

217B.090 Noncommercial applicator license -- Expiration -- Legal recourse -- Issuance to qualifying incarcerated persons -- Waiver of fees.

- (1) It shall be unlawful for any person to act as a noncommercial applicator without having obtained a noncommercial applicator license from the department. Any person applying for a noncommercial applicator's license shall file an application on a form prescribed by the department on or before January 1 of each year. The provisions of this section shall not apply to any individual who is a licensed pesticide operator or applicator. If the department finds the applicant qualified to apply pesticides, the department shall issue a noncommercial license for a fee of ten dollars (\$10) to a noncommercial applicator, which shall be valid only when the individual is applying pesticides on land owned, occupied, or managed by his or her employer. The noncommercial applicator license shall expire at the end of the calendar year of issue unless it has been revoked or suspended prior to that by the department for cause as provided for in KRS 217B.120.
- (2) Employers of noncommercial applicators shall be subject to legal recourse by any person damaged by the application of any pesticide, and the action may be brought in the county where the damage or some part of the damage occurred.
- (3) No license shall be issued unless the applicant holds a valid certification within this category.
- (4) A noncommercial license cannot be upgraded without retesting.
- (5) The department shall issue noncommercial applicator licenses to qualifying prison inmates and other incarcerated persons who are or will be engaged in the application of pesticides under the direction of the Department of Corrections. Fees for these persons shall be waived by the department.

Effective: June 29, 2021

History: Amended 2021 Ky. Acts ch. 84, sec. 6, effective June 29, 2021. -- Amended 2000 Ky. Acts ch. 172, sec. 6, effective July 14, 2000. -- Amended 1974 Ky. Acts ch. 148, sec. 8. -- Created 1972 Ky. Acts ch. 130, sec. 9.