

Governor Beshear Announces New Actions to Fight COVID-19

FRANKFORT, Ky. (July 27, 2020) – Gov. Andy Beshear on Monday announced several new measures to stem the rising number of cases of the novel coronavirus 2019 (COVID-19) in the commonwealth.

“At a time when Kentucky is dealing with a surge in the coronavirus, knowing where other states have gone and knowing what it takes to stop it from happening here, let’s remember that we’re going to get through this, and we’re going to get through this together, but it’s going to require us to do what’s necessary,” the Governor said. “Wherever you live in Kentucky, the virus is spreading. Our state government and the federal administration have significant agreement on what we need to do right now to make sure we don’t turn into Florida, Texas, Arizona, so many other states going through what could be absolutely devastating for them.”

So, today Gov. Beshear announced the following steps:

- Bars will be closed for two weeks, effective tomorrow, Tuesday, July 28.
- Restaurants will be limited to 25% of pre-pandemic capacity indoors; outdoor accommodations remain limited only by the ability to provide proper social distancing.
- Public and private schools are being asked to avoid offering in-person instruction until the third week of August.

To view the order from the Cabinet for Health and Family Services covering the new restrictions, which goes into effect at midnight tonight, [click here](#)

SBA Outlines PPP Forgiveness Process

A July 23 [SBA procedural notice](#) outlines the [process by which PPP lenders must review loan forgiveness applications](#) and notes that lenders may begin submitting loan forgiveness decisions to SBA on August 10. Dealerships with PPP loans should review the SBA notice with their lenders and, as necessary, with outside advisors such as CPAs and attorneys. Note: additional PPP loan forgiveness information is available from [NADA’s Coronavirus Hub](#), including [Guidance on the Use and Forgiveness of PPP Loan Proceeds](#), a recent [webinar](#) and [CARES Act FAQs](#).

The loan forgiveness process begins when a PPP borrower files a [forgiveness application](#) (or [EZ forgiveness application](#)) with its PPP lender. A PPP borrower may file its application after it has used all loan proceeds for which it seeks forgiveness. The best time to file a forgiveness application will reflect a careful consideration of several factors related to maximizing loan forgiveness and ensuring that all required supporting documents are available. PPP lenders must review forgiveness applications in good faith and in accordance with specified procedures and must work with borrowers to resolve any errors or omissions they identify.

A PPP lender has 60 days after receipt of a completed forgiveness application to issue a decision to SBA. A lender may approve an application in full or in part, deny it (in which case the lender must immediately notify the borrower), or deny it pending SBA review. SBA has 90 days after it receives a complete, error-free forgiveness decision to remit any loan forgiveness to the lender. The lender must then notify the borrower of the forgiveness amount, indicating when the borrower’s first payment is due for any loan amount not forgiven. Loan amounts not forgiven must be treated by both borrowers and lenders as a PPP loan.

SBA may decide on its own to review any lender decision to deny a forgiveness application. In addition, a borrower has 30 days to request that its lender ask SBA to conduct such a review, in which case the lender has five days to notify SBA of the borrower's review request. If SBA declines to conduct such a review, it must notify the lender. If it agrees to conduct such a review, it must notify the lender and the borrower of the outcome.

SBA may, at its discretion, decide to review *any* PPP loan to determine if a borrower was eligible to apply for a PPP loan, for the loan amount borrowed or for the forgiveness amount sought. SBA will notify the lender of any decision to conduct such a review, after which the lender has five days to both notify the borrower and to submit certain documents to SBA. SBA's procedural notice does not set a deadline for the conduct of such reviews but does indicate that borrowers will have a right to appeal unfavorable outcomes.

Reminder - The Transportation Cabinet Update to Official Order No. 112223 – Extension for Motor Vehicle and Vessel Registrations

On July 2nd we received notification from the Transportation Cabinet that they had issued the attached update to Official Order No. 112223. This order has to do with the extension to those areas listed below. After clarification, KADA was informed that this does not include liens. But, given that the county clerks are still having disruptions and are in a backlog situation due to the recent primary elections, they are still supposed to be coding pended liens so they do not print the titles in Frankfort. However, since county clerk disruptions continue and this has been a problem, please make sure to double check and follow-up on any pending liens that are past 30 days to make sure they are being properly perfected and titles printed with the lienholder information.

It is recommended that dealers only issue a 30 day temp tag per KRS 186A.100. The extension will be noted by law enforcement and others accordingly. A 2nd 30 day temp tag may be issued if necessary per KRS 186A.100. This extension period expires October 6, 2020.

Changes Impacting Driver's Licenses, Permits and ID Cards

- Beginning July 7, 2020, Kentucky driver's licenses, permits and IDs that expire **on or after July 7, 2020** will no longer receive a 90-day renewal date extension and cardholders will be responsible for renewing their credential with their local circuit court clerk office in order for it to be considered valid. Cards with an expiration date between March 18 and July 6, 2020 are still under the March [emergency order](#) that automatically provides a 90-day extension to the card's printed expiration date.
- During the period **March 1, 2020 through September 30, 2020**, any individual whose operator's license, permit or identification card has expired, will expire, was lost or stolen may apply through a remote application process with the circuit court clerk in his/her county of residence based on each clerk's preferred method (i.e. mail form, drop-off form). The applicant must not require any testing when requesting a card renewal or replacement. More information about the application process is available on the [Administrative Office of the Courts website](#).

Changes Impacting Motor Vehicles and Vessels

- The grace period for all vehicle and vessel registrations (including temp tags) or disabled parking placards administered by county clerks or the Kentucky Transportation Cabinet will continue with no penalties charged through close of business on October 6, 2020. If a vehicle or vessel owner with expired registration does not renew by this date, they will be subject to late fees.

County clerk offices serve as the application and issuance site for motor vehicle services. Kentuckians are encouraged to contact their local county clerk to learn when each office will resume in-person service. Visit [this website](#) to find your local county clerk office to confirm hours of operation.

[Official Order No. 112223 - Amending OO 112155 and Concluding 90-Day Extension](#)