

186.4102 Photograph required for operator's license, instructional permit, or personal identification card -- Identification number -- Age and organ donor designations -- Voluntary travel ID identity document -- When photograph not required.

- (1) Except as provided in subsection (9) of this section, the Transportation Cabinet shall issue operator's licenses and personal identification cards bearing a photograph of the applicant and other information the cabinet may deem appropriate to qualified applicants under this chapter. When taking the photograph, the applicant shall be prohibited from wearing sunglasses, veils, scarves, or any other attire that obscures or creates shadows upon any features of the applicant's face as determined by the cabinet. An applicant shall be required to remove eyewear that obstructs the iris or the pupil of the eyes and shall not take any action to obstruct a photograph of his or her facial features. The face shall be visible from the crown to the base of the chin and from ear to ear. Any person who refuses to remove attire prohibited by this subsection as directed by the person taking the application shall be prohibited from receiving an operator's license or personal identification card.
- (2) An operator's license or personal identification card issued by the cabinet shall not contain the applicant's Social Security number. The cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A that develop a numbering system that uses an identification system other than Social Security numbers. If an applicant submits adequate proof that he or she does not have a Social Security number, the Transportation Cabinet shall assign the applicant a unique identifying number.
- (3) The license or personal identification card shall also designate by color coding and using the phrase "under 21" if the licensee or card holder is under the age of twenty-one (21); "CDL" if the license is issued pursuant to KRS Chapter 281A; or "under 21 CDL" if the licensee holds a commercial driver's license issued pursuant to KRS Chapter 281A and is under the age of twenty-one (21).
- (4) The cabinet shall provide on each operator's license and personal identification card space for a notation that the holder of the license or personal identification card has expressed to the cabinet the person's willingness to make an anatomical gift under KRS 311.1917. If a person who has made a declaration under this subsection wishes to rescind that declaration, the person shall notify the Kentucky Circuit Court Clerks' Trust for Life, which shall remove the notation from his or her records.
- (5) An operator's license issued pursuant to this chapter shall be designated a Class D license.
- (6) A person shall not have more than one (1) operator's license.
- (7) Upon marriage, dissolution of marriage, or any other qualifying event, if a person seeks to change his or her name, the person shall make a name change with the Social Security Administration prior to applying for an operator's license or a personal identification card and shall provide the cabinet with the person's marriage license, divorce decree, or other documentation. The name issued on the identity document shall match the person's first and last name as recorded with the Social Security Administration. Unless a person is eligible to renew his or her identity

document at the time of the name change, the fee charged under this section shall be for a corrected identity document as set forth in KRS 186.531.

- (8) An identity document issued under this chapter shall contain a denotation that either:
 - (a) The identity document is a voluntary travel ID identity document that complies with the security standards set forth by Pub. L. No. 109-13, Title II, and may be used for identification for federal purposes; or
 - (b) The identity document shall not be used for federal identification purposes.
- (9) (a) The Transportation Cabinet may provide for the issuance of an instruction permit, operator's license, or personal identification card without a photograph if there is good cause for the omission based in documented religious objections. The Transportation Cabinet shall promulgate administrative regulations pursuant to KRS Chapter 13A to establish the criteria and requirements for obtaining an operator's license, instruction permit, or personal identification card without a photograph.
- (b) An applicant for an initial instruction permit, operator's license, or personal identification card without a photograph shall apply to the Transportation Cabinet in Frankfort or a Transportation Cabinet field office. The application shall be processed solely by the Transportation Cabinet in the same manner as in KRS 186.4121(5) and 186.4123(8).
- (c) An operator's license, instruction permit, or personal identification card issued without a photograph shall denote on its face that it shall not be accepted by any federal agency for identification or any other federal purpose.

Effective: March 27, 2020

History: Amended 2020 Ky. Acts ch. 51, sec. 4, effective March 27, 2020. -- Created 2017 Ky. Acts ch. 100, sec. 6, effective January 1, 2019.