

## CHAPTER 65

## ( HB 277 )

AN ACT relating to operator's licenses for the military.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 186.430 is amended to read as follows:

- (1) Except as provided in subsection (2) *or* (6) of this section, a person over the age of sixteen (16) who is a United States citizen and who is not a resident of Kentucky may drive in Kentucky for a period of time not to exceed one (1) year from the date the person enters Kentucky if:
  - (a) The person possesses a valid license issued by the person's home state;
  - (b) The person has the license in his or her immediate possession at all times when operating a vehicle on the highways; and
  - (c) The person's home state accords similar privileges to licensed residents of Kentucky.
- (2) A person who is a United States citizen but who is not a resident of Kentucky who is enrolled as a full-time or part-time student at a university, college, or technical college located in Kentucky may drive in Kentucky on a valid license issued by the person's state of domicile, and shall not be required to obtain a Kentucky operator's license under this chapter if the person has a student identification card from a university, college, or technical college located in Kentucky in his or her immediate possession at all times when driving in Kentucky.
- (3) A person over the age of sixteen (16) who is not a United States citizen and who is legally visiting this country for less than one (1) year may drive in Kentucky on a valid domestic license issued by the person's country of domicile and shall not be required to obtain a Kentucky driver's license.
- (4) A person over the age of sixteen (16) who is not a United States citizen, who has not been granted status as a permanent resident of the United States, but is a resident of Kentucky, shall be issued a Kentucky operator's license if the person complies with the requirements of KRS 186.4121. The cabinet may at any time refuse or discontinue the exemptions authorized in this section for any grounds and may deny, cancel, suspend, or revoke an instruction permit or operator's license issued under this chapter.
- (5) A person whose operator's license or privilege to operate a motor vehicle, motorcycle, or moped in this state has been denied, withdrawn, canceled, suspended, or revoked as provided in KRS 186.400 to 186.640 shall not operate a motor vehicle, motorcycle, or moped in this state under a license, permit, or registration certificate issued by any other jurisdiction during the period of denial, withdrawal, cancellation, suspension, or revocation.
- (6) *The following persons may drive in Kentucky on a valid operator's license issued by the person's state or United States territory of domicile and shall not be required to obtain a Kentucky operator's license under this chapter if the person is:*
  - (a) *A member of the Armed Forces of the United States stationed in Kentucky who maintains a home of record for military purposes outside of Kentucky;*
  - (b) *The member's spouse; or*
  - (c) *The member's child or stepchild who is sixteen (16) years of age or older and a dependent or under guardianship of the member.*

➔Section 2. KRS 186.416 is amended to read as follows:

- (1) If a resident of the Commonwealth currently serving in the United States military is stationed or assigned to a base or other location outside the boundaries of the Commonwealth, the resident, or the resident's spouse or dependents, may renew a Class D operator's license issued under this section by mail. If the resident, or his or her spouse or dependents, was issued an "under 21" operator's license, upon the date of the license holder's twenty-first birthday, the "under 21" operator's license may be renewed for an operator's license that no longer contains the outdated reference to being "under 21."
- (2) A resident of the Commonwealth renewing an operator's license by mail under subsection (1) of this section may have a personal designee apply to the cabinet on behalf of the resident to renew the resident's operator's

license. An operator's license being renewed by mail under subsection (1) of this section shall be issued a license bearing the applicant's historical photo if there is a photo on file. If there is no photo on file, the license shall be issued without a photograph and shall show in the space provided for the photograph the legend "valid without photo and signature."

- (3) (a) 1. If a resident of the Commonwealth has been serving in the United States military stationed or assigned to a base or other location outside the boundaries of the Commonwealth and has allowed his or her operator's license to expire, he or she shall, within ninety (90) days of returning to the Commonwealth, be permitted to renew his or her license without having to take a written test or road test.
2. The spouse or dependent of a person identified in subparagraph 1. of this paragraph shall be afforded the same consideration identified in that subparagraph regarding the renewal of an expired operator's license.
- (b) A person who meets the criteria in paragraph (a) of this subsection shall not be convicted or cited for driving on an expired license prior to license renewal during the ninety (90) days after the person's return to the Commonwealth if the person can provide proof of his or her out-of-state service and dates of assignment.
- (c) A person who meets the criteria in paragraph (a) of this subsection and who does not renew his or her license within ninety (90) days of returning to the Commonwealth shall be required to comply with the provisions of this chapter governing renewal of a license that has expired.
- (d) If a resident of the Commonwealth has been issued an "under 21" or "under 21 CDL" operator's license and the person is unable to renew the license on the date of his or her twenty-first birthday, the "under 21" or "under 21 CDL" operator's license shall be valid for ninety (90) days beyond the date of the person's twenty-first birthday.
- (4) (a) Any person who served in the active Armed Forces of the United States, including the Coast Guard, and any member of the National Guard or Reserve Component who completed the member's term of service and was released, separated, discharged, or retired therefrom under either an honorable discharge or a general under honorable conditions discharge may, at the time of initial application or application for renewal or duplicate, request that an operator's license or a personal identification card issued under this chapter bear the word "veteran" on the face or the back of the license or personal identification card.
- (b) The designation shall be in a style and format considered appropriate by the Transportation Cabinet. Prior to obtaining a designation requested under this subsection, the applicant shall present *to* the cabinet ~~with one (1) of the following~~ as proof of *eligibility, an original or copy of his or her* ~~veteran status~~:
1. *Unexpired* ~~An original or copy of his or her~~ Veteran Identification Card or Veteran Health Identification Card issued by the United States Department of Veterans Affairs; ~~or a~~
  2. *DD-2*, DD-214, DD-256, DD-257, or NGB-22 form; or
  - 3~~2~~. *Unexpired* ~~A current military or~~ Geneva Conventions Identification Card *issued by the United States Department of Defense* ~~establishing current service or retirement status in the Armed Forces of the United States~~.

The cabinet shall not be liable for fraudulent or misread forms presented.

**Signed by Governor March 22, 2021.**