

SENATE MEMBERS

**Robert Stivers**  
President, LRC Co-Chair  
**David Givens**  
President Pro Tempore  
**Damon Thayer**  
Majority Floor Leader  
**Gerald A. Neal**  
Minority Floor Leader  
**Julie Raque Adams**  
Majority Caucus Chair  
**Reginald Thomas**  
Minority Caucus Chair  
**Mike Willson**  
Majority Whip  
**David Yates**  
Minority Whip



**LEGISLATIVE RESEARCH COMMISSION**

State Capitol 700 Capital Avenue Frankfort KY 40601

502-564-8100

Capitol Fax 502-564-2922

Annex Fax 502-564-6543

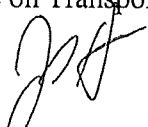
legislature.ky.gov

**Jay D. Hartz**  
Director

HOUSE MEMBERS

**David W. Osborne**  
Speaker, LRC Co-Chair  
**David Meade**  
Speaker Pro Tempore  
**Steven Rudy**  
Majority Floor Leader  
**Derrick Graham**  
Minority Floor Leader  
**Suzanne Miles**  
Majority Caucus Chair  
**Cherlynn Stevenson**  
Minority Caucus Chair  
**Jason Nemes**  
Majority Whip  
**Rachel Roberts**  
Minority Whip

**MEMORANDUM**

**TO:** Interim Joint Committee on Transportation  
**FROM:** Jay D. Hartz, Director   
**SUBJECT:** Administrative Regulations  
**DATE:** April 2, 2025

At its March 10, 2025, meeting, the Administrative Regulation Review Subcommittee completed its review of the following administrative regulation: 601 KAR 012:120E.

Pursuant to the provisions of KRS Chapter 13A, this regulation has been assigned to the Interim Joint Committee on Transportation. Pursuant to KRS Chapter 13A, the committee has 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



#### SENATE MEMBERS

**Robert Stivers**  
President, LRC Co-Chair  
**David Givens**  
President Pro Tempore  
**Max Wise**  
Majority Floor Leader  
**Gerald A. Neal**  
Minority Floor Leader  
**Robby Mills**  
Majority Caucus Chair  
**Reginald Thomas**  
Minority Caucus Chair  
**Mike Wilson**  
Majority Whip  
**David Yates**  
Minority Whip



### LEGISLATIVE RESEARCH COMMISSION

State Capitol 700 Capital Avenue Frankfort KY 40601

502-564-8100

Capitol Fax 502-564-2922

Annex Fax 502-564-6543

legislature.ky.gov

**Jay D. Hartz**  
Director

#### HOUSE MEMBERS

**David W. Osborne**  
Speaker, LRC Co-Chair  
**David Meade**  
Speaker Pro Tempore  
**Steven Rudy**  
Majority Floor Leader  
**Pamela Stevenson**  
Minority Floor Leader  
**Suzanne Miles**  
Majority Caucus Chair  
**Al Gentry**  
Minority Caucus Chair  
**Jason Nemes**  
Majority Whip  
**Lindsey Burke**  
Minority Whip

### MEMORANDUM

**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 2, 2025

**Members:** Senator Stephen West, Co-Chair; Representative Derek Lewis, Co-Chair; Senators Julie Raque Adams and Mike Wilson; and Representatives Randy Bridges, Deanna Gordon, and Mary Lou Marzian.

**LRC Staff:** Sarah Amburgey, Stacy Auterson, Laura Begin, Emily Caudill, Ange Darnell, Emily Harkenrider, Karen Howard, Anna Latek, Callie Lewis, and Carrie Nichols.

**Guests:** Dawn Baase, Wes Jones, Gordon Slone, Department for Natural Resources; Kathryn Adams-Cornett, Marni Gibson, Department of Financial Institutions; Nathan Goodrich, Kentucky Public Pensions Authority (KPPA); Dr. John Park, DVM, Michelle Shane, Board of Veterinary Examiners; Sara Janes, Ciera Sherwood, M.S., Board of Speech-Language Pathology and Audiology; Dr. Andrea Brooks, LPCC-S, Board of Licensed Professional Counselors; Steven Fields, Jenny Gilbert, Department of Fish and Wildlife Resources; Jesse Rowe, Department of Vehicle Regulation; Todd Allen, Matthew Courtney, Department of Education; Jason Hernandez, Robin Maples, Chuck Stribling, Department of Workplace Standards; Ashleigh Bailey, Jamie Eads, Kentucky Horse Racing and Gaming Corporation; Andrea Day, Dr. Leslie Hoffmann, Jay Klein, Jonathan Scott, Cabinet for Health and Family Services; and John Cooper, Timothy Schenk, Kentucky Bankers Association.

**The Administrative Regulation Review Subcommittee met on Monday, March 10, 2025.**

**Administrative Regulations Reviewed by this Subcommittee:**

**TRANSPORTATION CABINET: Department of Vehicle Regulation: Driver's License**

601 KAR 012:120E. Testing applicants for initial or renewal instruction permit, initial or renewal operator's license, or reinstatement. Jesse Rowe, assistant general counsel, represented the department.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Section 5 to make technical corrections. Without objection, and with agreement of the agency, the amendments were approved.

**TRANSPORTATION CABINET**  
**Department of Vehicle Regulation**  
**Division of Driver Licensing**  
**(Emergency Amended at ARRS Committee)**

**601 KAR 12:120E. Testing applicants for initial or renewal instruction permit, initial or renewal operator's license, or reinstatement.**

RELATES TO: KRS 186.412, 186.4121, 186.415, 186.416, 186.417, 186.419, 186.435, 186.442, 186.450, 186.480, 186.580, 601 KAR 12:020.

STATUTORY AUTHORITY: KRS 186.4101, 186.444, 186.570, 186.577

NECESSITY, FUNCTION, AND CONFORMITY: KRS 186.577 requires the Kentucky State Police to submit persons applying for an initial operator's license or an initial instruction permit to submit to a test of visual acuity and visual field at the time of application. It also requires the Kentucky Transportation Cabinet, Department of Vehicle Regulation, Division of Driver Licensing, to submit persons applying for a renewal operator's license, a renewal instruction permit, or reinstatement to a test of visual acuity and visual field at the time of application. It also requires persons whose visual acuity is 20/60 or better in one (1) eye and who meet or exceed the visual field standard established by this administrative regulation with corrective lenses shall have their driving privileges restricted to mandate the use of the corrective lenses. KRS 186.577 also requires the Transportation Cabinet to promulgate administrative regulations pursuant to KRS Chapter 13A to implement the provisions of the section, including establishing visual field standards, the creation of a driver vision testing form, and establishing a credentialing process for osteopaths, physicians, and advanced practice registered nurses to conduct vision testing under the section.

**Section 1. Definitions.**

- (1) "Corrective lens" means an ophthalmic lens, whether an eyeglass, contact lens, or single lens system, that corrects the refraction error or other optically correctable deficiency of the eye.
- (2) "Credentialed medical specialist" means an osteopath, physician, or advanced practice registered nurse who is credentialed by the cabinet to perform vision testing under this administrative regulation.
- (3) "Field of vision" means the entire horizontal and vertical planes a person has for each eye without shifting the gaze.
- (4) "Licensing action" means any action by the Transportation Cabinet involving the denial, cancellation, restriction, or issuance of a motor vehicle operator's license pursuant to KRS Chapter 186.
- (5) "Medical Review Board" means the Medical Review Board established pursuant to KRS 186.444 and 186.570(1)(c).
- (6) "Visual field" is defined by KRS 186.576(13).
- (7) "Vision specialist" means a person licensed to practice optometry as established in KRS Chapter 320 or its out-of-state equivalent, or an ophthalmologist who is a medical or osteopathic physician specializing in eye and vision care and licensed pursuant to KRS Chapter 311 or its out-of-state equivalent.
- (8) "Vision testing" means the initial vision screening for visual acuity and visual field conducted by the Kentucky State Police, a credentialed medical specialist, or a vision specialist to test persons applying for an initial operator's license or an initial instruction permit, or the vision screening conducted by the Division of Driver Licensing, a credentialed medical specialist, or a vision specialist to test persons applying for a renewal operator's license, a renewal instruction permit, or reinstatement. It also means

the further examination vision testing for visual acuity and visual field conducted by a vision specialist after a failed initial vision screening.

(9) "Visual field standards" means the driver's horizontal field of vision shall be at least thirty (30) degrees to both the left and the right without interruption and their vertical field of vision shall be at least twenty-five (25) degrees above and below fixation without interruption.

Section 2. Procedures for Testing Applicants for Initial or Renewal Instruction Permit, Initial or Renewal License, or Reinstatement.

(1) The following persons shall submit to a test of visual acuity and visual field at the time of application or renewal:

- (a) All persons applying for an initial or renewal operator's license;
- (b) All persons applying for an initial or renewal instruction permit; and
- (c) Any person required to complete an examination under KRS 186.635.

(2) Vision testing under this section shall be administered to any person:

(a) Applying for an initial operator's license, an initial instruction permit, or reinstatement of a license when vision shall be tested as required in KRS 186.480:

- 1. Prior to the time of application under subsection (5) of this section; or
- 2. By Kentucky State Police at the time of application;

(b) Applying for operator's license renewal or instruction permit renewal:

- 1. Prior to the time of application under subsection (5) of this section; or
- 2. By the Transportation Cabinet at the time of application; or Identified in Kentucky administrative regulations promulgated by the

(c) Transportation Cabinet as being required to undergo the exam required by KRS 186.480.

(3) Visual acuity and visual field.

(a) Persons whose visual acuity is 20/40 or better in one (1) eye and who meet or exceed the visual field standard established by the Transportation Cabinet without corrective lenses shall not have a restriction placed on their driving privileges.

(b) Persons whose visual acuity is 20/40 or better in one (1) eye and who meet or exceed the visual field standard established by the Transportation Cabinet with corrective lenses shall have their driving privileges restricted to mandate the use of the corrective lenses.

(c) Persons with a horizontal visual field in the person's better eye of at least thirty (30) degrees to the left and right side of fixation without interruption and a vertical visual field in the person's better eye of at least twenty-five (25) degrees above and below fixation without interruption shall be eligible to test for an instruction permit or operator's license or shall be eligible for an instruction permit or operator's license renewal or reinstatement.

(d) If a person fails to meet a 20/40 visual acuity standard or the visual field standard established by this administrative regulation in an initial screening by the Kentucky State Police, the Division of Driver Licensing, or a credentialed medical specialist, the person shall be referred to a vision specialist for further examination. If a vision specialist performs the initial screening and the person does not meet the visual standards, the vision specialist may conduct any further examination necessary to complete the TC 94-202, Driver Vision Testing Certification.

(e) Any further examination visual field test conducted by a vision specialist after a failed initial vision screening under this administrative regulation shall test the entire field of vision for interruption.

(4) A person referred to a vision specialist under subsection (3) of this section whose visual acuity is 20/60 or better in one eye and who meets or exceeds the visual field standard established by this administrative regulation shall be eligible to test for an

instruction permit or operator's license or shall be eligible for operator's license renewal or reinstatement. If corrective lenses were prescribed by a vision specialist, the person's driving privileges shall be restricted to mandate the use of the corrective lenses.

(5) Vision tests administered under subsection (2)(a) of this section shall be deemed to meet the testing provisions outlined in subsection (3) or (4) of this section, if the person submits a TC 94-202, Driver Vision Testing Certification, and the form has been completed by:

(a) A vision specialist; or

(b) An osteopath, physician, or advanced practice registered nurse who is credentialed by the department to perform vision testing pursuant to KRS 186.577 and this administrative regulation.

(6) All driver vision testing forms completed under subsection (5) of this section shall:

(a) Attest that the applicant meets or exceeds the visual acuity standard and visual field standard established by KRS 186.577 and the department in this administrative regulation;

(b) Only be valid if the vision specialist or the credentialed osteopath, credentialed physician, or credentialed advanced practice registered nurse signed and completed the TC 94-202, Driver Vision Testing Certification, vision testing form less than twelve (12) months prior to the date of application or renewal;

(c) State whether the driving privileges of the applicant shall be restricted to mandate the use of corrective lenses;

(d) Clearly indicate that the vision testing under this section is a screening for minimum vision standards established in this section and is not a complete eye examination;

(e) After any examination requested pursuant to KRS 186.577 and this administrative regulation, the examining vision specialist or credentialed medical specialist shall complete and report the findings of an examination on the TC 94-202, Driver Vision Testing Certification, and shall submit it directly to the department if the person's visual acuity or visual field do not meet the standards in this administrative regulation; and

(f) If the department learns that a person applying for an initial or renewal instruction permit, initial or renewal license, or reinstatement, could have a medical condition that might affect safe driving, the department may, pursuant to 601 KAR 13:090, 601 KAR 13:100, and this administrative regulation require the person to provide the Medical Review Board with information about the person's medical condition and may thereafter take an appropriate licensing action.

(7) Any person seeking application or permit under subsection (1) of this section shall attest that he or she has submitted to and passed the visual acuity and visual field tests required under KRS 186.577 and this administrative regulation.

(8) Any person renewing an operator's license under KRS 186.416 shall be exempt from the vision testing requirements outlined in this administrative regulation.

(9) Persons who meet the requirements of KRS 186.578 and are issued operator's licenses under KRS 186.579 shall:

(a) Have their driving privileges restricted to the use of a bioptic telescopic device; and

(b) Be otherwise exempt from this section.

(10) Pursuant to KRS 186.480, the provisions of KRS 186.577 and of this administrative regulation shall not apply to an applicant who:

(a) At the time of application, holds a valid operator's license from another state, provided that state affords a reciprocal exemption to a Kentucky resident;

(b) At the time of application for a motorcycle instruction permit or motorcycle operator's license, presents evidence of successful completion of an approved rider training course under KRS 176.5062; or

(c) Is a citizen of the Commonwealth who has been serving in the United States military and has allowed his or her operator's license to expire.

(11) A credentialed medical specialist or a vision specialist shall complete the TC 94-202, Driver Vision Testing Certification, after any examination requested pursuant to KRS 186.577 and this administrative regulation and shall submit a copy of the certification of any examination failures to the Division of Driver Licensing. Unless the Division of Driver Licensing or the Kentucky State Police is conducting the initial screening at the time of application, the Kentucky State Police or the department shall require a person to submit a completed original copy of this form for that person to be eligible for an initial operator's license, an initial instruction permit, license renewal, permit renewal, or reinstatement.

### Section 3. Appeal of a Denial of Initial Instruction Permit, Operator's License, Renewal, or Reinstatement for Vision Standards.

(1) After any further examination by a vision specialist requested pursuant to KRS 186.577 and this administrative regulation, an applicant who is deemed ineligible for an initial instruction permit, operator's license, renewal, or reinstatement because their visual acuity or visual field do not meet the applicable standards may appeal their denial to the Division of Driver Licensing, Medical Review Board.

(2) An applicant may file an appeal by submitting a copy of the TC 94-202, Driver Vision Testing Certification, certified by a vision specialist to the Medical Review Board within twenty (20) days of the date the further examination was completed.

### Section 4. Credentialing of a Medical Specialist.

(1) A licensed osteopath, physician, or advanced practice registered nurse shall become credentialed by the Department of Vehicle Regulation before they may perform the initial vision testing required under KRS 186.577 and this administrative regulation. To become credentialed, the medical professional shall submit to the department a completed TC 94-203, Medical Specialist Credentialing Certification.

(2) The applicant medical specialist shall thereafter receive an approved copy of the TC 94-203, Medical Specialist Credentialing Certification, from the Division of Driver Licensing credentialing them to perform the initial vision screening required under KRS 186.577 and this administrative regulation prior to completing any driver vision examination, and prior to completing a TC 94-202, Driver Vision Testing Certification.

(3) The credentialed medical professional shall include their Medical Specialist Credential certification number on any completed TC 94-202, Driver Vision Testing Certification.

### Section 5. Incorporated by Reference.

(1) The following material is incorporated by reference:

(a) "TC 94-202, Driver Vision Testing Certification," December 2024.

(b) "TC 94-203, Medical Specialist Credentialing Certification," December 2024.

(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 the Transportation Cabinet's website 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 10, 2025

CONTACT PERSON: Jesse Rowe, Staff Attorney Manager/Assistant General Counsel, Transportation Cabinet, Office of Legal Services, 200 Mero Street, Frankfort, Kentucky 40622, phone (502) 564-7650, fax (502) 564-5238, email [jessew.rowe@ky.gov](mailto:jessew.rowe@ky.gov).



**SENATE MEMBERS**

**Robert Stivers**  
President, LRC Co-Chair  
**David Glvens**  
President Pro Tempore  
**Max Wise**  
Majority Floor Leader  
**Gerald A. Neal**  
Minority Floor Leader  
**Robby Mills**  
Majority Caucus Chair  
**Reginald Thomas**  
Minority Caucus Chair  
**Mike Willson**  
Majority Whip  
**David Yates**  
Minority Whip



**LEGISLATIVE RESEARCH COMMISSION**

State Capitol 700 Capital Avenue Frankfort KY 40601

**502-564-8100**

Capitol Fax 502-564-2922

Annex Fax 502-564-6543


legislature.ky.gov

**Jay D. Hartz**  
Director

**HOUSE MEMBERS**

**David W. Osborne**  
Speaker, LRC Co-Chair  
**David Meade**  
Speaker Pro Tempore  
**Steven Rudy**  
Majority Floor Leader  
**Pamela Stevenson**  
Minority Floor Leader  
**Suzanne Miles**  
Majority Caucus Chair  
**Al Gentry**  
Minority Caucus Chair  
**Jason Nemes**  
Majority Whip  
**Lindsey Burke**  
Minority Whip

**MEMORANDUM**

**TO:** Interim Joint Committee on Transportation  
**FROM:** Jay D. Hartz, Director   
**SUBJECT:** Administrative Regulations  
**DATE:** May 7, 2025

At its April 14, 2025, meeting, the Administrative Regulation Review Subcommittee completed its review of the following administrative regulation: 601 KAR 012:120.

Pursuant to the provisions of KRS Chapter 13A, this regulation has been assigned to the Interim Joint Committee on Transportation. Pursuant to KRS Chapter 13A, the committee has 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



SENATE MEMBERS

**Robert Stivers**  
President, LRC Co-Chair  
**David Givens**  
President Pro Tempore  
**Max Wise**  
Majority Floor Leader  
**Gerald A. Neal**  
Minority Floor Leader  
**Robby Mills**  
Majority Caucus Chair  
**Reginald Thomas**  
Minority Caucus Chair  
**Mike Wilson**  
Majority Whip  
**David Yates**  
Minority Whip



LEGISLATIVE RESEARCH COMMISSION

State Capitol 700 Capital Avenue Frankfort KY 40601

502-564-8100

Capitol Fax 502-564-2922

Annex Fax 502-564-6543

legislature.ky.gov

**Jay D. Hartz**  
Director

HOUSE MEMBERS

**David W. Osborne**  
Speaker, LRC Co-Chair  
**David Meade**  
Speaker Pro Tempore  
**Steven Rudy**  
Majority Floor Leader  
**Pamela Stevenson**  
Minority Floor Leader  
**Suzanne Miles**  
Majority Caucus Chair  
**Al Gentry**  
Minority Caucus Chair  
**Jason Nemes**  
Majority Whip  
**Lindsey Burke**  
Minority Whip

MEMORANDUM

**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:** May 7, 2025

**Members:** Senator Stephen West, Co-Chair; Representative Derek Lewis, Co-Chair; Senators Julie Raque Adams and Mike Wilson; and Representatives Randy Bridges, Deanna Gordon, and Mary Lou Marzian.

**LRC Staff:** Stacy Auterson, Laura Begin, Emily Caudill, Ange Darnell, Emily Harkenrider, Karen Howard, Anna Latek, Callie Lewis, and Carrie Nichols.

**Guests:** Mark Bowman, Department of Veterans' Affairs; Eden Davis, Board of Pharmacy; Dr. Joe Ellis, OD, Christi LeMay, Board of Optometric Examiners; Kelly Jenkins, MSN, RN, Jeff Prather, Board of Nursing; Eddie Slone, John Wood, Board of Emergency Medical Services; Dave Dreves, Steven Fields, Jenny Gilbert, Department of Fish and Wildlife Resources; Jesse Rowe, Transportation Cabinet; Joshua Newton, Maggie Woods, Department of Alcoholic Beverage Control; Dr. Leslie Hoffmann, Jonathan Scott, Melanie Taylor, Cabinet for Health and Family Services; Dr. Richard Castillo, University of North Carolina College of Optometric Medicine; Eric D'Astolfo, Pearson VUE; Lisa Fennell, Association of Regulatory Boards of Optometry; Dr. Aaron Oberster, optometrist; and Dr. Jamie Althoff, Dr. Jill Bryant, Dr. Brett Foley, Dr. Michael Ohlson, National Board of Examiners in Optometry.

**The Administrative Regulation Review Subcommittee met on Monday, April 14, 2025.**

**Administrative Regulations Review by this Subcommittee:**

**TRANSPORTATION CABINET: Department of Vehicle Regulation: Driver's License**

601 KAR 012:120. Testing applicants for initial or renewal instruction permit, initial or renewal operator's license, or reinstatement. Jesse Rowe, assistant general counsel, represented the department.

A motion was made and seconded to approve the following amendments: (1) to amend the TITLE; the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs; and Sections 1 through 4 to comply with the drafting and formatting requirements of KRS Chapter 13A; and (2) to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Section 5 to make technical corrections. Without objection, and with agreement of the agency, the amendments were approved.

**The subcommittee adjourned at 2:00 p.m. The next meeting of this subcommittee was tentatively scheduled for May 13, 2025, at 1 p.m. in Room 149 of the Annex.**

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

601 KAR 12:120. Visual acuity and visual field testing ~~for applicants for initial application or renewal of instruction permit, initial application or renewal of operator's license, or reinstatement.~~

RELATES TO: KRS 186.412, 186.4121, 186.415, 186.416, 186.417, 186.419, 186.435, 186.442, 186.450, 186.480, 186.578, 186.579, 186.580, 186.635, Chapter 311, 320~~601 KAR 12:020.~~

STATUTORY AUTHORITY: KRS 186.4101, 186.444, 186.570, 186.577

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 186.577 requires the Kentucky State Police to ~~submit~~<sup>test</sup> persons applying for an initial operator's license or an initial instruction permit to submit to a test of visual acuity and visual field at the time of application. KRS 186.577~~HH~~ also requires the Kentucky Transportation Cabinet, Department of Vehicle Regulation, Division of Driver Licensing, to ~~submit~~<sup>test</sup> persons applying for a renewal operator's license, a renewal instruction permit, or reinstatement to ~~submit to~~<sup>a</sup> test of visual acuity and visual field at the time of application. KRS 186.577~~HH~~ also requires that persons whose visual acuity is 20/60 or better in one (1) eye and who meet or exceed the visual field standard established by this administrative regulation with corrective lenses shall have their driving privileges restricted to mandate the use of the corrective lenses. KRS 186.577 also requires the Transportation Cabinet to promulgate administrative regulations pursuant to KRS Chapter 13A to implement the provisions of the section, including establishing visual field standards, the creation of a driver vision testing form, and establishing a credentialing process for osteopaths, physicians, and advanced practice registered nurses to conduct vision testing under the section.

Section 1. Definitions.

- (1) "Corrective lens" means an ophthalmic lens, whether an eyeglass, contact lens, or single lens system, that corrects the refraction error or other optically correctable deficiency of the eye.
- (2) "Credentialed medical specialist" means an osteopath, physician, or advanced practice registered nurse who is credentialed by the cabinet to perform vision testing under this administrative regulation.
- (3) "Field of vision" means the entire horizontal and vertical planes a person has for each eye without shifting the gaze.
- (4) "Licensing action" means any action by the Transportation Cabinet involving the denial, cancellation, restriction, or issuance of a motor vehicle operator's license pursuant to KRS Chapter 186.
- (5) "Medical Review Board" means the Medical Review Board established pursuant to KRS 186.444 and 186.570(1)(c).
- (6) ~~"Visual field" is defined by KRS 186.576(13).~~
- ~~(7)~~ "Vision specialist" means a person licensed to practice optometry as established in KRS Chapter 320 or its out-of-state equivalent, or an ophthalmologist who is a medical or osteopathic physician specializing in eye and vision care and licensed pursuant to KRS Chapter 311 or its out-of-state equivalent.
- ~~(2)~~ ~~(8)~~ "Vision testing" means the:

(a) Initial vision screening for visual acuity and visual field conducted by the Kentucky State Police, a credentialed medical specialist, or a vision specialist to test persons applying for an initial operator's license or an initial instruction permit, or the vision screening conducted by the Division of Driver Licensing, a credentialed medical specialist, or a vision specialist to test persons applying for a renewal operator's license, a renewal instruction permit, or reinstatement; ~~and;~~

(b) ~~It also means the~~ Further examination vision testing for visual acuity and visual field conducted by a vision specialist after a failed initial vision screening.

(8) "Visual field" is defined by KRS 186.576(13).

(9) "Visual field standards" means the driver's horizontal field of vision ~~is/~~shall be at least thirty (30) degrees to both the left and the right without interruption and their vertical field of vision ~~is/~~shall be at least twenty-five (25) degrees above and below fixation without interruption.

## Section 2. Procedures for Testing Applicants for Initial or Renewal Instruction Permit, Initial or Renewal License, or Reinstatement.

(1) The following persons shall submit to a test of visual acuity and visual field at the time of application or renewal:

- (a) All persons applying for an initial or renewal operator's license;
- (b) All persons applying for an initial or renewal instruction permit; and
- (c) Any person required to complete an examination under KRS 186.635.

(2) Vision testing under this section shall be administered to any person:

(a) Applying for an initial operator's license, an initial instruction permit, or reinstatement of a license when vision shall be tested as required in KRS 186.480:

- 1. Prior to the time of application under subsection (5) of this section; or
- 2. By Kentucky State Police at the time of application;

(b) Applying for operator's license renewal or instruction permit renewal:

- 1. Prior to the time of application under subsection (5) of this section; or
- 2. By the Transportation Cabinet at the time of application; or Identified in Kentucky administrative regulations promulgated by the

(c) Transportation Cabinet as being required to undergo the exam required by KRS 186.480.

(3) Visual acuity and visual field.

(a) Persons whose visual acuity is 20/40 or better in one (1) eye and who meet or exceed the visual field standard established by the Transportation Cabinet without corrective lenses shall not have a restriction placed on their driving privileges.

(b) Persons whose visual acuity is 20/40 or better in one (1) eye and who meet or exceed the visual field standard established by the Transportation Cabinet with corrective lenses shall have their driving privileges restricted to mandate the use of the corrective lenses.

(c) Persons with a horizontal visual field in the person's better eye of at least thirty (30) degrees to the left and right side of fixation without interruption and a vertical visual field in the person's better eye of at least twenty-five (25) degrees above and below fixation without interruption shall be eligible to test for an instruction permit or operator's license or shall be eligible for an instruction permit or operator's license renewal or reinstatement.

(d) If a person fails to meet a 20/40 visual acuity standard or the visual field standard established by this administrative regulation in an initial screening by the Kentucky State Police, the Division of Driver Licensing, or a credentialed medical specialist, the person shall be referred to a vision specialist for further examination. If a vision specialist performs the initial screening and the person does not meet the visual

standards, the vision specialist may conduct any further examination necessary to complete the ~~FTC 94-202, f~~Driver Vision Testing Certification, TC 94-202.

(e) Any further examination visual field test conducted by a vision specialist after a failed initial vision screening under this administrative regulation shall test the entire field of vision for interruption.

(4) A person referred to a vision specialist under subsection (3)(d) of this section whose visual acuity is 20/60 or better in one (1) eye and who meets or exceeds the visual field standard established by this administrative regulation, shall be eligible to test for an instruction permit or operator's license or shall be eligible for operator's license renewal or reinstatement. If corrective lenses were prescribed by a vision specialist, the person's driving privileges shall be restricted to mandate the use of the corrective lenses.

(5) Vision tests administered under subsection (2)(a) of this section shall be deemed to meet the testing provisions ~~established~~outlined in subsection (3) or (4) of this section, if the person submits a ~~FTC 94-202, f~~Driver Vision Testing Certification, TC 94-202, and the form has been completed by:

(a) A vision specialist; or

(b) An osteopath, physician, or advanced practice registered nurse who is credentialed by the department to perform vision testing pursuant to KRS 186.577 and this administrative regulation.

(6) All driver vision testing forms completed under subsection (5) of this section shall:

(a) Attest that the applicant meets or exceeds the visual acuity standard and visual field standard established by KRS 186.577 and the department in this administrative regulation;

(b) Only be valid if the vision specialist or the credentialed osteopath, credentialed physician, or credentialed advanced practice registered nurse signed and completed the ~~FTC 94-202, f~~Driver Vision Testing Certification, TC 94-202, vision testing form less than twelve (12) months prior to the date of application or renewal;

(c) State ~~if whether~~ the driving privileges of the applicant shall be restricted to mandate the use of corrective lenses; and

(d) Clearly indicate that the vision testing under this section is a screening for minimum vision standards established in this section and is not a complete eye examination.~~f~~

~~{(e)} After any examination requested pursuant to KRS 186.577 and this administrative regulation, the examining vision specialist or credentialed medical specialist shall complete and report the findings of an examination on the TC 94-202, Driver Vision Testing Certification, and shall submit it directly to the department if the person's visual acuity or visual field do not meet the standards in this administrative regulation; and~~

~~{(f)} If the department learns that a person applying for an initial or renewal instruction permit, initial or renewal license, or reinstatement, could have a medical condition that might affect safe driving, the department may, pursuant to 601 KAR 13:090, 601 KAR 13:100, and this administrative regulation require the person to provide the Medical Review Board with information about the person's medical condition and may thereafter take an appropriate licensing action.}~~

(7) Any person seeking application or permit under subsection (1) of this section shall attest that he or she has submitted to and passed the visual acuity and visual field tests required under KRS 186.577 and this administrative regulation.

(8) Any person renewing an operator's license under KRS 186.416 shall be exempt from the vision testing requirements outlined in this administrative regulation.

(9) Persons who meet the requirements of KRS 186.578 and are issued operator's licenses under KRS 186.579 shall:

(a) Have their driving privileges restricted to the use of a bioptic telescopic device; and

- (b) Be otherwise exempt from this section.
- (10) Pursuant to KRS 186.480, the provisions of KRS 186.577 and of this administrative regulation shall not apply to an applicant who:
  - (a) At the time of application, holds a valid operator's license from another state, provided that state affords a reciprocal exemption to a Kentucky resident;
  - (b) At the time of application for a motorcycle instruction permit or motorcycle operator's license, presents evidence of successful completion of an approved rider training course under KRS 176.5062; or
  - (c) Is a citizen of the Commonwealth who has been serving in the United States military and has allowed his or her operator's license to expire.
- (11) A credentialed medical specialist or a vision specialist shall complete the ~~FTC 94-202,~~ Driver Vision Testing Certification, TC 94-202, after any examination requested pursuant to KRS 186.577 and this administrative regulation and shall submit a copy of the certification of any examination failures to the Division of Driver Licensing. Unless the Division of Driver Licensing or the Kentucky State Police is conducting the initial screening at the time of application, the Kentucky State Police or the department shall require a person to submit a completed original copy of Driver Vision Testing Certification, TC 94-202, this form for that person to be eligible for an initial operator's license, an initial instruction permit, license renewal, permit renewal, or reinstatement.
- (12) After any examination requested pursuant to KRS 186.577 and this administrative regulation, the examining vision specialist or credentialed medical specialist shall complete and report the findings of an examination on the Driver Vision Testing Certification, TC 94-202, and shall submit it directly to the department if the person's visual acuity or visual field do not meet the standards in this administrative regulation
- (13) If the department learns that a person applying for an initial or renewal instruction permit, initial or renewal license, or reinstatement, could have a medical condition that might affect safe driving, the department may, pursuant to 601 KAR 13:090, 13:100, and this administrative regulation, require the person to provide the Medical Review Board with information about the person's medical condition and may thereafter take an appropriate licensing action.

### Section 3. Appeal of a Denial of Initial Instruction Permit, Operator's License, Renewal, or Reinstatement for Vision Standards.

- (1) After any further examination by a vision specialist requested pursuant to KRS 186.577 and this administrative regulation, an applicant who is deemed ineligible for an initial instruction permit, operator's license, renewal, or reinstatement because their visual acuity or visual field do not meet the applicable standards may appeal their denial to the Division of Driver Licensing, Medical Review Board.
- (2) ~~An applicant may file~~ An appeal shall be made by submitting a copy of the ~~FTC 94-202,~~ Driver Vision Testing Certification, TC 94-202, certified by a vision specialist to the Medical Review Board within twenty (20) days of the date the further examination was completed.

### Section 4. Credentialing of a Medical Specialist.

- (1) A licensed osteopath, physician, or advanced practice registered nurse shall become credentialed by the Department of Vehicle Regulation before they may perform the initial vision testing required under KRS 186.577 and this administrative regulation. To become credentialed, the medical professional shall submit to the department a completed ~~FTC 94-203,~~ Medical Specialist Credentialing Certification, TC 94-203.
- (2) The applicant medical specialist shall thereafter receive an approved copy of the ~~FTC 94-203,~~ Medical Specialist Credentialing Certification, TC 94-203, from the Division of Driver Licensing credentialed them to perform the initial vision screening required under KRS 186.577 and this administrative regulation prior to completing any driver vision



examination, and prior to completing a ~~TC 94-202,~~ Driver Vision Testing Certification, TC 94-202.

(3) The credentialed medical professional shall include their Medical Specialist Credential certification number on any completed ~~TC 94-202,~~ Driver Vision Testing Certification, TC 94-202.

Section 5. Incorporated by Reference.

(1) The following material is incorporated by reference:

(a) "TC 94-202, Driver Vision Testing Certification," ~~December~~November 2024.

(b) "TC 94-203, Medical Specialist Credentialing Certification," ~~December~~November 2024.

(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 the Transportation Cabinet's website 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: April 14, 2025

CONTACT PERSON: Jesse Rowe, Staff Attorney Manager/Assistant General Counsel, Transportation Cabinet, Office of Legal Services, 200 Mero Street, Frankfort, Kentucky 40622, phone (502) 564-7650, fax (502) 564-5238, email [jessew.rowe@ky.gov](mailto:jessew.rowe@ky.gov).