186.190 Transfer of registration upon transfer of ownership -- Clerk's fee.

(1) When a motor vehicle that has been previously registered changes ownership, the registration plate shall remain upon the motor vehicle as a part of it until the expiration of the registration year.

(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. Any unexpired registration shall remain valid upon transfer of the vehicle to the new owner. 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: July 15, 2010

History: 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 (7/15/98). 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.