134.810 Date on which taxes become due or delinquent.

(1) All state, county, city, urban-county government, school, and special taxing district ad valorem taxes shall be due and payable on or before the earlier of the last day of the month in which registration renewal is required by law for a motor vehicle renewed or the last day of the month in which a vehicle is transferred.

(2) All state, county, city, urban-county government, school, and special taxing district ad valorem taxes due on motor vehicles shall become delinquent following the earlier of the end of the month in which registration renewal is required by law or the last day of the second calendar month following the month in which a vehicle was transferred.

(3) Any taxes which are paid within thirty (30) days of becoming delinquent shall be subject to a penalty of three percent (3%) on the taxes due. However, this penalty shall be waived if the tax bill is paid within five (5) days of the tax bill being declared delinquent. Any taxes which are not paid within thirty (30) days of becoming delinquent shall be subject to a penalty of ten percent (10%) on the taxes due. In addition, interest at an annual rate of fifteen percent (15%) shall accrue on said taxes and penalty from the date of delinquency. A penalty or interest shall not accrue on a motor vehicle under dealer assignment pursuant to KRS 186A.220.

(4) When a motor vehicle has been transferred before registration renewal or before taxes due have been paid, the owner pursuant to KRS 186.010(7)(a) and (c) on January 1 of any year shall be liable for the taxes on the motor vehicle, except as hereinafter provided.

(5) If an owner obtains a certificate of registration for a motor vehicle valid through the last day of his second birth month following the month and year in which he applied for a certificate of registration, all state, county, city, urban-county government, school, and special tax district ad valorem tax liabilities arising from the assessment date following initial registration shall be due and payable on or before the last day of the first birth month following the assessment date or date of transfer, whichever is earlier. Any taxes due under the provisions of this subsection and not paid as set forth above shall be considered delinquent and subject to the same interest and penalties found in subsection (3) of this section.

(6) For purposes of the state ad valorem tax only, all motor vehicles:

(a) Held for sale by a licensed motor vehicle dealer, including licensed motor vehicle auction dealers;

(b) That are in the possession of a licensed motor vehicle dealer, including licensed motor vehicle auction dealers, for sale, although ownership has not been transferred to the dealer; and

(c) With a salvage title held by an insurance company;

on January 1 of any year shall not be taxed as a motor vehicle pursuant to KRS 132.485 but shall be subject to ad valorem tax as goods held for sale in the regular course of business under the provisions of KRS 132.020(1)(n) and 132.220.

(7) Any provision to the contrary notwithstanding, when any ad valorem tax on a motor vehicle becomes delinquent, the state and each county, city, urban-county

government, or other taxing district shall have a lien on all motor vehicles owned or acquired by the person who owned the motor vehicle at the time the tax liability arose. A lien for delinquent ad valorem taxes shall not attach to any motor vehicle transferred while the taxes are due on that vehicle. For the purpose of delinquent ad valorem taxes on leased vehicles only, a lien on a leased vehicle shall not be attached to another vehicle owned by the lessor.

(8) The lien required by subsection (7) of this section shall be filed and released by the automatic entry of appropriate information in the AVIS database. For the filing and release of each lien or set of liens arising from motor vehicle ad valorem property tax delinquency, a fee of two dollars ($2) pursuant to this section shall be added to the delinquent tax account. The fee shall be collected and retained by the county clerk who collects the delinquent tax.

(9) The implementation of the automated lien system provided in this section shall not affect the manner in which commercial liens are recorded or released.

Effective: June 25, 2013

History: Amended 2013 Ky. Acts ch. 94, sec. 4, effective June 25, 2013. -- Amended 2006 Ky. Acts ch. 255, sec. 6, effective January 1, 2007; and ch. 255, sec. 18, effective January 1, 2007. -- Amended 2005 Ky. Acts ch. 168, sec. 78, effective January 1, 2006. -- Amended 2002 Ky. Acts ch. 316, sec. 3, effective July 15, 2002. -- Amended 1998 Ky. Acts ch. 168, sec. 1, effective July 15, 1998; and ch. 600, sec. 2, effective April 14, 1998. -- Amended 1996 Ky. Acts ch. 352, sec. 2, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 20, sec. 2, effective July 15, 1994. â€“ Amended 1992 Ky. Acts ch. 338, sec. 25, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 106, sec. 2, effective July 13, 1990; and ch. 437, sec. 8, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 113, sec. 4, effective December 31, 1988. -- Amended 1984 Ky. Acts ch. 54, sec. 3, effective January 1, 1985; and ch. 391, sec. 6, effective January 1, 1985. -- Created 1982 Ky. Acts ch. 264, sec. 9, effective January 1, 1984.

Legislative Research Commission Note (7/15/2002). The amendments made to subsection (4) of this statute in 2002 Ky. Acts ch. 316, sec. 3, "shall apply for tax assessments made on or after January 1, 2003." 2002 Ky. Acts ch. 316, sec. 5.