

STATEMENT OF EMERGENCY

601 KAR 11:035E.

This emergency amendment to an existing administrative regulation is being promulgated to comply with KRS 281A.165, to establish and clarify the application process for military personnel to apply for a commercial driver's license. This emergency amendment will allow qualified military applicants to complete a military certification for the written and skills test exemption, TC Form 94-167. This emergency amendment is being promulgated so that the Kentucky Transportation Cabinet may address the imminent needs of Kentucky's service members who qualify for the exemptions set forth by KRS 281A.165, especially with the consideration that the service members only have one year beyond their separation date to qualify for those exemptions, and to formally acknowledge that many of our nation's active-duty service members and veterans have formally completed military driver's programs and have experience driving a vehicle in the military that would require a commercial driver's license to operate as a civilian. This emergency amendment will expedite this process by acknowledging the "Even Exchange Program" as defined in 49 C.F.R. 383.77. This will allow qualified applicants to become part of the Commonwealth's Commercial Driver's License (CDL) program without unnecessary costs and delay. This emergency amendment to an existing administrative regulation will be replaced by an ordinary administrative regulation pursuant to KRS Chapter 13A. The companion ordinary administrative regulation is identical to this emergency administrative regulation.

ANDY BESHEAR, Governor

REBECCA GOODMAN, Secretary

TRANSPORTATION CABINET
Department of Vehicle Regulation
Division of Driver Licensing
(Emergency Amendment)

601 KAR 11:035E. Waiver of written knowledge and skills test for military personnel.

RELATES TO: KRS 281A, 49 C.F.R. 383

STATUTORY AUTHORITY: KRS 281A.165

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 281A.165 requires the Transportation Cabinet to promulgate an administrative regulation to establish an application form for military personnel applying for a commercial driver's license and requesting the waiver of a written knowledge and skills test. This administrative regulation establishes an application form and the procedures for submitting the form to the cabinet.

Section 1. Waiver Form.

(1) An applicant for a commercial driver's license who meets the criteria established in KRS 281A.165 may apply for a written knowledge and skills test exemption. If the applicant applies, the applicant shall complete a Military Certification for Written Knowledge and Skills Test Exemption, TC Form 94-167.

(2) A completed application form shall be submitted to the Transportation Cabinet, Department of Vehicle Regulation, 200 Mero Street, Frankfort, Kentucky 40622.

Section 2. Notification.

(1) Within thirty (30) days of submission to the cabinet, an applicant shall be notified by mail of the approval or disapproval.

(2) An applicant shall take the notification of an approved application form to any KYTC Driver License Regional Office .

Section 3. Incorporation by Reference.

(1) "Military Certification for Written and Skills Test Exemption", TC Form 94-167, September 2026 , is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Vehicle Regulation, 200 Mero Street, Frankfort, Kentucky 40622. This material may also be obtained by accessing the cabinet's Web site at <http://transportation.ky.gov/>.

601 KAR 11:035E. APPROVED BY TRANSPORTATION CABINET.

REBECCA GOODMAN, Secretary

MATTHEW COLE, Commissioner

APPROVED BY AGENCY: September 28, 2026

FILED WITH LRC: September 29, 2026 at 10:50 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Monday, November 23, 2026, at 10:30 a.m. EST, at the Kentucky Transportation Cabinet, 200 Mero Street, Frankfort, Kentucky 40622. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) working days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. 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 November 30, 2026. 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: Will Fogle, General Counsel, Transportation Cabinet, Office of Legal Services, 200 Mero Street, Frankfort, Kentucky 40622, Telephone: (502) 782-4841, Fax: (502) 564-5238, Email: William.Fogle@ky.gov.