

**217B.090 Noncommercial applicator license -- Expiration -- Legal recourse.**

- (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 limited license without a fee 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 The noncommercial applicator license shall expire at the end of the calendar year of issue unless it has been revoked or suspended prior to that by the department for cause as provided for in KRS 217B.120.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 limited license cannot be upgraded without retesting.

**Effective:** July 14, 2000

**History:** 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.