehicle is impounded, this vehicle may be transferred to a joint owner of the vehicle who was not the violator.
- (4) If the license plate of a motor vehicle is impounded, the vehicle may be transferred.

Effective: April 6, 2022

History: Amended 2022 Ky. Acts ch. 83, sec. 1, effective April 6, 2022. -- Amended 2019 Ky. Acts ch. 103, sec. 6, effective July 1, 2020. -- Amended 2015 Ky. Acts ch. 124, sec. 3, effective June 24, 2015. -- Amended 2010 Ky. Acts ch. 149, sec.

21, effective July 15, 2010. -- Created 2000 Ky. Acts ch. 467, sec. 19, effective October 1, 2000.