

CHAPTER 121**(HB 13)**

AN ACT relating to commercial driver's licenses.

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

➔Section 1. KRS 281A.175 is amended to read as follows:

- (1) An applicant for a school bus endorsement shall satisfy the following requirements:
 - (a) Qualify for a passenger vehicle endorsement by passing the knowledge and skills test for obtaining a passenger vehicle endorsement;
 - (b) Demonstrate knowledge of loading and unloading children, including the safe operation of stop signal devices, external mirror systems, flashing lights, and other warning and safety devices required for school buses by state or federal law or regulation;
 - (c) Demonstrate knowledge of emergency exits and procedures for safely evacuating passengers in an emergency;
 - (d) Demonstrate knowledge of state and federal laws and regulations related to safely traversing highway rail grade crossings; and
 - (e) Submit to ~~a~~~~an annual~~ physical examination **at least every twenty-four (24) months** in accordance with 49 C.F.R. pt. 391, completed by a medical examiner as defined by 49 C.F.R. pt. 390.
- (2) An applicant for a school bus endorsement shall take a driving skills test in a school bus of the same vehicle group as the school bus the applicant will drive.

➔Section 2. KRS 281A.120 is amended to read as follows:

- (1) A commercial driver's instruction permit may be issued to an individual twenty-one (21) years and older who:
 - (a) Has complied with the criminal history background check required by KRS 281A.300;
 - (b) Holds a valid Kentucky Class D operator's license;
 - (c) Is a citizen or permanent resident of the United States, ***or can provide to the cabinet documentation issued by the United States Citizenship and Immigration Services in the United States Department of Homeland Security, authorizing the person to be in the United States and to be employed while in the United States;*** and
 - (d) Has passed the vision and knowledge tests required for a commercial driver's license of the class vehicle to be driven. Instruction permits shall be class specific.
- (2) A commercial driver's instruction permit may be issued to a resident eighteen (18) years of age who:
 - (a) Has complied with the criminal history background check required by KRS 281A.300;
 - (b) Holds a valid Kentucky Class D operator's license;
 - (c) Is a citizen or permanent resident of the United States, ***or can provide to the cabinet documentation issued by the United States Citizenship and Immigration Services in the United States Department of Homeland Security, authorizing the person to be in the United States and to be employed while in the United States;*** and
 - (d) Has passed the vision and knowledge tests required for a commercial driver's license of the class vehicle to be driven.

A commercial driver's license instruction permit issued under this subsection shall be valid only for the operation of a commercial motor vehicle in intrastate commerce that is not a school bus or a vehicle hauling hazardous material. The instruction permit shall be class specific and shall contain an "I" restriction noting that the commercial driver is limited to Kentucky intrastate commerce.

- (3) A commercial driver's instruction permit shall not be issued to a resident for a period to exceed one hundred eighty (180) days. Only one (1) renewal or reissuance may be granted within a two (2) year period for the

same class of vehicle. The holder of a commercial driver's instruction permit may, unless otherwise disqualified, drive a commercial motor vehicle on the highways of Kentucky only when accompanied by the holder of a commercial driver's license valid for the type of vehicle driven and who occupies a seat beside the permit holder for the purpose of giving instruction in driving the commercial motor vehicle.

- (4) A person who is not a resident who is enrolled in a program offering commercial truck driving under the Kentucky Community and Technical College System or a proprietary school licensed under KRS Chapter 165A may be issued a provisional Class D license that allows an applicant to include a commercial driver's instruction permit into a single license that shall be valid for ninety (90) days. The fee for a provisional Class D license shall be the same as for a regular Class D license. A provisional Class D license may be renewed for one (1) ninety (90) day period. A person issued a provisional Class D license under this subsection shall be required to convert the license to a regular Kentucky CDL or return to the person's state of domicile and transfer the Kentucky provisional Class D license to his or her state of domicile. A provisional Class D license issued under this subsection shall not be converted to a regular Class D license unless the applicant satisfies all Kentucky residency requirements. A commercial driver's instruction permit shall contain, in addition to other information required by the cabinet, those requirements set forth in KRS 281A.170. The commercial driver's instruction permit shall not contain the permit holder's Social Security number but shall include a color photo of the permit holder.

Became law without Governor's signature March 29, 2023.