

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

601 KAR 11:035. 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~~[the circuit clerk's office for his or her county of residence]~~.

Section 3. Incorporation by Reference.

(1) "Military Certification for Written and Skills Test Exemption", TC Form 94-167, September 2026~~[August 2011]~~, 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 011:035. 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 December 21, 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 December 31, 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

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Will Fogle, **Phone:** 502-782-8180, **Email:** William.Fogle@ky.gov

Subject Headings:Transportation; Licensing; Veterans; Workforce Development

(1) Provide a brief summary of:

(a) What this administrative regulation does:

Allows for the written and skills test to be waived for qualified military applicants.

(b) The necessity of this administrative regulation:

To allow recently separated military members to apply for a CDL without written and skills testing.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

This amendment conforms to KRS 281A.165 and 49 C.F.R. 383.77.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

Language clean-up to include both written and skills testing. To make the regulation consistent with statutory language.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

Clarifying to allow both written and skills test waivers.

(b) The necessity of the amendment to this administrative regulation:

Clarifying to allow both written and skills test waivers.

(c) How the amendment conforms to the content of the authorizing statutes:

Clarifying to allow both written and skills test waivers.

(d) How the amendment will assist in the effective administration of the statutes:

Clarifying to allow both written and skills test waivers.

(3) Does this administrative regulation or amendment implement legislation from the previous five years?This amendment is not due to the implementation of legislation, it is to accommodate a request from the Federal Motor Carriers Safety Administration.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This will benefit motor carrier companies and military veterans eligible for this program.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:

The individual will have to apply by Form TC 94-167, to bypass written and skills test.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

There will be no costs associated with this amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

This amendment will reduce the costs to veterans applying for the waivers.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

No costs.

(b) On a continuing basis:

No costs.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

N/A

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

N/A

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

N/A

(10) TIERING: Is tiering applied?

No. Tiering is not applied.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

KRS 186A.165 and 49 C.F.R. 383.77

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

It is not.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

Department of Vehicle Regulation, Division of Driver Licensing, and Kentucky State Police.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:None

For subsequent years:None

2. Revenues:

For the first year:None

For subsequent years:None

3. Cost Savings:

For the first year:None

For subsequent years:None

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

N/A

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

N/A

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

(3)(a) – None, (4)(a) – N/A, (5)(a) – N/A

(b) Methodology and resources used to reach this conclusion:

N/A

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

No entity will have a "major economic impact".

(b) The methodology and resources used to reach this conclusion:

N/A