

186.4122 Personal identification card application for United States citizen or permanent resident -- Photograph -- Scanning and retaining application information -- Proof of residency -- Homeless child or youth -- Issuance of personal identification card and operator's license or instruction permit -- Term of identification card.

- (1) As used in this section, "applicant" means a person who is a citizen or permanent resident of the United States.
- (2) The Transportation Cabinet shall issue a personal identification card to an applicant who:
 - (a) Is a Kentucky resident;
 - (b) Applies in person to the cabinet or through alternative technology; and
 - (c) Complies with the provisions of this section.
- (3) Upon application for a personal identification card under this section, the cabinet shall capture a photograph of the applicant in accordance with KRS 186.4102(1).
- (4)
 - (a) Except as provided in paragraph (b) of this subsection, the cabinet shall electronically scan the documents required for application under this section and shall electronically retain the application, supporting documents, and the photograph of the applicant. The cabinet shall present the applicant with a temporary personal identification card, which shall be valid for thirty (30) days until a permanent personal identification card is mailed to the applicant by the Transportation Cabinet.
 - (b) The cabinet shall only electronically scan the birth certificate of an individual applying for a voluntary travel ID personal identification card. If the applicant is not seeking such a document, the cabinet shall not electronically scan the applicant's birth certificate.
 - (c) An applicant for a personal identification card shall not be required to surrender the applicant's birth certificate for image capture, image storage, or image transmission to any entity, including the federal government, unless express consent is given by the applicant during the course of obtaining a voluntary travel ID personal identification card.
- (5)
 - (a) An application for a personal identification card shall be accompanied by the same information as is required for an operator's license under KRS 186.412, except if an applicant does not have an established and fixed nighttime residence of regular return, the applicant may:
 1. Until July 1, 2025, use as proof of residency a signed letter from a homeless shelter, health care facility, or social service agency currently providing the applicant treatment or services and attesting that the applicant is a resident of Kentucky; or
 2. On or after July 1, 2025, follow the procedures outlined in KRS 186.412(3).
 - (b) An applicant who does not have an established and fixed nighttime residence of regular return shall not be issued a voluntary travel ID personal identification card.

- (c) An applicant for a personal identification card who is at least sixteen (16) years of age but less than eighteen (18) years of age shall not be required to obtain a signature of a parent or legal guardian on the application if the applicant has been verified as a homeless child or youth, as defined in 42 U.S.C. sec. 11434a(2), by at least one (1) of the following:
 - 1. A director or designee of a governmental or nonprofit agency that receives public or private funding to provide services to homeless people;
 - 2. A local educational agency liaison for homeless children and youths designated pursuant to 42 U.S.C. sec. 11432(g)(1)(J)(ii), or a school social worker or school counselor;
 - 3. The director or director's designee of a federal TRIO Program or a Gaining Early Awareness and Readiness for Undergraduate Program; or
 - 4. A financial aid administrator for an institution of higher education.
- (d) It shall be permissible for the application form for a personal identification card to include as an applicant's most current resident address a mailing address or an address provided on a voter registration card.
- (e) If the applicant is not the legal owner or possessor of the address provided on the application form, the applicant shall swear that he or she has permission from the legal owner, authorized agent for the legal owner, or possessor to use the address for purposes of obtaining the personal identification card.
- (6) (a) Every applicant for a personal identification card under this section shall swear an oath to the cabinet as to the truthfulness of the statements contained on the application form.
- (b) A personal identification card may be suspended or revoked if the person who was issued the card presents false or misleading information to the cabinet when applying for the card.
- (7) A personal identification card issued under this section shall be valid for a period of eight (8) years from the date of issuance, except that if the personal identification card is issued to a person who does not have an established and fixed nighttime residence of regular return, then the personal identification card shall be valid for one (1) year from the date of issuance.
- (8) (a) An applicant may be issued a personal identification card if the applicant currently holds a valid Kentucky instruction permit or operator's license, except that a person shall not hold more than one (1) license or personal identification card that is a voluntary travel ID identity document which indicates that it meets the requirements for federal identification under Pub. L. No. 109-13, Title II, as referenced in KRS 186.4102(8).
- (b) If a person's instruction permit or operator's license has been suspended or revoked, the person may be issued a personal identification card. Subject to the limitations in paragraph (a) of this subsection, a personal identification card may be surrendered when the person applies to have his or her instruction permit or operator's license reinstated.

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History: Amended 2023 Ky. Acts ch. 185, sec. 2, effective June 29, 2023. -- Amended 2020 Ky. Acts ch. 51, sec. 7, effective March 27, 2020. -- Created 2017 Ky. Acts ch. 100, sec. 4, effective January 1, 2019.