

1 AN ACT relating to vision testing for motor vehicle operators and making an
2 appropriation therefor.

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

4 ➔Section 1. KRS 186.577 is amended to read as follows:

5 (1) ***The following persons shall submit to a test of visual acuity and visual field at the***
6 ***time of application or renewal:***

7 (a) All persons applying for an initial ***or renewal*** operator's license;

8 (b) ***All persons applying for***~~[or]~~ an initial ***or renewal*** instruction permit; ***and***

9 (c) ***Any person required to complete an examination under the provisions of***
10 ***subsection (3) of KRS 186.635*** ~~[shall submit to a test of visual acuity and~~
11 ~~visual field at the time of application].~~

12 (2) ***Vision testing under this section may be administered:***

13 (a) ***Prior to application under the provisions of subsection (5) of this section;***

14 (b) ***By Kentucky State Police at the time of application; or***

15 (c) ***By the Transportation Cabinet at the time of application.***

16 ~~(3)~~~~(2)~~ (a) Persons whose visual acuity is 20/40 or better ***and who meet or exceed***
17 ***the visual field standard established by the cabinet*** without corrective lenses
18 shall not have a restriction placed on their driving privileges.

19 (b) Persons whose visual acuity is 20/40 or better ***and meet or exceed the visual***
20 ***field standard established by the cabinet*** with corrective lenses shall have
21 their driving privileges restricted to mandate the use of the corrective lenses.

22 (c) If a person fails to meet a 20/40 visual acuity standard ***or the visual field***
23 ***standard established by the cabinet***, the ***cabinet or the*** Department of
24 Kentucky State Police shall refer the person to a vision specialist for
25 examination.

26 ~~(4)~~~~(3)~~ A person referred to a vision specialist ~~by the Department of Kentucky State~~
27 ~~Police~~ under subsection ~~(3)~~~~(2)~~ of this section whose visual acuity is 20/60 or

1 better and who meets or exceeds the visual field standard established by the
2 cabinet shall be eligible to test for an instruction permit or operator's license, or
3 shall be eligible for operator's license renewal. If corrective lenses were prescribed
4 by the vision specialist, the person's driving privileges shall be restricted to mandate
5 the use of the corrective lenses.

6 ~~(5)~~~~(4)~~ A person seeking application or renewal under subsection (1) of this
7 section, shall be deemed to meet the testing provisions outlined in subsections (3)
8 or (4) of this section, if the person submits a driver vision testing form that has
9 been signed by an optometrist, osteopath, physician, or advanced practice
10 registered nurse. The form shall attest that the applicant meets or exceeds the
11 visual acuity standard and visual field standards established by the cabinet.

12 (6) All driver vision testing forms completed under the section shall:

13 (a) Only be valid if the optometrist, osteopath, physician, or advanced registered
14 nurse signed and completed the vision testing for less than twelve (12)
15 months prior to the date of application or renewal; and

16 (b) State whether the driving privileges of the applicant shall be restricted to
17 mandate the use of corrective lenses.

18 (7) Any person seeking application or permit outlined in subsection (1) of this section
19 shall attest that he or she has submitted to and passed the visual acuity and visual
20 field tests required under this section.

21 (8) Any person who renews an operator's license under KRS 186.416 shall be exempt
22 from vision testing requirements outlined in subsection (1) of this section.

23 (9) Persons who meet the requirements of KRS 186.578 and are issued operator's
24 licenses under KRS 186.579 shall have their driving privileges restricted to the use
25 of a bioptic telescopic device.

26 (10) The Transportation Cabinet shall promulgate administrative regulations
27 pursuant to KRS Chapter 13A to implement the provisions of this section,

1 including but not limited to establishing visual field standards and the creation of
 2 a driver vision testing form.

3 (11) The Transportation Cabinet may also promulgate administrative regulations
 4 pursuant to KRS Chapter 13A to:

5 (a) Implement a system for electronic transmission of driver vision testing
 6 forms and accompanying documentation; and

7 (b) Assess a fee to an applicant to cover the administrative costs of performing
 8 on-site vision testing. Any funds received from this fee shall be deposited
 9 into the photo license account established in Section 3 of this Act.

10 ➔Section 2. KRS 186.480 is amended to read as follows:

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

15 (a) The applicant is granted written permission by the Transportation Cabinet to
 16 take the examination in another county~~[, and the Department of Kentucky~~
 17 ~~State Police agree to arrange for the examination in the other county];~~ or

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

19 (2) The examination shall include a test of the applicant's eyesight to ensure compliance
 20 with the visual acuity and visual field standards set forth in KRS 186.577. The
 21 vision testing outlined in this subsection may be performed at the time of
 22 application or an applicant may provide a driver vision testing form as outlined in

23 Section 1 of this Act. The examination shall also include a test of the applicant's
 24 ability to read and understand highway signs regulating, warning, and directing
 25 traffic, the applicant's knowledge of traffic laws, and an actual demonstration of the
 26 applicant's ability to exercise ordinary and reasonable control in the operation of a
 27 motor vehicle. An applicant for a motorcycle operator's license shall be required to

1 show his or her ability to operate a motorcycle, in addition to other requirements of
2 this section. The provisions of this subsection shall not apply to an applicant who:

- 3 (a) At the time of application, holds a valid operator's license from another state,
4 provided that state affords a reciprocal exemption to a Kentucky resident; or
5 (b) Is a citizen of the Commonwealth who has been serving in the United States
6 military and has allowed his or her operator's license to expire.

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

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

16 ➔Section 3. KRS 174.056 is amended to read as follows:

17 (1) The KYTC photo license account is created within the road fund, to be administered
18 by the Transportation Cabinet. The account shall consist of the portion of fees
19 directed to the account under KRS 186.531, **Section 1 of this Act**, and any other
20 proceeds from grants, contributions, appropriations, or other moneys made available
21 for the purposes of the account.

22 (2) Notwithstanding KRS 45.229, any moneys remaining in the account not expended
23 at the close of a fiscal year shall not lapse but shall be carried forward to the next
24 fiscal year.

25 (3) Any interest earnings of the account shall become a part of the account and shall not
26 lapse.

27 (4) Moneys in the account shall be used for the purposes of verifying, creating, and

1 distributing secure photo instruction permits, operator's licenses, and personal
2 identification cards and are hereby appropriated for these purposes.

3 ➔Section 4. This Act shall take effect July 1, 2024.