

EDUCATION AND LABOR CABINET
Kentucky Commission on Proprietary Education
(Amended at ARRS Committee)

791 KAR 1:070. Commercial driver license training school instructor and agent application and renewal procedures.

RELATES TO: KRS 165A.310, 165A.330(1), 165A.350, 165A.370, 165A.380, 165A.460, 165A.465, 165A.470, 165A.475, 165A.480, 165A.485, 332.095

STATUTORY AUTHORITY: KRS 165A.340, (6), (10), 165A.400, 165A.465, 165A.510

NECESSITY, FUNCTION, AND CONFORMITY: KRS 165A.340(6) and (10), 165A.400, 165A.465, and 165A.510 require the Kentucky Commission on Proprietary Education to promulgate administrative regulations for the administration of KRS Chapter 165A and to establish standards for instructors and agents of commercial driver licensing schools, including application and renewal procedures. This administrative regulation establishes the standards for instructors and agents, including application and renewal procedures regarding commercial driver license training schools.

Section 1. Definitions.

(1) "Classroom instructor" means a commercial driver license school instructor whom the school owner has qualified to perform classroom instruction only for the classroom sections of the General Curriculum Standards for Kentucky Licensed Commercial Driving Schools.

(2) "Skills Instructor" means a commercial driver's license school instructor who instructs the Range and Street sections of the General Curriculum Standards for Kentucky Licensed Commercial Driving Schools and has met the licensing requirements of Section 2 of this administrative regulation.

Section 2. An applicant for a Commercial Driver License Training School Skills Instructor license shall:

(1) Complete and submit Form PE 34, Application for Licensure as a Commercial Driver License Training School Skills Instructor;

(2) Submit two (2) recent passport-size photographs, electronically provided to the commission;

(3) Pay the nonrefundable application fee of twenty (20) dollars established in KRS 165A.475(6);

(4) Pay the nonrefundable initial licensure fee of \$200;

(5) Provide a copy of the applicant's valid Class A CDL license;

(6) Provide proof of at least two (2) years of verifiable commercial over the road driving experience; and

(7) Provide proof of receiving a passing score on the written examination and skills examination administered by the Kentucky State Police as required by 502 KAR 10:030 and 10:035.

Section 3. Application for Renewal of Commercial Driver License Training School Instructor. On or before May 15 of each year, a licensed commercial driver license training school instructor, or a licensed commercial driver license training school on behalf of the skills instructor, shall:

(1) Complete and submit Form PE 35, Renewal Application for Licensure as a Commercial Driver License Training School Instructor;

(2) Submit two (2) recent passport-size photographs, electronically provided to the commission;

- (3) Pay the nonrefundable application fee of twenty (20) dollars established in KRS 165A.475(6); and
- (4) Pay the nonrefundable renewal fee of \$200.

Section 4. Classroom Instructors. The CDL school shall submit a Form PE 11, Form for Instructional Staff and Key Administrative Personnel, incorporated by reference in 791 KAR 1:010, to the commission upon qualifying an individual as a classroom instructor.

Section 5. Conditional License for CDL Skills Instructor.

- (1) The commission shall issue to an applicant who has completed the requirements of Sections 2 and 3 of this administrative regulation a temporary permit, by way of letter, for the performance of skills instructor duties while the license application is being processed.
- (2) The commission shall provide the applicant and the licensed school a letter stating the applicant's application is in order and is being processed for applicant licensing.
 - (a) The commission shall provide this letter within ten (10) business days of receipt of a properly completed application.
 - (b) This letter shall serve as the applicant's conditional license until a regular license is issued.
 - (c) A copy of the commission's letter shall be maintained by the applicant and be available for review upon request by the commission's inspector or the Kentucky State Police.
 - (d) If the applicant is denied a license, the commission shall issue a notice to the applicant and the applicant's school rescinding the applicant's conditional license for a skills instructor.

Section 6. Incorporation by Reference.

- (1) The following material is incorporated by reference:
 - (a) "General Curriculum Standards for Kentucky Licensed Commercial Driving Schools", June 2014 edition;
 - (b) Form PE 34, "Application for Licensure as a Commercial Driver License Training School Skills Instructor", as provided in EDvera software version 2.1, edition May 2022; and
 - (c) Form PE 35, "Renewal Application for Licensure as a Commercial Driver License Training School Instructor", as provided in EDvera software version 2.1, edition May 2022 .
 - (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Commission on Proprietary Education, 500 Mero Street, 4th Floor, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. This material is also available on the commission's Web site at www.kcpe.ky.gov.
- (30 Ky.R. 137; Am. 582; eff. 9-8-2003; 37 Ky.R. 789; 1188; 11-16-2010; Recodified from 201 KAR 40:070, 6-12-2014; 41 Ky.R. 129; 759; eff. 10-31-2014; TAm eff. 4-12-2017; 48 Ky.R. 1044; 49 Ky.R. 801; eff. 1-3-2023.)

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