

502 KAR 10:030. Instructor's license.

RELATES TO: KRS 332.030

STATUTORY AUTHORITY: KRS 15A.160, 332.100

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.160 and 332.100 provide that the Secretary of the Justice Cabinet in cooperation with the Commissioner, Department of State Police, may adopt such administrative regulations necessary to carry out the provisions of KRS Chapter 332. This administrative regulation establishes the department's policy regarding the licensing of driver training instructor.

Section 1. Each person desiring to be licensed as a driver training instructor must make application on forms furnished by the department. The forms shall consist of sections dealing with the personal history of the applicant and include a physical examination report signed by an examining physician.

Section 2. The driver training instructor license application must indicate the name and address of the driver training school employing the applicant and must be signed by an agent or representative of the driver training school. The application must be verified under oath and signed by the applicant.

Section 3. Upon receipt by the department of a duly completed driver training instructor application, together with a nonrefundable twenty (20) dollar fee in the form of certified check or money order made payable to Kentucky State Treasurer, one (1) set of fingerprints of each digit on right and left hands, three (3) one and one-half (1 1/2) inch by one and one-half (1 1/2) inch identical photographs which show full face view of neck and uncovered head, physical examination report, including the results of an eye examination showing the visual acuity of the applicant to be at least 20/20 in one (1) eye and 20/40 in the other, or 20/30 in each eye separately with or without corrective lenses, and showing that the applicant is not lacking one (1) functional eye, hand, or foot, and proof of age and education, and the results of the department's examination, if favorable, the applicant may then be licensed as an instructor.

Section 4. The driver training instructor examination shall consist of:

- (1) A written theoretical examination prepared and administered by the department and embracing subject matter pertinent to the care, operation, and use of a motor vehicle on the highways, and to general safety principles and practices, both for the purpose of testing an applicant's competency and fitness in the operation of a motor vehicle and in providing classroom instruction.
- (2) The department may also test the applicant for depth perception, peripheral vision, and reaction time.

Section 5. All applicants who pass the instructor's examination and who are otherwise qualified will be issued a driver training instructor license certifying the instructor for both classroom and practical instruction and containing the instructor's photograph, the name and address of the licensee, and the name and address of the driver training school by whom he is employed.

Section 6. Should a license be lost, mutilated, or destroyed, a duplicate license will be issued upon proof of the date the license was lost or destroyed and the circumstances involving such loss, mutilation, or destruction. In the case of a mutilated license, the surrender of such license is necessary. A five (5) dollar replacement charge will be made for all duplicates.

Section 7. All expired, revoked, or suspended licenses must be surrendered to the department at the time of expiration, revocation, or suspension.

Section 8. Any applicant who has previously been licensed as a driver training instructor but has not been so employed within two (2) years preceding application will be treated as an original applicant.

Section 9. Any instructor who has had his license suspended or revoked or any applicant denied a license will be eligible to make application again six (6) months following the suspension, revocation, or denial.

Section 10. The department will not issue a driver training instructor license to any applicant who has been convicted of two (2) or more moving hazardous traffic violations within the two (2) year period immediately preceding the date of application.

Section 11. A driver training school is required to notify the department, in writing, of the termination of employment of an instructor or agent, or if there is any change in the address of any owner, partner, officer, or driving instructor.

(1 Ky.R. 1032; Am. 2 Ky.R. 123; eff. 8-13-75; 12 Ky.R. 1620; 1831; eff. 5-6-86; Certified to be amended; filing deadline 8-26-2021.)