

1 AN ACT relating to motor vehicle instruction permits.

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

3 ➔Section 1. KRS 186.450 is amended to read as follows:

4 (1) A person who is at least **fifteen (15)**~~sixteen (16)~~ years **and six (6) months** of age
5 may apply for an instruction permit to operate a motor vehicle. A person who
6 possesses a valid intermediate motor vehicle operator's license issued under KRS
7 186.452 or a person who is at least eighteen (18) years of age may apply for an
8 instruction permit to operate a motorcycle. A holder of either a motor vehicle or
9 motorcycle instruction permit may also operate a moped under that permit. A
10 person applying for an instruction permit under this section shall make application
11 to the Transportation Cabinet. A person applying for an instruction permit shall be
12 required to comply with the following:

13 (a) If the person is under the age of eighteen (18), the instruction permit
14 application shall be signed by the applicant's parent or legal guardian. If the
15 person does not have a living parent or does not have a legal guardian, the
16 instruction permit application shall be signed by a person willing to assume
17 responsibility for the applicant pursuant to KRS 186.590;

18 (b) If the person is under the age of eighteen (18) and in the custody of the
19 Cabinet for Health and Family Services, the instruction permit application
20 shall be signed by:

21 1. The applicant's parent, legal guardian, grandparent, adult sibling, aunt,
22 or uncle if the parental rights have not been terminated in accordance
23 with KRS Chapter 625;

24 2. The foster parent with whom the applicant resides;

25 3. Another person who is at least age eighteen (18) and is willing to
26 assume responsibility for the applicant pursuant to KRS 186.590; or

27 4. The applicant, without another person, upon verification by the Cabinet

1 for Health and Family Services in accordance with KRS 605.102 that
2 shall include proof of financial responsibility in accordance with KRS
3 186.590(2); and

4 (c) All applicants for an instruction permit shall comply with the examinations
5 required by KRS 186.480.

6 (2) If an applicant successfully passes the examinations required by KRS 186.480, the
7 applicant shall be issued an instruction permit upon payment of the fee set forth in
8 KRS 186.531.

9 (3) (a) An instruction permit to operate a motor vehicle shall be valid for three (3)
10 years and may be renewed. An instruction permit to operate a motorcycle shall
11 be valid for one (1) year and may be renewed one (1) time.

12 (b) Except as provided in KRS 186.415, a person who has attained the age of
13 fifteen (15)~~sixteen (16)~~ years and six (6) months and is under the age of
14 eighteen (18) years shall have the instruction permit a minimum of one
15 hundred eighty (180) days and shall have attained the age of sixteen (16)
16 years before applying for an intermediate license and shall have an
17 intermediate license for a minimum of one hundred eighty (180) days before
18 applying for an operator's license.

19 (c) A person who was under eighteen (18) years of age at the time of application
20 for an instruction permit and is eighteen (18) years of age or older shall have
21 the instruction permit a minimum of one hundred eighty (180) days and
22 complete a driver training program under KRS 186.410(4) before applying for
23 an operator's license.

24 (d) A person who is at least eighteen (18) years of age and is under the age of
25 twenty-one (21) years at the time of application for an instruction permit shall
26 have the instruction permit a minimum of one hundred eighty (180) days
27 before applying for an operator's license.

- 1 (e) A person who is at least twenty-one (21) years of age at the time of
2 application for an instruction permit shall have the instruction permit a
3 minimum of thirty (30) days before applying for an operator's license.
- 4 (f) In accordance with KRS 15A.352(5), a person whose motorcycle instruction
5 permit has expired may apply to the cabinet to receive a motorcycle operator's
6 license or endorsement if the person presents proof of successful completion
7 of a motorcycle safety education course approved by the Justice and Public
8 Safety Cabinet under KRS 15A.350 to 15A.366.
- 9 (4) (a) A person shall have the instruction permit in his possession at all times when
10 operating a motor vehicle, motorcycle, or moped upon the highway.
- 11 (b) When operating a motor vehicle, a motor vehicle instruction permit holder
12 shall be accompanied by a person with a valid operator's license who is at
13 least twenty-one (21) years of age occupying the seat beside the operator at all
14 times.
- 15 (c) The requirements of paragraph (b) of this subsection shall not apply to a motor
16 vehicle instruction permit holder being supervised on a multiple-vehicle
17 driving range by a driver training instructor affiliated with a driver training
18 school licensed under KRS Chapter 332 or a public or nonpublic secondary
19 school.
- 20 (5) A person with an instruction permit who is under the age of eighteen (18) shall not
21 operate a motor vehicle, motorcycle, or moped between the hours of 12 midnight
22 and 6 a.m. unless the person can demonstrate good cause for driving, including but
23 not limited to emergencies, involvement in school-related activities, or involvement
24 in work-related activities.
- 25 (6) Except when accompanied by a driver training instructor affiliated with a driver
26 training school licensed under KRS Chapter 332 or a public or nonpublic secondary
27 school, a person with an instruction permit who is under the age of eighteen (18)

1 years shall not operate a motor vehicle at any time when accompanied by more than
2 one (1) unrelated person who is under the age of twenty (20) years. A peace officer
3 shall not stop or seize a person nor issue a uniform citation for a violation of this
4 subsection if the officer has no other cause to stop or seize the person other than a
5 violation of this subsection. This subsection shall not apply to any operator of a
6 vehicle registered under the provisions of KRS 186.050(4) who is engaged in
7 agricultural activities.

8 (7) A violation under subsection (4), (5), or (6) of this section, a conviction for a
9 moving violation under KRS Chapter 189 for which points are assessed by the
10 cabinet, or a conviction for a violation of KRS 189A.010(1) shall add an additional
11 minimum of one hundred eighty (180) days from the date of the violation before a
12 person who is under the age of eighteen (18) years may apply for an intermediate
13 license to operate a motor vehicle, motorcycle, or moped.

14 (8) A person under the age of eighteen (18) who accumulates more than six (6) points
15 against his driving privilege may have the driving privilege suspended pursuant to
16 KRS Chapter 186 or probated by the court.

17 ➔Section 2. KRS 186.452 is amended to read as follows:

18 (1) Except as provided in KRS 186.415, a person who is under eighteen (18) years of
19 age may apply for an intermediate license to operate a motor vehicle if the person
20 has:

21 (a) **Attained the age of sixteen (16) years;**

22 (b) Held an instruction permit a minimum of one hundred eighty (180) days
23 without a violation under KRS 186.450(4), (5), or (6), a conviction for a
24 violation of KRS 189.292 or 189.294, a conviction for a moving violation
25 under KRS Chapter 189 for which points are assessed by the cabinet, or a
26 conviction for a violation of KRS 189A.010(1); and

27 (c) ~~(b)~~ Presented a statement to the Department of Kentucky State Police signed

1 by a parent or guardian of the applicant attesting that the applicant has
2 completed at least sixty (60) hours of supervised driving experience, including
3 at least ten (10) hours at night, while accompanied by a person who has
4 attained the age of twenty-one (21) years and holds a valid operator's license
5 occupying the seat beside the applicant.

6 (2) If an applicant for an intermediate license successfully completes the examinations
7 required under KRS 186.480, the Department of Kentucky State Police shall affix
8 an intermediate license sticker to the instruction permit and report the applicant's
9 new status to the Transportation Cabinet. The Transportation Cabinet shall update
10 the information in its computer system to reflect that the applicant has been granted
11 an intermediate license. An intermediate license shall be valid for two (2) years and
12 may be renewed.

13 (3) A person shall have the intermediate license in his or her possession at all times
14 when operating a motor vehicle.

15 (4) A person with an intermediate license who is under the age of eighteen (18) years
16 shall not operate a motor vehicle, motorcycle, or moped between the hours of 12
17 midnight and 6 a.m. unless the person can demonstrate good cause for driving,
18 including emergencies, involvement in school-related activities, or involvement in
19 work-related activities.

20 (5) Except when accompanied by a driver training instructor affiliated with a driver
21 training school licensed under KRS Chapter 332 or a public or nonpublic secondary
22 school, a person with an intermediate license who is under the age of eighteen (18)
23 years shall not operate a motor vehicle at any time when accompanied by more than
24 one (1) unrelated person who is under the age of twenty (20) years. A peace officer
25 shall not stop or seize a person nor issue a uniform citation for a violation of this
26 subsection if the officer has no other cause to stop or seize the person other than a
27 violation of this subsection. This subsection shall not apply to any operator of a

1 vehicle registered under the provisions of KRS 186.050(4) who is engaged in
2 agricultural activities.

3 (6) A violation under subsection (3), (4), or (5) of this section, a conviction for a
4 moving violation under KRS Chapter 189 for which points are assessed by the
5 cabinet, or a conviction for a violation of KRS 189A.010(1) shall add an additional
6 minimum of one hundred eighty (180) days from the date of the violation before a
7 person who is under the age of eighteen (18) years may apply for an operator's
8 license.

9 ➔Section 3. KRS 186.410 is amended to read as follows:

10 (1) Every person except those exempted by KRS 186.420 and 186.430 shall, before
11 operating a motor vehicle, motorcycle, or moped upon a highway, secure an
12 operator's license as provided in this chapter.

13 (2) Except as provided in KRS 186.4121, all original, renewal, and duplicate personal
14 identification cards and licenses for the operation of motor vehicles, motorcycles, or
15 mopeds shall be applied for with the Transportation Cabinet, or through alternative
16 technology, and issued by the Transportation Cabinet. Subject to the provisions of
17 KRS 186.4101, applications for renewal licenses and personal identification cards
18 shall be made every eight (8) years within the birth month of the applicant. A
19 license shall not be issued until the application has been certified by the cabinet and
20 the applicant has, if required under KRS 186.635, successfully completed the
21 examinations required under KRS 186.480.

22 (3) All personal identification cards shall be issued under the provisions of KRS
23 186.4102, 186.4122, and 186.4123.

24 (4) A person under the age of eighteen (18) years who applies for an instruction permit
25 shall, at any time~~[between the age of sixteen (16) and]~~ before the person's
26 eighteenth birthday, enroll in one (1) of the following driver training programs:

27 (a) A driver's education course administered by a school district;

- 1 (b) A driver training school licensed pursuant to KRS Chapter 332 which offers a
2 course meeting or exceeding the minimum standards established by the
3 Transportation Cabinet; or
- 4 (c) State traffic school. The person may seek to enroll in state traffic school
5 before the person's eighteenth birthday. Persons enrolling in state traffic
6 school pursuant to this paragraph shall not be required to pay a fee.
- 7 (5) Any applicant for any initial or renewal instruction permit, operator's license, or
8 personal identification card under KRS 186.400 to 186.640 may apply for either:
- 9 (a) A voluntary travel ID document; or
- 10 (b) A standard document that does not meet standards for federal identification
11 purposes.