

JUSTICE AND PUBLIC SAFETY CABINET
Department of Kentucky State Police
(Amended at ARRS Committee)

502 KAR 10:080. License suspension, revocation, denial.

RELATES TO: KRS 332.216

STATUTORY AUTHORITY: KRS 332.202, 332.210, 332.216

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.160 authorizes the secretary of the Justice and Public Safety Cabinet to promulgate administrative regulations for the administration of all laws and functions which are vested in the cabinet, except for laws and functions vested in the Department for Public Advocacy. KRS 332.216 requires the Department of Kentucky State Police to promulgate administrative regulations necessary to carry out the provisions of KRS Chapter 332. This administrative regulation establishes the department's policy regarding suspensions, revocations, or denials of licenses for driver training schools and driver training instructors.

Section 1. In addition to the provisions of KRS 332.216, and in accordance with KRS 332.210, the commissioner of the department shall upon receipt of satisfactory evidence, suspend, revoke, refuse to issue, or refuse to renew the license of a driver training school or a driver training instructor if:

- (1) The licensee fails or refuses to comply with the provisions of KRS Chapter 332 or 502 KAR Chapter 10.
- (2) The licensee has made a false material statement or has concealed a material fact in connection with his or her application.
- (3) The licensee or any officer, director, partner, or other person directly interested in the driver training school held a license issued under KRS Chapter 332 that was revoked or suspended and not reinstated.
- (4) The licensee has been guilty of a fraudulent practice in attempting to obtain for himself, herself, or another a license to operate a motor vehicle.
- (5) Written notice of the cancellation of insurance required by KRS 332.204 is received by the commissioner, and the licensee does not present satisfactory evidence of insurance to the commissioner prior to the effective date of the cancellation.
- (6) The licensee has failed to maintain adequate standards of instructions or safe and necessary equipment that is needed to give proper driver training instruction.
- (7) The licensee is employing instructors or agents who have not been licensed by the department.
- (8) The licensee has been convicted of a felony, or any crime involving violence, dishonesty, deceit, indecency, immoral conduct, or sexual abuse.
- (9) The licensee or any officer, director, partner, person directly interested in the driver training school, or any instructor licensed under the name of the school has in their possession a copy of the department's driver licensing examination questions or their equivalent, or attempts to obtain a copy of these test questions for the purpose of making them available to their students or any other person.
- (10) The licensee has failed to provide or maintain premises, equipment, or conditions which are adequate, safe, and sanitary in accordance with 502 KAR Chapter 10.
- (11) The licensee or any officer, director, partner, instructor, agent, or other person actively involved in the driver training school is addicted to the use of alcohol, morphine, cocaine, or other mood-altering drug.
- (12) The licensee or any officer, director, partner, instructor, agent, or other person actively involved in the driver training school has been legally adjudged mentally incompetent.

Section 2. The license of a driver training instructor shall be revoked if the instructor is convicted of:

- (1) Driving a motor vehicle while under the influence;
- (2) Leaving the scene of an accident;
- (3) Reckless homicide;
- (4) Two (2) moving hazardous violations within a two (2) year period; or
- (5) Driving when addicted to, or under the influence of, narcotic drugs.

(PSfty-DTS-9; 1 Ky.R. 1034; eff. 6-11-1975; Am. 12 Ky.R. 1626; eff. 5-6-1986; 48 Ky.R. 1272, 49 Ky.R. 338; eff. 8-16-2022.)

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