

**EDUCATION AND WORKFORCE DEVELOPMENT CABINET**  
**Department of Workforce Investment**  
**Office of Vocational Rehabilitation**  
**(Amendment)**

**782 KAR 1:070. Certified driver training program.**

RELATES TO: KRS 186.480(1)(b), 186.576, 186.577(4), 186.578, 186.579, 189A.010

STATUTORY AUTHORITY: KRS 186.578(7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 186.578(7) requires the Office of Vocational Rehabilitation to promulgate administrative regulations setting the standards for a certified driver training program to serve persons with a visual impairment. This administrative regulation establishes standards and procedures for the certified driver training program.

Section 1. Definitions.

- (1) "Applicant" is defined by KRS 186.576(1).
- (2) "Bioptic telescopic device" is defined by KRS 186.576(3).
- (3) "Certified driver rehabilitation specialist" means a person who has met basic professional criteria, passed a written test, and maintained continuing education requirements to be certified by the Association for Driver Rehabilitation Specialists, ADED, for the purpose of evaluating, educating, and training persons with disabilities to operate or drive motor vehicles and to prepare for a driving skills test.
- (4) "Office" means the Office of Vocational Rehabilitation.

Section 2. Certified Driver Training Program Requirements.

- (1) Any person or entity may apply to the office to become a certified driver training program that satisfies the following requirements:
  - (a) At least one (1) instructor is a certified driver rehabilitation specialist or is supervised by a certified driver rehabilitation specialist;
  - (b) All instructors meet the requirements of subsection (4) of this section;
  - (c) Any vehicle utilized:
    1. Has a valid registration;
    2. Is in sound mechanical order;
    3. Has one (1) operable instructor brake;
    4. Has signage indicating student driver on two (2) sides and rear of vehicle; and
    5. Has adaptive equipment suitable for functional limitations of students;
  - (d) Maintains liability coverage that meets the minimum Kentucky insurance limits; and
  - (e) Uses a curriculum which meets the requirements of subsection (3) of this section.
- (2) The following shall be submitted to the office:
  - (a) Business name, address, telephone number, and office hours;
  - (b) Copy of the certifications and resumes of each proposed instructor;
  - (c) Description of the equipment, vehicles with adaptive devices, and facilities to be used in the certified driver training program;
  - (d) Copy of the valid vehicle registration;
  - (e) Copy of the liability insurance policy that includes a mandatory ten (10) day written cancellation notice by the insurer to the office;
  - (f) A detailed copy of the curriculum used; and
  - (g) The fees charged per hour, per lesson, or per course.
- (3) The curriculum to be used shall consist of the following sections:
  - (a) A theoretical course of instruction that shall include:

1. Subject matter contained in the Kentucky Drivers Manual;
  2. Safe driving practices and traffic laws;
  3. The "SCAN, Identify, Predict, Decide, Execute" (SIPDE) approach to perceptive driving;
  4. Signs, signals, highway markings, and highway design features required for the safe operation of a motor vehicle;
  5. Driving emergencies such as brake or tire failure, skidding, stuck accelerator, and running off the roadway;
  6. Potential crash locations and situations such as intersections, hydroplaning, railroad crossings, multiple vehicle types in the traffic mix, and pedestrian traffic;
  7. Seatbelt usage;
  8. Speeding as a major contributing factor in vehicle crashes; and
  9. Driver responsibility and accident reporting.
- (b) A practical course instruction that shall include:
1. Demonstration, instruction, and practice in the use of the bioptic telescopic device; and
  2. Behind the wheel demonstration, instruction, and practice:
    - a. For a minimum of thirty (30) hours for applicants who have never had an operator's license and fifteen (15) hours for applicants who have had an operator's license; and
    - b. Consisting of:
      - (i) Stopping;
      - (ii) Starting;
      - (iii) Shifting;
      - (iv) Turning;
      - (v) Backing;
      - (vi) Parallel parking;
      - (vii) Steering; and
      - (viii) Driving in residential, medium city, and highway traffic.
- (4) Any instructor in an approved certified driver training program shall:
- (a) Be at least twenty-one (21) years of age;
  - (b) Have a four (4) year college degree. Experience as a professional driver education instructor shall substitute year-for-year for the college education if the individual is a high school graduate or equivalent;[
  - (c) Never have been convicted of a felony;
  - (d) Never have been convicted of a violation of KRS 189A.010 or its equivalent from another jurisdiction;
  - (e) Never have been convicted or administratively found guilty of refusing to submit to a test to determine blood alcohol content or drugs in the system;
  - (f) Possess a valid driver's license and have fewer than six (6) points assigned pursuant to 601 KAR 13:025 on his driving history record;
  - (g) Not have had a suspended or terminated driving privilege for any reason in the past five (5) years;
  - (h) Successfully complete the bioptic driving instructor training course offered by the office; and
  - (i) Obtain at least five (5) hours of continuing education in low vision rehabilitation each year.
- (5) The certified driver training program shall review the driving history record and continuing education requirements of its instructors annually.

### Section 3. Certification.

- (1) The office shall issue a certificate to an approved certified driver training program.

(2) Each certificate shall be valid for three (3) years from the date of issue. Certificates are not transferable. If there is a change of ownership, a new application shall be submitted.

#### Section 4. Performance Inspections.

- (1) The office may conduct a random or routine performance inspection of a certified driver training program.
- (2) The certified driver training program shall be notified in writing of any deficiency discovered in the performance inspection.
- (3) The deficiency shall be corrected prior to the next scheduled student or the certified driver training program's approval shall be withdrawn by the office.

#### Section 5. Acceptance Into a Certified Driver Training Program.

- (1) An eligible applicant shall:
  - (a) Meet the minimum visual requirements of KRS 186.578(1);
  - (b) Obtain the bioptic telescopic device; and
  - (c) Successfully complete a functional visual assessment by the office.
- (2) An eligible applicant may be accepted into a certified driver training program.

*CORA MCNABB, Executive Director*

APPROVED BY AGENCY: August 11, 2021

FILED WITH LRC: August 11, 2021 at 1:45 p.m.

**PUBLIC HEARING AND COMMENT PERIOD:** A public hearing on this administrative regulation shall be held on October 26, 2021, at 1:00 p.m. Eastern Time, at the Mayo-Underwood Building Hearing Room, 500 Mero Street, 1st Floor, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing of their intent to attend at least five workdays prior to the hearing. 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 wishes to be heard 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 be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 p.m. on October 31, 2021. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

**CONTACT PERSON:** Susie Edwards, Vocational Rehabilitation Administrator, Office of Vocational Rehabilitation, 500 Mero Street, 4th Floor, Frankfort, Kentucky 40601-1957, phone 502-782-3456, fax 502-564-6745, email [SusieM.Edwards@ky.gov](mailto:SusieM.Edwards@ky.gov).