

186.444 Medical review board -- Purpose -- Members -- Informal hearing -- Forms -- Procedures -- Medical report may supersede medical review board -- Authority of cabinet to promulgate administrative regulations -- Prohibition against age-based licensing limitations -- Appeal.

- (1) A medical review board shall be established to receive cases relating to the ability of an applicant or holder of a motor vehicle operator's license to drive due to physical or mental disability which may affect or limit a person's ability to safely operate a motor vehicle.
- (2) The secretary of the Transportation Cabinet shall appoint any number of physicians authorized to practice medicine, osteopaths, optometrists, or advanced practice registered nurses licensed in the Commonwealth to the medical review board. One (1) member who is licensed in the area relevant to the case shall be present in order to conduct an informal hearing. The cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A to establish the amount each member shall receive per day for attending meetings of the board, and each member shall be reimbursed for necessary expenses incurred in attending meetings. The board shall use reasonable efforts to minimize the costs to the person whose case is under review.
- (3) The cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A to establish the medical review board forms, which shall include a signed sworn statement affirming that the person has a physical or mental condition that could impair his or her ability to operate a motor vehicle, the medical standards for operators of motor vehicles, and the procedures of the medical review board in conducting informal hearings.
- (4) A person who is under review pursuant to a medical review board case shall, upon a request in writing, be furnished with a copy of the report alleging that the person has a physical or mental condition that could impair his or her ability to operate a motor vehicle.
- (5) If the cabinet decides to take action to restrict a person's driving privileges, it shall:
 - (a) Provide written notice to the person of the decision to take licensing action; and
 - (b) Inform the person that the licensing action shall take place unless the person submits to and completes an examination in satisfaction of the medical standards set forth in administrative regulation.
- (6) If the person is unable to satisfactorily complete the examination under subsection (5)(b) of this section, the cabinet shall, prior to the decision to take licensing action based on a person's physical or mental condition, consult with appointed members of the medical review board who are licensed in the area relevant to the case.
- (7) If the cabinet takes action to restrict a person's driving privileges, the person may request an informal hearing in front of the medical review board.
- (8) At any time during the proceeding of a case, a properly submitted report in response to the medical review board from a person's licensed medical professional certifying that, based on the application of the medical review board standards set forth in administrative regulation and the vision standards for vision specialists set

forth in KRS 186.577, the person does not have a condition that impairs his or her ability to operate a motor vehicle, may supersede the medical review board and the person may be approved to operate a motor vehicle unless other physical or mental conditions exist.

- (9) The cabinet shall not promulgate administrative regulations for the purpose of creating tests or other criteria that might limit a person's ability to obtain or retain an operator's license because that person may be considered too old to drive.
- (10) Any person aggrieved by a decision made as a result of an informal hearing conducted under authority of KRS 186.411 and this section may appeal, and upon appeal an administrative hearing shall be conducted in accordance with KRS Chapter 13B.

Effective: June 27, 2025

History: Amended 2025 Ky. Acts ch. 72, sec. 1, effective June 27, 2025. -- Amended 2020 Ky. Acts ch. 51, sec. 15, effective March 27, 2020. -- Amended 1996 Ky. Acts ch. 318, sec. 71, effective July 15, 1996. -- Created 1994 Ky. Acts ch. 455, sec. 1, effective July 15, 1994.