

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 subsections (2)(e) and (h) of this section, an***
25 ***applicant seeking to renew an operator's license may use a completed form***
26 ***attesting to the lack of an established and fixed night time residence of***
27 ***regular return. The form shall not be used by an applicant for an initial***

1 operator's license or instruction permit. An applicant who does not have an
 2 established and fixed nighttime residence of regular return shall not be
 3 issued a voluntary travel ID operator's license under this section or KRS
 4 186.4121.

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

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

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

25 **(5)**~~(4)~~ Upon application for an operator's license under this section, the cabinet shall
 26 capture a photograph of the applicant in accordance with the requirements of KRS
 27 186.4102(1).

1 ~~(6)~~~~(5)~~ (a) Except as provided in paragraph (b) of this subsection, the cabinet shall
 2 electronically scan the documents required for application under this section
 3 and shall electronically retain the application, supporting documents, and the
 4 photograph of the applicant. Upon completion of any required examinations
 5 under KRS 186.480, the cabinet shall present the applicant with a temporary
 6 operator's license or instruction permit, which shall be valid for thirty (30)
 7 days until a permanent operator's license or instruction permit is mailed to the
 8 applicant by the Transportation Cabinet.

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

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

18 ~~(7)~~~~(6)~~ An applicant shall swear an oath to the cabinet as to the truthfulness of the
 19 statements contained in the form.

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

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

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

- 25 (a) Is a Kentucky resident;
- 26 (b) Applies in person to the cabinet or through alternative technology; and
- 27 (c) Complies with the provisions of this section.

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

- 1 (b) It shall be permissible for the application form for a personal identification
2 card to include as an applicant's most current resident address a mailing
3 address or an address provided on a voter registration card.
- 4 (c) If the applicant is not the legal owner or possessor of the address provided on
5 the application form, the applicant shall swear that he or she has permission
6 from the legal owner, authorized agent for the legal owner, or possessor to use
7 the address for purposes of obtaining the personal identification card.
- 8 (6) (a) Every applicant for a personal identification card under this section shall
9 swear an oath to the cabinet as to the truthfulness of the statements contained
10 on the application form.
- 11 (b) A personal identification card may be suspended or revoked if the person who
12 was issued the card presents false or misleading information to the cabinet
13 when applying for the card.
- 14 (7) A personal identification card issued under this section shall be valid for a period of
15 eight (8) years from the date of issuance, except that if the personal identification
16 card is issued to a person who does not have a fixed, permanent address, then the
17 personal identification card shall be valid for one (1) year from the date of issuance.
- 18 (8) (a) An applicant may be issued a personal identification card if the applicant
19 currently holds a valid Kentucky instruction permit or operator's license,
20 except that a person shall not hold more than one (1) license or personal
21 identification card that is a voluntary travel ID identity document which
22 indicates that it meets the requirements for federal identification under Pub. L.
23 No. 109-13, Title II, as referenced in KRS 186.4102(8).
- 24 (b) If a person's instruction permit or operator's license has expired, or has been
25 suspended or revoked, the person may be issued a personal identification card.
26 Subject to the limitations in paragraph (a) of this subsection, a personal
27 identification card may be surrendered when the person applies to have his or

1 her instruction permit or operator's license reinstated.

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

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

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

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

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

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

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

24 (b) If an applicant's identity and immigration status is validated, the cabinet shall
25 capture a photograph of the applicant, and scan the required documents into
26 the cabinet's database, and shall present the applicant with a temporary
27 personal identification card, which shall be valid for thirty (30) days until a

1 permanent personal identification card is mailed to the applicant.

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

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

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

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

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

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

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

24 1. The applicant is not a special status individual and the applicant's
25 documentation issued by the United States Department of Homeland
26 Security, United States Bureau of Citizenship and Immigration Services,
27 is issued for an indefinite period of time and does not have an expiration

1 date. The fee shall be the same as for a regular personal identification
2 card; or

3 2. The personal identification card is issued to a person who does not have
4 a fixed, permanent address.

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

6 (1) As used in this section:

7 (a) "AOC Fund" means the circuit court clerk salary account created in KRS
8 27A.052;

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

10 (c) "IP" means instruction permit;

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

13 (e) "MC" means motorcycle;

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

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

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

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

22 Card Type	Fee	LF	GF	MCF
23 OL (initial/renewal)	\$48	\$48	\$0	\$0
24 OL (Under 21) (Up to 4 years)	\$18	\$18	\$0	\$0
25 Any OL, MC, or combination				
26 (duplicate/corrected)	\$15	\$13.25	\$1.75	\$0
27 Motor vehicle IP (3 years)	\$18	\$16	\$2	\$0

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

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

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

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

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

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

16	Card Type	Fee	LF	GF	MCF
17	OL(initial/renewal)	\$43	\$43	\$0	\$0
18	OL (Under 21) (Up to 4 years)	\$15	\$15	\$0	\$0
19	Any OL, MC, or combination				
20	(duplicate/corrected)	\$15	\$13.25	\$1.75	\$0
21	Motor vehicle IP (3 years)	\$15	\$13	\$2	\$0
22	Motorcycle IP (1 year)	\$15	\$10	\$1	\$4
23	Motorcycle OL (initial/renewal)	\$43	\$33	\$0	\$10
24	Combination vehicle/MC OL				
25	(initial/renewal)	\$53	\$43	\$0	\$10
26	PIDC (initial/renewal)	\$23	\$20	\$3	\$0
27	PIDC (duplicate/corrected)	\$15	\$13.50	\$1.50	\$0

1 PIDC (no fixed address) under

2 KRS 186.4122(5)/186.4123(5) \$10 \$10 \$0 \$0

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

7 (5) The fee for a four (4) year original or renewal license issued pursuant to KRS
8 186.4101 shall be fifty percent (50%) of the amount shown in subsections (2) and
9 (3) of this section. The distribution of fees shown in subsections (2) and (3) of this
10 section shall also be reduced by fifty percent (50%) for licenses that are issued for
11 four (4) years.

12 (6) Any fee for any identity document applied for using alternative technology under
13 KRS 186.410 and 186.4122 shall be distributed in the same manner as a document
14 applied for in person with the cabinet.

15 (7) (a) An applicant for an original or renewal operator's license, permit, commercial
16 driver's license, motorcycle operator's license, or personal identification card
17 shall be requested by the cabinet to make a donation to promote an organ
18 donor program.

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

24 (c) The fee shall be paid to the cabinet and shall be forwarded by the cabinet on a
25 monthly basis to the Kentucky Circuit Court Clerks' Trust for Life, and such
26 moneys are hereby appropriated to be used exclusively for the purpose of
27 promoting an organ donor program. A donation under this subsection shall be

1 voluntary and may be refused by the applicant at the time of issuance or
2 renewal.

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

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

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

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

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

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

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

21 (c) This subsection shall not apply to:

22 1. Any person whose license was suspended for failure to meet the
23 conditions set out in KRS 186.411 when, within one (1) year of
24 suspension, the driving privileges of the individual are reinstated; or

25 2. A student who has had his or her license revoked pursuant to KRS
26 159.051.

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

- 1 (a) Shall accept cash and personal checks;~~and~~
- 2 (b) May accept other methods of payment in accordance with KRS 45.345; **and**
- 3 **(c) May enter into billing agreements with homeless shelters, health care**
- 4 **facilities, or social service agencies that serve individuals without an**
- 5 **established and fixed nighttime residence of regular return.**
- 6 (11) There shall be no fee assessed for the initial, renewal, or duplicate standard personal
- 7 identification card to an individual, if the individual:
- 8 (a) Does not possess a valid operator's license or a commercial driver's license;
- 9 and
- 10 (b) Is at least eighteen (18) years of age on or before the next regular election.