

1 AN ACT relating to identity documents.

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

3 ➔Section 1. KRS 186.412 is amended to read as follows:

- 4 (1) As used in this section, "applicant" means a person who is a citizen or permanent
5 resident of the United States.
- 6 (2) An applicant shall apply for an instruction permit or operator's license with the
7 Transportation Cabinet, or through alternative technology. Except as provided in
8 KRS 186.417, the application form shall require the applicant's:
- 9 (a) Full legal name and signature;
 - 10 (b) Date of birth;
 - 11 (c) Social Security number or a letter from the Social Security Administration
12 declining to issue a Social Security number;
 - 13 (d) Sex;
 - 14 (e) Present Kentucky resident address, exclusive of a post office box address
15 alone;
 - 16 (f) Other information necessary to permit the application of United States citizens
17 to also serve as an application for voter registration;
 - 18 (g) A brief physical description of the applicant;
 - 19 (h) Proof of the applicant's Kentucky residency, including but not limited to a
20 deed or property tax bill, utility agreement or utility bill, or rental housing
21 agreement; and
 - 22 (i) Other information the cabinet may require by administrative regulation
23 promulgated under KRS Chapter 13A.
- 24 (3) ***(a) To satisfy the requirements of subsection (2)(e) and (h) of this section, an***
25 ***applicant seeking to obtain a renewal or duplicate operator's license may***
26 ***use a completed form attesting to the lack of an established and fixed***
27 ***nighttime residence of regular return as established in accordance with***

1 paragraph (b) of this subsection. The form developed under paragraph (b)
 2 of this subsection shall not be used by an applicant for an initial operator's
 3 license or instruction permit.

4 (b) The cabinet shall promulgate administrative regulations in accordance with
 5 KRS Chapter 13A to develop forms and procedures whereby an applicant
 6 for a renewal or duplicate operator's license under this section or KRS
 7 186.4121, or an applicant for an initial, renewal, or duplicate personal
 8 identification card under Section 2 or 3 of this Act, who does not have an
 9 established and fixed nighttime residence of regular return may use as
 10 proof of residency, a form, attested to by a homeless shelter, health care
 11 facility, or social service agency currently providing the applicant treatment
 12 or services, that the applicant is a resident of Kentucky. An applicant who
 13 does not have an established and fixed nighttime residence of regular
 14 return shall not be issued a voluntary travel ID operator's license under this
 15 section or KRS 186.4121.

16 **(4)** In addition to the information identified in subsection (2) of this section, a
 17 permanent resident shall present one (1) of the following documents issued by the
 18 United States Department of Homeland Security, United States Bureau of
 19 Citizenship and Immigration Services:

- 20 (a) An I-551 card with a photograph of the applicant; or
 21 (b) A form with the photograph of the applicant or a passport with a photograph
 22 of the applicant on which the United States Department of Homeland
 23 Security, United States Bureau of Citizenship and Immigration Services, has
 24 stamped the following: "Processed for I-551. Temporary evidence of lawful
 25 admission for permanent residence. Valid until (Expiration Date).
 26 Employment authorized."

27 ~~(5)~~ Upon application for an operator's license under this section, the cabinet shall

1 capture a photograph of the applicant in accordance with the requirements of KRS
2 186.4102(1).

3 ~~(6)~~~~(5)~~ (a) Except as provided in paragraph (b) of this subsection, the cabinet shall
4 electronically scan the documents required for application under this section
5 and shall electronically retain the application, supporting documents, and the
6 photograph of the applicant. Upon completion of any required examinations
7 under KRS 186.480, the cabinet shall present the applicant with a temporary
8 operator's license or instruction permit, which shall be valid for thirty (30)
9 days until a permanent operator's license or instruction permit is mailed to the
10 applicant by the Transportation Cabinet.

11 (b) The cabinet shall only electronically scan the birth certificate of an individual
12 applying for a voluntary travel ID instruction permit or operator's license. If
13 the applicant is not seeking such a permit or license, the cabinet shall not
14 electronically scan the applicant's birth certificate.

15 (c) An applicant for an operator's license or instruction permit shall not be
16 required to surrender the applicant's birth certificate for image capture, image
17 storage, or image transmission to any entity, including the federal government,
18 unless express consent is given by the applicant during the course of obtaining
19 a voluntary travel ID license or permit.

20 ~~(7)~~~~(6)~~ An applicant shall swear an oath to the cabinet as to the truthfulness of the
21 statements contained in the form.

22 ➔Section 2. KRS 186.4122 is amended to read as follows:

23 (1) As used in this section, "applicant" means a person who is a citizen or permanent
24 resident of the United States.

25 (2) The Transportation Cabinet shall issue a personal identification card to an applicant
26 who:

27 (a) Is a Kentucky resident;

- 1 (b) Applies in person to the cabinet or through alternative technology; and
- 2 (c) Complies with the provisions of this section.
- 3 (3) Upon application for a personal identification card under this section, the cabinet
- 4 shall capture a photograph of the applicant in accordance with KRS 186.4102(1).
- 5 (4) (a) Except as provided in paragraph (b) of this subsection, the cabinet shall
- 6 electronically scan the documents required for application under this section
- 7 and shall electronically retain the application, supporting documents, and the
- 8 photograph of the applicant. The cabinet shall present the applicant with a
- 9 temporary personal identification card, which shall be valid for thirty (30)
- 10 days until a permanent personal identification card is mailed to the applicant
- 11 by the Transportation Cabinet.
- 12 (b) The cabinet shall only electronically scan the birth certificate of an individual
- 13 applying for a voluntary travel ID personal identification card. If the applicant
- 14 is not seeking such a document, the cabinet shall not electronically scan the
- 15 applicant's birth certificate.
- 16 (c) An applicant for a personal identification card shall not be required to
- 17 surrender the applicant's birth certificate for image capture, image storage, or
- 18 image transmission to any entity, including the federal government, unless
- 19 express consent is given by the applicant during the course of obtaining a
- 20 voluntary travel ID personal identification card.
- 21 (5) (a) An application for a personal identification card shall be accompanied by the
- 22 same information as is required for an operator's license under KRS 186.412,
- 23 except if an applicant does not have **an established and fixed nighttime**
- 24 **residence of regular return**~~[a fixed, permanent address]~~, the applicant may:
- 25 **1. Until June 30, 2024,** use as proof of residency a signed letter from a
- 26 homeless shelter, health care facility, or social service agency currently
- 27 providing the applicant treatment or services and attesting that the

1 applicant is a resident of Kentucky; or

2 2. On or after July 1, 2024, follow the procedures outlined in subsection
3 (3) of Section 1 of this Act.

4 (b) An applicant who does not have an established and fixed nighttime residence
5 of regular return ~~[a fixed, permanent address]~~ shall not be issued a voluntary
6 travel ID personal identification card.

7 (c) ~~(b)~~ An applicant for a personal identification card who is at least sixteen
8 (16) years of age but less than eighteen (18) years of age shall not be
9 required to obtain a signature of a parent or legal guardian on the
10 application if the applicant has been verified as a homeless child or youth,
11 as defined in 42 U.S.C. sec. 11434a(2), by at least one (1) of the following:

12 1. A director or designee of a governmental or nonprofit agency that
13 receives public or private funding to provide services to homeless
14 people;

15 2. A local educational agency liaison for homeless children and youths
16 designated pursuant to 42 U.S.C. sec. 11432(g)(1)(J)(ii), or a school
17 social worker or school counselor;

18 3. The director or director's designee of a federal TRIO Program or a
19 Gaining Early Awareness and Readiness for Undergraduate Program;
20 or

21 4. A financial aid administrator for an institution of higher education.

22 (d) It shall be permissible for the application form for a personal identification
23 card to include as an applicant's most current resident address a mailing
24 address or an address provided on a voter registration card.

25 (e) ~~(c)~~ If the applicant is not the legal owner or possessor of the address
26 provided on the application form, the applicant shall swear that he or she has
27 permission from the legal owner, authorized agent for the legal owner, or

1 possessor to use the address for purposes of obtaining the personal
2 identification card.

3 (6) (a) Every applicant for a personal identification card under this section shall
4 swear an oath to the cabinet as to the truthfulness of the statements contained
5 on the application form.

6 (b) A personal identification card may be suspended or revoked if the person who
7 was issued the card presents false or misleading information to the cabinet
8 when applying for the card.

9 (7) A personal identification card issued under this section shall be valid for a period of
10 eight (8) years from the date of issuance, except that if the personal identification
11 card is issued to a person who does not have **an established and fixed nighttime**
12 **residence of regular return**~~[a fixed, permanent address]~~, then the personal
13 identification card shall be valid for one (1) year from the date of issuance.

14 (8) (a) An applicant may be issued a personal identification card if the applicant
15 currently holds a valid Kentucky instruction permit or operator's license,
16 except that a person shall not hold more than one (1) license or personal
17 identification card that is a voluntary travel ID identity document which
18 indicates that it meets the requirements for federal identification under Pub. L.
19 No. 109-13, Title II, as referenced in KRS 186.4102(8).

20 (b) If a person's instruction permit or operator's license has been suspended or
21 revoked, the person may be issued a personal identification card. Subject to
22 the limitations in paragraph (a) of this subsection, a personal identification
23 card may be surrendered when the person applies to have his or her instruction
24 permit or operator's license reinstated.

25 ➔Section 3. KRS 186.4123 is amended to read as follows:

26 (1) As used in this section, "applicant" means a person who is not a United States
27 citizen and has not been granted status as a permanent resident of the United States.

- 1 (2) The Transportation Cabinet shall issue a personal identification card to an applicant
 2 who:
- 3 (a) Is a Kentucky resident;
- 4 (b) Applies in person to either the Transportation Cabinet in Frankfort or a
 5 Transportation Cabinet field office; and
- 6 (c) Complies with the provisions of this section.
- 7 (3) Upon application for a personal identification card under this section, the cabinet
 8 shall capture a photograph of the applicant in accordance with KRS 186.4102(1).
- 9 (4) The cabinet shall electronically scan the documents required for application under
 10 this section, supporting documents, and the photograph of the applicant into the
 11 cabinet's database.
- 12 (5) (a) An application for a personal identification card shall be accompanied by the
 13 same information as is required for an operator's license under KRS 186.412,
 14 along with other documents required under this section, except if an applicant
 15 does not have **an established and fixed nighttime residence of regular**
 16 **return**~~[a fixed, permanent address]~~, the applicant may:
- 17 **1. Until June 30, 2024,** use as proof of residency a signed letter from a
 18 homeless shelter, health care facility, or social service agency currently
 19 providing the applicant treatment or services and attesting that the
 20 applicant is a resident of Kentucky; **or**
- 21 **2. On or after July 1, 2024, follow the procedures outlined in subsection**
 22 **(3) of Section 1 of this Act.**
- 23 (b) An applicant who does not have **an established and fixed nighttime residence**
 24 **of regular return**~~[a fixed, permanent address]~~ shall not be issued a voluntary
 25 travel ID personal identification card.
- 26 (c)~~(b)~~ It shall be permissible for the application form for a personal
 27 identification card to include as an applicant's most current resident address a

1 mailing address or an address provided on a voter registration card.

2 ~~(d)(e)~~ If the applicant is not the legal owner or possessor of the address
3 provided on the application form, the applicant shall swear that he or she has
4 permission from the legal owner, authorized agent for the legal owner, or
5 possessor to use the address for purposes of obtaining the personal
6 identification card.

7 (6) The application form under this section shall be accompanied by the applicant's
8 documentation issued by the United States Department of Homeland Security,
9 United States Bureau of Citizenship and Immigration Services, authorizing the
10 applicant to be in the United States. The Transportation Cabinet shall verify the
11 information submitted under this subsection through the Systematic Alien
12 Verification for Entitlements (SAVE) program.

13 (7) The application form of a special status individual with a K-1 status shall be
14 accompanied by an original or certified copy of the applicant's completed marriage
15 license signed by the official who presided over the marriage ceremony and two (2)
16 witnesses. The application form of a special status individual with a K-1 status shall
17 also include the applicant's petition to enter the United States for the purpose of
18 marriage that contains the name of the prospective spouse. If the name of the
19 prospective spouse on the petition does not match the name of the spouse on the
20 marriage license, the Transportation Cabinet shall not be required to issue an
21 operator's license.

22 (8) (a) The Transportation Cabinet shall verify and validate the immigration status
23 and personal identity of an applicant under this section through federal
24 government systems and databases.

25 (b) If an applicant's identity and immigration status is validated, the cabinet shall
26 capture a photograph of the applicant, and scan the required documents into
27 the cabinet's database, and shall present the applicant with a temporary

1 personal identification card, which shall be valid for thirty (30) days until a
2 permanent personal identification card is mailed to the applicant.

3 (c) An applicant under this section shall only be issued a standard personal
4 identification card.

5 (9) (a) An applicant shall apply to renew a personal identification card, or obtain a
6 duplicate personal identification card, at the Transportation Cabinet in
7 Frankfort or a Transportation Cabinet field office.

8 (b) If a person has any type of change in his or her immigration status, the person
9 shall apply to update with either the Transportation Cabinet in Frankfort or a
10 Transportation Cabinet field office within ten (10) days.

11 (10) (a) Every applicant for a personal identification card under this section shall
12 swear an oath to the Transportation Cabinet as to the truthfulness of the
13 statements contained on the application form.

14 (b) A personal identification card may be suspended or revoked if the person who
15 was issued the card presents false or misleading information to the cabinet
16 when applying for the card.

17 (11) (a) Except as provided in paragraph (b) of this subsection, an initial or renewal
18 personal identification card issued to an applicant who is not a special status
19 individual shall be valid for a period equal to the length of time the applicant's
20 documentation from the United States Department of Homeland Security,
21 United States Bureau of Citizenship and Immigration Services, is valid, or
22 eight (8) years, whichever time period is shorter.

23 (b) An initial or renewal personal identification card shall be valid for a period of
24 one (1) year if:

25 1. The applicant is not a special status individual and the applicant's
26 documentation issued by the United States Department of Homeland
27 Security, United States Bureau of Citizenship and Immigration Services,

1 is issued for an indefinite period of time and does not have an expiration
2 date. The fee shall be the same as for a regular personal identification
3 card; or

4 2. The personal identification card is issued to a person who does not have
5 an established and fixed nighttime residence of regular return~~[a fixed,~~
6 ~~permanent address].~~

7 ➔Section 4. KRS 186.531 is amended to read as follows:

8 (1) As used in this section:

9 (a) "AOC Fund" means the circuit court clerk salary account created in KRS
10 27A.052;

11 (b) "GF" means the general fund;

12 (c) "IP" means instruction permit;

13 (d) "License Fund" or "LF" means the KYTC photo license account created in
14 KRS 174.056;

15 (e) "MC" means motorcycle;

16 (f) "MC Fund" or "MCF" means the motorcycle safety education program fund
17 established in KRS 176.5065;

18 (g) "OL" means operator's license; and

19 (h) "PIDC" means personal identification card.

20 (2) The fees imposed for voluntary travel ID operator's licenses, instruction permits,
21 and personal identification cards shall be as follows. The fees received shall be
22 distributed as shown in the table. The fees shown, unless otherwise noted, are for an
23 eight (8) year period:

24 Card Type	Fee	LF	GF	MCF
25 OL (initial/renewal)	\$48	\$48	\$0	\$0
26 OL (Under 21) (Up to 4 years)	\$18	\$18	\$0	\$0
27 Any OL, MC, or combination				

1	(duplicate/corrected)	\$15	\$13.25	\$1.75	\$0
2	Motor vehicle IP (3 years)	\$18	\$16	\$2	\$0
3	Motorcycle IP (1 year)	\$18	\$13	\$1	\$4
4	Motorcycle OL (initial/renewal)	\$48	\$38	\$0	\$10
5	Combination vehicle/MC OL				
6	(initial/renewal)	\$58	\$48	\$0	\$10
7	PIDC (initial/renewal)	\$28	\$25	\$3	\$0
8	PIDC (duplicate/corrected)	\$15	\$13.50	\$1.50	\$0

9 (3) Except as provided in subsection (10)~~[(11)]~~ of this section, the fees imposed for
 10 standard operator's licenses, instruction permits, and personal identification cards
 11 shall be as follows:

12 (a) If the identity document is issued through a circuit clerk's office, the fees
 13 received shall be distributed as shown in the table. The fees shown, unless
 14 otherwise noted, are for an eight (8) year period:

15	Card	Fee	Road	License	AOC	GF	MC
16	Type		Fund	Fund	Fund		Fund
17	OL						
18	(initial/renewal)	\$43	\$28	\$7	\$8	\$0	\$0
19	OL (Under 21)						
20	(Up to 4 years)	\$15	\$7.50	\$4	\$3.50	\$0	\$0
21	Any OL, MC OL						
22	or combination						
23	(duplicate /corrected)	\$15	\$5.25	\$4	\$4	\$1.75	\$0
24	Motor vehicle IP						
25	(3 years)	\$15	\$5	\$4	\$4	\$2	\$0
26	Motorcycle IP						
27	(1 year)	\$15	\$5	\$4	\$1	\$1	\$4

1	Motorcycle OL						
2	(initial/renewal)	\$43	\$17.50	\$8	\$7.50	\$0	\$10
3	Combination						
4	vehicle/MC OL						
5	(initial/renewal)	\$53	\$25	\$7	\$11	\$0	\$10
6	PIDC						
7	(initial/renewal)	\$23	\$8	\$8	\$4	\$3	\$0
8	PIDC						
9	(duplicate/corrected)	\$15	\$6	\$4	\$3.50	\$1.50	\$0
10	PIDC						
11	(no fixed address)						
12	KRS 186.4122(5) and						
13	186.4123(5) <u>(initial,</u>						
14	<u>duplicate, or corrected)</u>	<u>\$5</u>	<u>\$0</u>	<u>\$2.50</u>	<u>\$2.50</u>	<u>\$0</u>	<u>\$0</u>
15		\$10	\$0	\$5	\$5	\$0	\$0

16 (b) If the identity document is issued through a Transportation Cabinet office, the
 17 fees received shall be distributed as shown in the table. The fees shown,
 18 unless otherwise noted, are for an eight (8) year period:

19	Card Type	Fee	LF	GF	MCF
20	OL(initial/renewal)	\$43	\$43	\$0	\$0
21	OL (Under 21) (Up to 4 years)	\$15	\$15	\$0	\$0
22	Any OL, MC, or combination				
23	(duplicate/corrected)	\$15	\$13.25	\$1.75	\$0
24	Motor vehicle IP (3 years)	\$15	\$13	\$2	\$0
25	Motorcycle IP (1 year)	\$15	\$10	\$1	\$4
26	Motorcycle OL (initial/renewal)	\$43	\$33	\$0	\$10
27	Combination vehicle/MC OL				

1	(initial/renewal)	\$53	\$43	\$0	\$10
2	PIDC (initial/renewal)	\$23	\$20	\$3	\$0
3	PIDC (duplicate/corrected)	\$15	\$13.50	\$1.50	\$0
4	PIDC (no fixed address) under				
5	KRS 186.4122(5)/186.4123(5)	<u><i>(Initial, duplicate, or corrected)</i></u>			
6		<u>\$5</u>	<u>\$5</u>	<u>\$0</u>	<u>\$0</u> /\$10
7		— \$10 —	— \$0 —	— \$0 —	

8 ~~(4) [The fee for a second or subsequent duplicate personal identification card for a~~
 9 ~~person who does not have a fixed, permanent address, as allowed under KRS~~
 10 ~~186.4122(5) and 186.4123(5), shall be the same as for a duplicate regular personal~~
 11 ~~identification card.~~

12 ~~(5)~~—]The fee for a four (4) year original or renewal license issued pursuant to KRS
 13 186.4101 shall be fifty percent (50%) of the amount shown in subsections (2) and
 14 (3) of this section. The distribution of fees shown in subsections (2) and (3) of this
 15 section shall also be reduced by fifty percent (50%) for licenses that are issued for
 16 four (4) years.

17 ~~(5)~~~~[(6)]~~ Any fee for any identity document applied for using alternative technology
 18 under KRS 186.410 and 186.4122 shall be distributed in the same manner as a
 19 document applied for in person with the cabinet.

20 ~~(6)~~~~[(7)]~~ (a) An applicant for an original or renewal operator's license, permit,
 21 commercial driver's license, motorcycle operator's license, or personal
 22 identification card shall be requested by the cabinet to make a donation to
 23 promote an organ donor program.

24 (b) The donation under this subsection shall be added to the regular fee for an
 25 original or renewal motor vehicle operator's license, permit, commercial
 26 driver's license, motorcycle operator's license, or personal identification card.
 27 One (1) donation may be made per issuance or renewal of a license or any

1 combination thereof.

2 (c) The fee shall be paid to the cabinet and shall be forwarded by the cabinet on a
3 monthly basis to the Kentucky Circuit Court Clerks' Trust for Life, and such
4 moneys are hereby appropriated to be used exclusively for the purpose of
5 promoting an organ donor program. A donation under this subsection shall be
6 voluntary and may be refused by the applicant at the time of issuance or
7 renewal.

8 ~~(7)~~~~(8)~~ In addition to the fees outlined in this section, the following individuals, upon
9 application for an initial or renewal operator's license, instruction permit, or
10 personal identification card, shall pay an additional application fee of thirty dollars
11 (\$30), which shall be deposited in the photo license account:

12 (a) An applicant who is not a United States citizen or permanent resident and who
13 applies under KRS 186.4121 or 186.4123; or

14 (b) An applicant who is applying for a instruction permit, operator's license, or
15 personal identification card without a photo under KRS 186.4102(9).

16 ~~(8)~~~~(9)~~ (a) Except for individuals exempted under paragraph (c) of this subsection,
17 an applicant for relicensing after revocation or suspension shall pay a
18 reinstatement fee of forty dollars (\$40).

19 (b) The reinstatement fee under this subsection shall be distributed by the State
20 Treasurer as follows:

21 1. Thirty-five dollars (\$35) shall be deposited into the photo license
22 account; and

23 2. Five dollars (\$5) shall be deposited into a trust and agency fund to be
24 used in defraying the costs and expenses of administering a driver
25 improvement program for problem drivers.

26 (c) This subsection shall not apply to:

27 1. Any person whose license was suspended for failure to meet the

1 conditions set out in KRS 186.411 when, within one (1) year of
2 suspension, the driving privileges of the individual are reinstated; or

3 2. A student who has had his or her license revoked pursuant to KRS
4 159.051.

5 ~~(9)~~~~(10)~~ As payment for any fee identified in this section, the cabinet:

6 (a) Shall accept cash and personal checks;~~and~~

7 (b) May accept other methods of payment in accordance with KRS 45.345; **and**

8 **(c) May enter into billing agreements with homeless shelters, health care**
9 **facilities, or social service agencies that serve individuals without an**
10 **established and fixed nighttime residence of regular return.**

11 ~~(10)~~~~(11)~~ There shall be no fee assessed for the initial, renewal, or duplicate standard
12 personal identification card to an individual, if the individual:

13 (a) Does not possess a valid operator's license or a commercial driver's license;
14 and

15 (b) Is at least eighteen (18) years of age on or before the next regular election.

16 ➔Section 5. Section 1 of this Act takes effect July 1, 2024.