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LEGISLATIVE RESEARCH COMMISSION

State Capitol 700 Capital Avenue Frankfort KY 40601

502-564-8100

Capitol Fax 502-564-2922

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MEMORANDUM

TO: Senate Standing Committee on Transportation
House Standing Committee on Transportation

FROM: Jay D. Hartz, Director

SUBJECT: Administrative Regulations

DATE: April 3, 2024

At its March 11, 2024, meeting, the Administrative Regulation Review Subcommittee completed its review of the following administrative regulation: 601 KAR 012:080.

Pursuant to the provisions of KRS Chapter 13A, this regulation has been assigned to the Senate Standing Committee on Transportation and the House Standing Committee on Transportation. Pursuant to KRS Chapter 13A, the committees have ninety (90) days from the date of this assignment to review this regulation.

The Subcommittee minutes will be delivered to your committee staff upon completion. The material considered by the Subcommittee in its review is attached to the appropriate administrative regulation.

Attachments

cc: Administrative Regulation Review Subcommittee
John Snyder

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M E M O R A N D U M

TO: Senator Robert Stivers, President of the Senate
Representative David Osborne, Speaker of the House
Members of the Legislative Research Commission

FROM: Senator Stephen West, Co-Chair
Representative Derek Lewis, Co-Chair
Administrative Regulation Review Subcommittee

RE: Report of the Administrative Regulation Review Subcommittee

DATE: April 3, 2024

Members: Senator Stephen West, Co-Chair; Representative Derek Lewis, Co-Chair; Senators Julie Raque Adams and Damon Thayer; Representatives Randy Bridges, Deanna Frazier Gordon, and Daniel Grossberg.

LRC Staff: Stacy Auterson, Emily Caudill, Ange Darnell, Emily Harkenrider, Karen Howard, Anna Latek, and Carrie Nichols.

Guests: Cassie Trueblood, Educational Professional Standards Board; Carrie Bass, Jessica Beaubien, Public Pension Authority; Corey Ann Jackson, Charla Sands, Department of Military Affairs; Joseph P. Donohue, Board of Accountancy; Hank Cecil, Marc Kelly, Board of Social Work; Anna Lucio, Clint Quarles, Department of Agriculture; Louanna Aldridge, Tony Hatton, Michael Mullins, Tyler Shields, Department for Environmental Protection; Kyle Ray, Christy Walker, Department of Vehicle Regulation; Jonathan Scott, Department for Medicaid Services; Edward Clark, Phyllis Sosa, Department for Aging and Independent Living; Laura Begin, Clifford Bryant, Department for Community Based Services; Michelle Sanborn, Children’s Alliance, and Tom Fitzgerald, Kentucky Resources Council.

The Administrative Regulations Review Subcommittee met on Monday, March 11, 2024, and submits this report:

TRANSPORTATION: Department of Vehicle Regulation: Driver's License

601 KAR 012:080. Drivers license or personal ID renewal or replacement for persons without an established and fixed nighttime residence. Kyle Ray, staff attorney manager and assistant general counsel, and Christy Walker director, Driver License Division, represented the department.

Representative Bridges thanked the department for establishing provisions for youth to obtain identification cards.

A motion was made and seconded to approve the following amendments: to amend Section 2 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

TRANSPORTATION CABINET
Department of Vehicle Regulation
Division of Drivers Licensing
(Amended at ARRS Committee)

601 KAR 12:080. Drivers license or personal ID renewal or replacement for persons without an established and fixed nighttime residence.

RELATES TO: KRS 186.412, 186.4122, 42 U.S.C. 11434a(2)

STATUTORY AUTHORITY: KRS 186.412, 186.4122

NECESSITY, FUNCTION, AND CONFORMITY: KRS 186.412 establishes procedures to allow applicants seeking to renew or obtain a duplicate operator's license when the applicant does not have an established and fixed nighttime residence. KRS 186.4122 establishes procedures for an applicant seeking an initial, renewal, or duplicate personal identification card when the applicant does not have an established and fixed nighttime residence. KRS 186.412 requires the Transportation Cabinet to promulgate administrative regulations establishing forms relating to both personal driver's licenses and personal identification cards.

Section 1. Definitions.

(1) "Homeless individual" means a person at least eighteen (18) years of age who lacks a fixed, regular, and nighttime residence.

(2) "Homeless youth" is defined by 42 U.S.C. § 11434a(2) and KRS 186.4122.

Section 2. Procedures for Renewing an Operator's License, Duplicate Operator's License, or Personal Identification Card.

(1) All applicants who meet the definition of homeless individual shall complete form TC 94-199 to renew an operator's license, receive a duplicate operator's license, or to receive an initial, renewal, or duplicate personal identification card. This form shall not be used for issuance of an initial operator's license.

(2) All applicants who meet the definition of homeless youth and who are between the ages of sixteen (16) and seventeen (17) years old but younger than eighteen (18) years of age, shall complete form TC94-198 to receive a personal identification card.

Section 3. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "TC94-198", October 2023; and

(b) "TC94-199", September 2023.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Division of Driver Licensing, 2nd Floor, Transportation Cabinet Office Building, 200 Mero Street, Frankfort, Kentucky 40622, Monday through Friday, 8 a.m. to 4:30 p.m.

(3) This material is also available on Transportation Cabinet's Web site at [https://transportation.ky.gov/Organizational-Resources/Pages/Forms-Library-\(TC-94\).aspx](https://transportation.ky.gov/Organizational-Resources/Pages/Forms-Library-(TC-94).aspx).

FILED WITH LRC: March 11, 2024

CONTACT PERSON: Jon Johnson, Staff Attorney Manager/Assistant General Counsel, Transportation Cabinet, Office of Legal Services, 200 Mero Street, Frankfort, Kentucky 40622, phone (502) 782-8180, fax (502) 564-5238, email Jon.Johnson@ky.gov.