

1 AN ACT relating to vision testing for motor vehicle operators.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 186.576 is amended to read as follows:

4 As used in KRS 186.576 to 186.579:

- 5 (1) "Applicant" means any person applying for an instruction permit or an operator's
6 license who must use a bioptic telescopic device in order to operate a motor vehicle;
- 7 (2) "Binocular vision" means visual acuity that is 20/200 or better in both eyes, with or
8 without corrective lenses;
- 9 (3) "Bioptic telescopic device" means a two (2) focus optical system used to magnify
10 distant objects by including a small telescope that is mounted in a spectacle lens in a
11 manner to allow an unobstructed view of the horizontal visual field through a
12 person's normal distance corrective lens;
- 13 (4) "Certified driver training program" means a program that provides and coordinates
14 comprehensive assessment and training of driving skills and responses that
15 emphasizes the vision, hearing, psychological, perceptual, orientation, and mobility
16 skills of an applicant and that is certified by the department;
- 17 (5) "Combined visual acuity" means visual acuity attained by using both eyes together
18 where a person has binocular vision;
- 19 (6) "Corrective lenses" means eyeglasses, contact lenses, and intraocular lenses, but
20 does not mean a bioptic telescopic device;
- 21 (7) "Daytime driving restriction" means operation of a motor vehicle is restricted to the
22 period of time from between thirty (30) minutes after sunrise and thirty (30) minutes
23 before sunset. Under this restriction, driving during adverse weather conditions that
24 significantly reduce the visibility of the roadway, other traffic, and traffic control
25 devices shall be prohibited;
- 26 (8) "Office" means the Office for the Blind;
- 27 (9) "Monocular vision" means visual acuity that is 20/200 or better in only one (1) eye,

1 with or without corrective lenses;

2 (10) "Restricted out-of-state driver" means a person who has been issued, by another
3 state, a valid operator's license with a restriction requiring the use of a bioptic
4 telescopic device;

5 (11) "Vision specialist" means a licensed ophthalmologist or optometrist;

6 (12) "Visual acuity" means the measure of a person's visual acuity based on the Snellen
7 visual acuity scale;~~and~~

8 (13) "Visual field" means the area of physical space visible to the eye in a given fixed
9 position; and

10 (14) "Trained vision assessor" means an individual or licensed professional
11 authorized by administrative regulation promulgated by the Transportation
12 Cabinet to perform a test of visual acuity and visual field required in Section 2 of
13 this Act.

14 ➔Section 2. KRS 186.577 is amended to read as follows:

15 (1) All persons applying for an initial operator's license, operator's license renewal, or
16 an initial instruction permit shall submit to a test of visual acuity and visual field
17 performed by:

18 (a) The Kentucky State Police at the time of application or renewal; or

19 (b) A vision specialist or a trained vision assessor, prior to ~~at~~ the time of
20 application or renewal.

21 (2) All persons subject to the provisions of subsection (1) of this section shall, at the
22 time of application or renewal, submit to the Circuit Court clerk a driver vision
23 testing form completed and signed by a vision specialist or trained vision
24 assessor.

25 (3) (a) Persons whose visual acuity is 20/40 or better and who meet or exceed the
26 visual field standard established by the Transportation Cabinet without
27 corrective lenses shall not have a restriction placed on their driving privileges.

1 **(b)** Persons whose visual acuity is 20/40 or better with corrective lenses shall
2 have their driving privileges restricted to mandate the use of the corrective
3 lenses.

4 **(c)** If a person fails to meet a 20/40 visual acuity standard **or the visual field**
5 **standard established by the Transportation Cabinet**, the **Kentucky State**
6 **Police officer, vision specialist, or trained vision assessor who performed**
7 **the person's vision screening shall refer the person**~~Department of Kentucky~~
8 State Police shall refer the person] to a vision specialist for examination.

9 **(4)**~~(3)~~ A person referred to a vision specialist ~~by the Department of Kentucky State~~
10 Police] under subsection **(3)**~~(2)~~ of this section whose visual acuity is 20/60 or
11 better **and meets or exceeds the visual field standard established by the**
12 **Transportation Cabinet** shall be **eligible for operator's license renewal under the**
13 **provisions of subsection (1) of this section or** eligible to test for an instruction
14 permit or operator's license. If corrective lenses were prescribed by the vision
15 specialist, the person's driving privileges shall be restricted to mandate the use of
16 the corrective lenses.

17 **(5)**~~(4)~~ Persons who meet the requirements of KRS 186.578 and are issued operator's
18 licenses under KRS 186.579 shall have their driving privileges restricted to the use
19 of a bioptic telescopic device.

20 **(6)** **A person seeking application or renewal under the provisions of subsection (1) of**
21 **this section shall be deemed to meet the testing provisions outlined in subsection**
22 **(3) of this section if the person submits a driver vision testing form completed by:**
23 **(a)** **A vision specialist who performed the person's examination who attests that**
24 **the person meets or exceeds the visual acuity standards outlined in**
25 **subsection (3) or (4) of this section; or**
26 **(b)** **A Kentucky State Police officer or trained vision assessor who performed**
27 **the person's vision screening who attests that the person meets or exceeds**

1 the visual acuity standard and visual field standard as outlined in
2 subsection (3) of this section.

3 (7) Any person who is seeking application or renewal under the provisions of
4 subsection (1) of this section and was referred to a vision specialist under the
5 provisions of subsection (3) of this section shall be deemed to meet the testing
6 provisions outlined in subsection (4) of this section if the person submits a driver
7 vision testing form completed by a vision specialist attesting that the person meets
8 or exceeds the visual acuity standard and visual field standard as outlined in
9 subsection (4) of this section.

10 (8) A driver vision testing form completed under this section shall only be valid if the
11 vision examination or vision screening of the person seeking application or
12 renewal was performed less than twelve (12) months prior to the date of
13 application or renewal.

14 (9) All driver vision testing forms completed under the provisions of subsection (6) or
15 (7) of this section shall state whether or not the driving privileges of the person
16 seeking application or renewal shall be restricted to mandate the use of corrective
17 lenses.

18 (10) The Transportation Cabinet shall update the Kentucky driver's license renewal
19 application to include an attestation by the person seeking application or renewal
20 that he or she has submitted to and passed the visual acuity and visual field tests
21 outlined in this section.

22 (11) Any person renewing an operator's license under the provisions of KRS 186.416
23 shall be exempt from the testing requirements outlined in subsection (1) of this
24 section.

25 (12) The Transportation Cabinet shall promulgate administrative regulations
26 pursuant to KRS Chapter 13A to implement the provisions of this section,
27 including but not limited to designating trained vision assessors who may

1 *perform vision testing outlined in this section, the creation of a driver vision*
2 *testing form, and the establishment or adoption of a visual field standard. The*
3 *Transportation Cabinet may implement a system for electronic transmission of*
4 *driver vision testing forms.*

5 ➔Section 3. KRS 186.480 is amended to read as follows:

6 (1) The Department of Kentucky State Police shall examine every applicant for an
7 operator's license as identified in KRS 186.635, except as otherwise provided in this
8 section. The examination shall be held in the county where the applicant resides
9 unless:

10 (a) The applicant is granted written permission by the circuit clerk of the county
11 in which he or she resides to take the examination in another county, and the
12 Department of Kentucky State Police agree to arrange for the examination in
13 the other county; or

14 (b) The applicant is tested using a bioptic telescopic device.

15 (2) The examination shall include a test of the applicant's eyesight to ensure compliance
16 with the visual acuity standards set forth in KRS 186.577. *The vision testing*
17 *outlined in this subsection may be performed prior to the examination or at the*
18 *time of application as outlined in Section 2 of this Act.* The examination shall also

19 include a test of the applicant's ability to read and understand highway signs
20 regulating, warning, and directing traffic, the applicant's knowledge of traffic laws,
21 and an actual demonstration of the applicant's ability to exercise ordinary and
22 reasonable control in the operation of a motor vehicle. An applicant for a
23 motorcycle operator's license shall be required to show his or her ability to operate a
24 motorcycle, in addition to other requirements of this section. The provisions of this
25 subsection shall not apply to an applicant who:

26 (a) At the time of application, holds a valid operator's license from another state,
27 provided that state affords a reciprocal exemption to a Kentucky resident; or

1 (b) Is a citizen of the Commonwealth who has been serving in the United States
2 military and has allowed his or her operator's license to expire.

3 (3) Any person whose intermediate license or operator's license is denied, suspended, or
4 revoked for cause shall apply for reinstatement at the termination of the period for
5 which the license was denied, suspended, or revoked by submitting to the
6 examination. The provisions of this subsection shall not apply to any person whose
7 license was suspended for failure to meet the conditions described in KRS 186.411
8 when, within one (1) year of suspension, the driving privileges of such individuals
9 are reinstated.

10 (4) An applicant shall not use an autocycle for road skills testing administered under the
11 provisions of this section.

12 ➔Section 4. This Act takes effect July 1, 2020.