

TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources
(Amendment)

301 KAR 5:030. Purchasing licenses and permits.

RELATES TO: KRS 150.090, 150.170, 150.175, 150.195, 150.235, 150.990

STATUTORY AUTHORITY: KRS 150.170, 150.175, 150.195

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.195(1) authorizes the department to promulgate administrative regulations pertaining to the issuance of licenses and permits. KRS 150.175 authorizes the department to require proof of residency and age or disability for those eligible to purchase a senior or disabled sportsman's license. This administrative regulation specifies the information required to purchase a license or permit, the method of purchasing a license or permit, reprinting or refunding licenses or permits, and how to obtain a disability authorization.

Section 1. Purchasing Licenses or Permits.

- (1) Licenses or permits can be obtained:
 - (a) At license agent locations;
 - (b) Other department sponsored/approved sites or events; or
 - (c) By accessing the department's online or mobile purchase portals.
 - (d) By Phone. Phone sales customers will be issued an authorization number and must comply with Section 2 of this regulation.
- (2) A person buying a license or permit shall furnish the license agent the following applicant information:
 - (a) Date of birth;
 - (b) One of the following identification numbers:[number:
 1. Social Security number;
 2. Fish and Wildlife Identification number; or
 3. An agency approved state or federal identification number.
 - (c) Address, including city, state, and zip code;
 - (d) Email and/or phone number;
 - (e) If purchasing a senior license, proof of age; and
 - (f) If purchasing a disability license, an unexpired disability authorization issued by the department to the license applicant.[]

Section 2. Proof of License or Permit.

- (1) Before performing an act authorized by the license or permit, the holder shall:Keep proof of license or permit purchase, whether printed, electronic, or department issued authorization number in possession at all times while performing any act authorized by the license or permit;
- (2) A license or permit not completed as specified in this section shall not be valid.
- (3) A senior sportsman's license shall not be valid unless accompanied by:[Proof of age and Kentucky residency, if the license recipient is age sixty-five (65) or over.
- (4) A disability sportsman's license shall not be valid unless accompanied by proof of Kentucky residency.[]
- (5) The authorization number shall serve in lieu of the paper or electronic license or permit. A person using an authorization number as proof of license or permit, while performing an act authorized by the license or permit, shall carry upon their person and present upon request to a law enforcement officer:
 - (a) The authorization number; and
 - (b) If sixteen (16) years of age or older, identification with a picture and date of birth.
- (6) A person using an authorization number in lieu of a deer, elk, or turkey permit shall:

- (a) Before hunting, write their name, address and applicable authorization number on a card;
- (b) Immediately after taking an animal, write the date the animal was taken, the species and the sex of the animal on the card;
- (c) Complete any check-in procedure required for that species, write the telecheck authorization number on the card; and
- (d) If the carcass is out of the hunter's possession, the hunter shall attach another card to the carcass containing the hunter's name, address, authorization number, date the animal was taken, species, and telecheck authorization number, if already obtained.

Section 3. Reprint or Refunding of Licenses or Permits.

- (1) A person whose license or permit is lost or destroyed may:
 - (a) Reprint the license or permit using the reprint option available in the customer's profile on the department's Web site or mobile application; or
 - (b) Ensure an electronic version is available as outlined in Section 2.
- (2) A person may request a refund or license or permit by:
 - (a) Requesting a refund from the license agent who completed the transaction if the request is made within four (4) hours of the license or permit issuance; or
 - (b) For duplicate licenses or permits, by furnishing the department with the license or permit holder's:
 - 1. Identification number used to purchase;
 - 2. Date of birth;
 - 3. Last name;
 - 4. Mailing address to send the refund;
 - 5. License, permit, or authorization number of the original license or permit; and
 - 6. Reason for refund request.
- (3) Upon receipt of the refund request, and subsequent verification of the original purchase, the department shall issue a refund check for the license or permit purchased.

Section 4. Buying Licenses or permits for Another. A person purchasing a license or permit for another person shall provide the information about the person for whom the license is being purchased as required in Section 1 of this administrative regulation. A person other than a parent or guardian may not purchase a junior hunting license for another person.

Section 5. Obtaining a Disability Authorization.

- (1) To verify that the applicant qualifies for a disabled sportsman's license because of a disability as specified in KRS 150.175, a person shall provide the department proof of Kentucky residency and one (1) of the following:
 - (a) A department approved form or electronic verification from the applicant's local federal Social Security office certifying the applicant is receiving disability benefits from Social Security;
 - (b) A copy of his disability rating showing at least a fifty (50) percent military service-connected disability;
 - (c) A letter of verification from the United States Railroad Retirement Board certifying that the applicant has been declared totally and permanently disabled;
 - (d) A letter, on that state board's letterhead, certifying that the applicant has been declared totally and permanently disabled by another state's workers' compensation board;
 - (e) A letter of verification from the Kentucky Teachers' Retirement System certifying that the applicant has been declared totally and permanently disabled from teaching; or
 - (f) A letter of verification from the U.S. Office of Personnel Management certifying that the applicant has been declared totally and permanently disabled.

(2) A person declared totally and permanently disabled by the Kentucky State Workers' Compensation Board shall:

(a) Obtain a Disability Workers Compensation Exemption form from the department;
and

(b) Complete the form and mail it to the address given on the form.

(3) Upon receipt of the verification required by subsection (1) of this section or upon receipt of verification from the state Worker's Compensation Board, the department shall issue an authorization certifying the person is eligible to purchase a disabled sportsman's license.

Section 6.

(1) Duration of Disability Exemption. Certification by the Social Security Administration, Kentucky Teachers' Retirement System, or a state worker's compensation board shall remain valid for three (3) years after issue of the disability authorization.

(2) Certification by the United States Railroad Retirement Board, U.S. Office of Personnel Management, or certification of at least fifty (50) percent military service-connected disability shall remain valid until the license holder turns sixty-five (65) years of age or no longer requires the disability exemption.[]

RICH STORM, Commissioner

MIKE E. BERRY, Secretary

APPROVED BY AGENCY: July 15, 2021

FILED WITH LRC: August 5, 2021 at 9:22 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on October 27 at 11:00 a.m. at the Department of Fish and Wildlife Resources in the Commission Room of the Arnold L. Mitchell Building, #1 Sportsman's Lane, Frankfort, Kentucky. Individuals interested in attending this hearing shall notify this agency in writing by five business days prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to attend the public hearing, you may submit written comments on the proposed administrative regulation through October 31, 2021. Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Beth Frazee, Department of Fish and Wildlife Resources, Arnold L. Mitchell Building, #1 Sportsman's Lane, Frankfort, Kentucky 40601, phone (502) 564-3400, fax (502) 564-0506, email fwpubliccomments@ky.gov.