

CHAPTER 17

(SB 60)

AN ACT relating to the operation of a motorcycle.

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

➔Section 1. KRS 176.5062 is amended to read as follows:

- (1) The motorcycle safety education program shall offer motorcycle rider training courses designed to develop and instill the knowledge, attitudes, habits, and skills necessary for the proper operation of a motorcycle. The courses shall be taught by instructors approved under KRS 176.5063 and shall include no fewer than eight (8) hours of hands-on instruction for a novice course.
- (2) Rider training courses shall be open to a resident of any state who is eligible for a motor vehicle instruction permit in the person's home state.
- (3) Rider training courses shall be provided free of charge to applicants under eighteen (18) years of age.
- (4) The cabinet shall issue certificates of completion in a manner and form prescribed by administrative regulations promulgated pursuant to KRS Chapter 13A to persons who satisfactorily complete the requirements of a motorcycle rider training course offered or authorized by the state program.
- (5) The Transportation Cabinet shall exempt applicants for a motorcycle *instruction permit or operator's* ~~driver's~~ license or endorsement from the *written test for a motorcycle instruction permit and the skills* ~~licensing skill~~ test *for a motorcycle operator's license* if *the applicant presents* ~~they present~~ satisfactory evidence of successful completion of an approved rider training course that includes a similar test of *knowledge and skills* ~~skill~~. Applicants under this subsection who successfully completed their testing on a three (3) wheeled motorcycle shall be subject to the restrictions outlined in KRS 186.480(3).
- (6)
 - (a) The Motorcycle Safety Education Commission shall publish a list of approved rider training courses which meet the licensing requirements.
 - (b) The Motorcycle Safety Education Commission shall publish a list of approved instructor training courses which meet the licensing requirements.

➔Section 2. KRS 186.480 (Effective until July 1, 2024) is amended to read as follows:

- (1) The Department of Kentucky State Police shall examine every applicant for an operator's license as identified in KRS 186.635, except as otherwise provided in this section. The examination shall be held in the county where the applicant resides unless:
 - (a) The applicant is granted written permission by the Transportation Cabinet to take the examination in another county, and the Department of Kentucky State Police agree to arrange for the examination in the other county; or
 - (b) The applicant is tested using a bioptic telescopic device.
- (2) The examination shall include a test of the applicant's eyesight to ensure compliance with the visual acuity standards set forth in KRS 186.577. The examination shall also include a test of the applicant's ability to read and understand highway signs regulating, warning, and directing traffic, the applicant's knowledge of traffic laws, and an actual demonstration of the applicant's ability to exercise ordinary and reasonable control in the operation of a motor vehicle. The provisions of this subsection 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 Section 1 of this Act;* or
 - (c) ~~(b)~~ 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.

- (3) In addition to the requirements of subsection (2) of this section, an applicant for a motorcycle operator's license ***who does not present evidence of successful completion of an approved rider training course under Section 1 of this Act*** shall be required to show his or her ability to operate a motorcycle. An applicant who successfully completes the skills portion of the test under this subsection on a:
- (a) Three (3) wheeled motorcycle shall be issued a motorcycle operator's license restricted to the operation of three (3) wheeled motorcycles under KRS 186.447; or
 - (b) Two (2) wheeled motorcycle shall be issued a motorcycle operator's license without the restriction identified in KRS 186.447, and may operate both two (2) and three (3) wheeled motorcycles.
- (4) Any person whose intermediate license or operator's license is denied, suspended, or revoked for cause shall apply for reinstatement at the termination of the period for which the license was denied, suspended, or revoked by submitting to the examination. The provisions of this subsection shall not apply to any person whose license was suspended for failure to meet the conditions described in KRS 186.411 when, within one (1) year of suspension, the driving privileges of such individuals are reinstated.
- (5) An applicant shall not use an autocycle for any road skills testing administered under the provisions of this section.

➔Section 3. KRS 186.480 (Effective July 1, 2024) is amended to read as follows:

- (1) The Department of Kentucky State Police shall examine every applicant for an operator's license as identified in KRS 186.635, except as otherwise provided in this section. The examination shall be held in the county where the applicant resides unless:
- (a) The applicant is granted written permission by the Transportation Cabinet to take the examination in another county; or
 - (b) The applicant is tested using a bioptic telescopic device.
- (2) The examination shall include a test of the applicant's eyesight to ensure compliance with the visual acuity and visual field standards set forth in KRS 186.577. The vision testing outlined in this subsection shall be administered under the provisions established in KRS 186.577 at, or prior to, the time of application. The examination shall also include a test of the applicant's ability to read and understand highway signs regulating, warning, and directing traffic, the applicant's knowledge of traffic laws, and an actual demonstration of the applicant's ability to exercise ordinary and reasonable control in the operation of a motor vehicle. The provisions of this subsection 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 Section 1 of this Act;*** or
 - (c)~~(b)~~ 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.
- (3) In addition to the requirements of subsection (2) of this section, an applicant for a motorcycle operator's license ***who does not present evidence of successful completion of an approved rider training course under Section 1 of this Act*** shall be required to show his or her ability to operate a motorcycle. An applicant who successfully completes the skills portion of the test under this subsection on a:
- (a) Three (3) wheeled motorcycle shall be issued a motorcycle operator's license restricted to the operation of three (3) wheeled motorcycles under KRS 186.447; or
 - (b) Two (2) wheeled motorcycle shall be issued a motorcycle operator's license without the restriction identified in KRS 186.447, and may operate both two (2) and three (3) wheeled motorcycles.
- (4) Any person whose intermediate license or operator's license is denied, suspended, or revoked for cause shall apply for reinstatement at the termination of the period for which the license was denied, suspended, or revoked by submitting to the examination. The provisions of this subsection shall not apply to any person whose license was suspended for failure to meet the conditions described in KRS 186.411 when, within one (1) year of suspension, the driving privileges of such individuals are reinstated.
- (5) An applicant shall not use an autocycle for road skills testing administered under the provisions of this section.

➔Section 4. KRS 186.450 is amended to read as follows:

- (1) A person who is at least sixteen (16) years of age may apply for an instruction permit to operate a motor vehicle. *Except as provided in subsection (9) of this section*, a person who possesses a valid intermediate motor vehicle operator's license issued under KRS 186.452 or a person who is at least eighteen (18) years of age may apply for an instruction permit to operate a motorcycle. A holder of either a motor vehicle or motorcycle instruction permit may also operate a moped under that permit. A person applying for an instruction permit under this section shall make application to the Transportation Cabinet. A person applying for an instruction permit shall be required to comply with the following:
 - (a) If the person is under the age of eighteen (18), the instruction permit application shall be signed by the applicant's parent or legal guardian. If the person does not have a living parent or does not have a legal guardian, the instruction permit application shall be signed by a person willing to assume responsibility for the applicant pursuant to KRS 186.590;
 - (b) If the person is under the age of eighteen (18) and in the custody of the Cabinet for Health and Family Services, the instruction permit application shall be signed by:
 1. The applicant's parent, legal guardian, grandparent, adult sibling, aunt, or uncle if the parental rights have not been terminated in accordance with KRS Chapter 625;
 2. The foster parent with whom the applicant resides;
 3. Another person who is at least age eighteen (18) and is willing to assume responsibility for the applicant pursuant to KRS 186.590; or
 4. The applicant, without another person, upon verification by the Cabinet for Health and Family Services in accordance with KRS 605.102 that shall include proof of financial responsibility in accordance with KRS 186.590(2); and
 - (c) All applicants for an instruction permit shall comply with the examinations required by KRS 186.480.
- (2) If an applicant successfully passes the examinations required by KRS 186.480, the applicant shall be issued an instruction permit upon payment of the fee set forth in KRS 186.531.
- (3)
 - (a) An instruction permit to operate a motor vehicle shall be valid for three (3) years and may be renewed. An instruction permit to operate a motorcycle shall be valid for one (1) year and may be renewed one (1) time.
 - (b) Except as provided in KRS 186.415, a person who has attained the age of sixteen (16) years and is under the age of eighteen (18) years shall have the instruction permit a minimum of one hundred eighty (180) days before applying for an intermediate license and shall have an intermediate license for a minimum of one hundred eighty (180) days before applying for an operator's license.
 - (c) A person who was under eighteen (18) years of age at the time of application for an instruction permit and is eighteen (18) years of age or older shall have the instruction permit a minimum of one hundred eighty (180) days and complete a driver training program under KRS 186.410(4) before applying for an operator's license.
 - (d) A person who is at least eighteen (18) years of age and is under the age of twenty-one (21) years at the time of application for an instruction permit shall have the instruction permit a minimum of one hundred eighty (180) days before applying for an operator's license.
 - (e) A person who is at least twenty-one (21) years of age at the time of application for an instruction permit shall have the instruction permit a minimum of thirty (30) days before applying for an operator's license.
 - (f) In accordance with KRS 176.5062(5), a person whose motorcycle instruction permit has expired may apply to the cabinet to receive a motorcycle operator's license or endorsement if the person presents proof of successful completion of a motorcycle safety education course approved by the Transportation Cabinet under KRS 176.5061 to 176.5069.
- (4)
 - (a) A person shall have the instruction permit in his *or her* possession at all times when operating a motor vehicle, motorcycle, or moped upon the highway.

- (b) When operating a motor vehicle, a motor vehicle instruction permit holder shall be accompanied by a person with a valid operator's license who is at least twenty-one (21) years of age occupying the seat beside the operator at all times.
 - (c) The requirements of paragraph (b) of this subsection shall not apply to a motor vehicle instruction permit holder being supervised on a multiple-vehicle driving range by a driver training instructor affiliated with a driver training school licensed under KRS Chapter 332 or a public or nonpublic secondary school.
- (5) A person with an instruction permit who is under the age of eighteen (18) shall not operate a motor vehicle, motorcycle, or moped between the hours of 12 midnight and 6 a.m. unless the person can demonstrate good cause for driving, including but not limited to emergencies, involvement in school-related activities, or involvement in work-related activities.
- (6) Except when accompanied by a driver training instructor affiliated with a driver training school licensed under KRS Chapter 332 or a public or nonpublic secondary school, a person with an instruction permit who is under the age of eighteen (18) years shall not operate a motor vehicle at any time when accompanied by more than one (1) unrelated person who is under the age of twenty (20) years. A peace officer shall not stop or seize a person nor issue a uniform citation for a violation of this subsection if the officer has no other cause to stop or seize the person other than a violation of this subsection. This subsection shall not apply to any operator of a vehicle registered under the provisions of KRS 186.050(4) who is engaged in agricultural activities.
- (7) A violation under subsection (4), (5), or (6) of this section, a conviction for a moving violation under KRS Chapter 189 for which points are assessed by the cabinet, or a conviction for a violation of KRS 189A.010(1) shall add an additional minimum of one hundred eighty (180) days from the date of the violation before a person who is under the age of eighteen (18) years may apply for an intermediate license to operate a motor vehicle, motorcycle, or moped.
- (8) A person under the age of eighteen (18) who accumulates more than six (6) points against his *or her* driving privilege may have the driving privilege suspended pursuant to KRS Chapter 186 or probated by the court.
- (9) ***An applicant who presents evidence of successful completion of an approved rider training course under Section 1 of this Act shall not be required to obtain a motorcycle instruction permit prior to obtaining a motorcycle operator's license.***
- (10) The Transportation Cabinet shall promulgate administrative regulations, in accordance with KRS Chapter 13A, to establish procedures for:
- (a) Minors who reside with individuals in informal guardianship arrangements to have an adult who resides with them sign the minor's application and assume responsibility in accordance with subsection (1) of this section;
 - (b) Individuals who have signed for responsibility under subsection (1) of this section to rescind that assumption of responsibility;
 - (c) Notifying minors when an adult has rescinded responsibility under subsection (1) of this section; and
 - (d) Allowing minors for whom an adult has rescinded responsibility under subsection (1) of this section, to obtain a new signature of an individual assuming responsibility without having to retake any examinations the minor has successfully passed.
- ➔Section 5. 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:
- (a) ***Update his or her license electronically or by mail to include a motorcycle operator's endorsement on an existing operator's license; or***
 - (b) 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 *for which an endorsement is being added electronically or by mail, or which is 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 as proof of eligibility, an original or copy of his or her:
 - 1. Unexpired Veteran Identification Card or Veteran Health Identification Card issued by the United States Department of Veterans Affairs;
 - 2. DD-2, DD-214, DD-256, DD-257, or NGB-22 form; or
 - 3. Unexpired Geneva Conventions Identification Card issued by the United States Department of Defense.

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

- (5) *The cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A to establish forms and procedures for facilitating the addition of a motorcycle endorsement to an existing operator's license, both electronically and by mail, in accordance with subsection (1) of this section.*

Signed by Governor March 17, 2023.