

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;
  - 22 **(i) To satisfy the requirements of paragraphs (e) and (h) of this subsection, an**  
23 **applicant seeking to renew an operator's license may use a completed form**  
24 **attesting to the lack of an established and fixed nighttime residence of**  
25 **regular return as established in accordance with subsection (3) of this**  
26 **section. The form developed under subsection (3) of this section shall not be**  
27 **used by an applicant for an initial operator's license or instruction permit;**

1 and

2 ~~(j)(i)~~ Other information the cabinet may require by administrative regulation  
3 promulgated under KRS Chapter 13A.

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

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

19 (a) An I-551 card with a photograph of the applicant; or

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

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

1 186.4102(1).

2 ~~(6)~~~~(5)~~ (a) Except as provided in paragraph (b) of this subsection, the cabinet shall  
3 electronically scan the documents required for application under this section  
4 and shall electronically retain the application, supporting documents, and the  
5 photograph of the applicant. Upon completion of any required examinations  
6 under KRS 186.480, the cabinet shall present the applicant with a temporary  
7 operator's license or instruction permit, which shall be valid for thirty (30)  
8 days until a permanent operator's license or instruction permit is mailed to the  
9 applicant 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 instruction permit or operator's license. If  
12 the applicant is not seeking such a permit or license, the cabinet shall not  
13 electronically scan the applicant's birth certificate.

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

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

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

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

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

26 (a) Is a Kentucky resident;

27 (b) Applies in person to the cabinet or through alternative technology; and

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

1 be issued a voluntary travel ID personal identification card.

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

7 *1. A director or designee of a governmental or nonprofit agency that*  
 8 *receives public or private funding to provide services to homeless*  
 9 *people;*

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

13 *3. The director or director's designee of a federal TRIO Program or a*  
 14 *Gaining Early Awareness and Readiness for Undergraduate Program;*  
 15 *or*

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

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

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

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

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

4 (7) A personal identification card issued under this section shall be valid for a period of  
 5 eight (8) years from the date of issuance, except that if the personal identification  
 6 card is issued to a person who does not have **an established and fixed nighttime**  
 7 **residence of regular return**~~[a fixed, permanent address]~~, then the personal  
 8 identification card shall be valid for **three (3) years**~~[one (1) year]~~ from the date of  
 9 issuance.

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

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

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

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

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

26 (a) Is a Kentucky resident;

27 (b) Applies in person to either the Transportation Cabinet in Frankfort or a

1           Transportation Cabinet field office; 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) The cabinet shall electronically scan the documents required for application under  
6       this section, supporting documents, and the photograph of the applicant into the  
7       cabinet's database.

8       (5) (a) An application for a personal identification card shall be accompanied by the  
9       same information as is required for an operator's license under KRS 186.412~~},~~  
10       ~~along with other documents required under this section, except if an applicant~~  
11       ~~does not have a fixed, permanent address, the applicant may use as proof of~~  
12       ~~residency a signed letter from a homeless shelter, health care facility, or social~~  
13       ~~service agency currently providing the applicant treatment or services and~~  
14       ~~attesting that the applicant is a resident of Kentucky}~~. An applicant who does  
15       not have *an established and fixed nighttime residence of regular return*~~{a~~  
16       ~~fixed, permanent address}~~ shall not be issued a voluntary travel ID personal  
17       identification card.

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

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

25       (6) The application form under this section shall be accompanied by the applicant's  
26       documentation issued by the United States Department of Homeland Security,  
27       United States Bureau of Citizenship and Immigration Services, authorizing the

1 applicant to be in the United States. The Transportation Cabinet shall verify the  
2 information submitted under this subsection through the Systematic Alien  
3 Verification for Entitlements (SAVE) program.

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

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

16 (b) If an applicant's identity and immigration status is validated, the cabinet shall  
17 capture a photograph of the applicant, and scan the required documents into  
18 the cabinet's database, and shall present the applicant with a temporary  
19 personal identification card, which shall be valid for thirty (30) days until a  
20 permanent personal identification card is mailed to the applicant.

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

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

26 (b) If a person has any type of change in his or her immigration status, the person  
27 shall apply to update with either the Transportation Cabinet in Frankfort or a



1           Transportation Cabinet field office within ten (10) days.

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

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

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

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

16                1. The applicant is not a special status individual and the applicant's  
17                documentation issued by the United States Department of Homeland  
18                Security, United States Bureau of Citizenship and Immigration Services,  
19                is issued for an indefinite period of time and does not have an expiration  
20                date. The fee shall be the same as for a regular personal identification  
21                card; or

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

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

25          (1) As used in this section:

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

- 1 (b) "GF" means the general fund;
- 2 (c) "IP" means instruction permit;
- 3 (d) "License Fund" or "LF" means the KYTC photo license account created in
- 4 KRS 174.056;
- 5 (e) "MC" means motorcycle;
- 6 (f) "MC Fund" or "MCF" means the motorcycle safety education program fund
- 7 established in KRS 176.5065;
- 8 (g) "OL" means operator's license; and
- 9 (h) "PIDC" means personal identification card.

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

14 Card Type	Fee	LF	GF	MCF
15 OL (initial/renewal)	\$48	\$48	\$0	\$0
16 OL (Under 21) (Up to 4 years)	\$18	\$18	\$0	\$0
17 Any OL, MC, or combination				
18 (duplicate/corrected)	\$15	\$13.25	\$1.75	\$0
19 Motor vehicle IP (3 years)	\$18	\$16	\$2	\$0
20 Motorcycle IP (1 year)	\$18	\$13	\$1	\$4
21 Motorcycle OL (initial/renewal)	\$48	\$38	\$0	\$10
22 Combination vehicle/MC OL				
23 (initial/renewal)	\$58	\$48	\$0	\$10
24 PIDC (initial/renewal)	\$28	\$25	\$3	\$0
25 PIDC (duplicate/corrected)	\$15	\$13.50	\$1.50	\$0

26 (3) Except as provided in subsection (10)~~(11)~~ of this section, the fees imposed for  
 27 standard operator's licenses, instruction permits, and personal identification cards

1 shall be as follows:

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

5 Card	Fee	Road	License	AOC	GF	MC
6 Type		Fund	Fund	Fund		Fund
7 OL						
8 (initial/renewal)	\$43	\$28	\$7	\$8	\$0	\$0
9 OL (Under 21)						
10 (Up to 4 years)	\$15	\$7.50	\$4	\$3.50	\$0	\$0
11 Any OL, MC OL						
12 or combination						
13 (duplicate /corrected)	\$15	\$5.25	\$4	\$4	\$1.75	\$0
14 Motor vehicle IP						
15 (3 years)	\$15	\$5	\$4	\$4	\$2	\$0
16 Motorcycle IP						
17 (1 year)	\$15	\$5	\$4	\$1	\$1	\$4
18 Motorcycle OL						
19 (initial/renewal)	\$43	\$17.50	\$8	\$7.50	\$0	\$10
20 Combination						
21 vehicle/MC OL						
22 (initial/renewal)	\$53	\$25	\$7	\$11	\$0	\$10
23 PIDC						
24 (initial/renewal)	\$23	\$8	\$8	\$4	\$3	\$0
25 PIDC						
26 (duplicate/corrected)	\$15	\$6	\$4	\$3.50	\$1.50	\$0
27 PIDC						

1 (no fixed address)

2 under

3 Subsection (3) of Section 1 of this Act (initial,

4 renewal, or duplicate)\$5 \$0 \$2.50 \$2.50 \$0 \$0

5 [~~KRS 186.4122(5) and~~

6 ~~186.4123(5) \$10 \$0 \$5 \$5 \$0 \$0]~~

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

10 Card Type	Fee	LF	GF	MCF
11 OL(initial/renewal)	\$43	\$43	\$0	\$0
12 OL (Under 21) (Up to 4 years)	\$15	\$15	\$0	\$0
13 Any OL, MC, or combination				
14 (duplicate/corrected)	\$15	\$13.25	\$1.75	\$0
15 Motor vehicle IP (3 years)	\$15	\$13	\$2	\$0
16 Motorcycle IP (1 year)	\$15	\$10	\$1	\$4
17 Motorcycle OL (initial/renewal)	\$43	\$33	\$0	\$10
18 Combination vehicle/MC OL				
19 (initial/renewal)	\$53	\$43	\$0	\$10
20 PIDC (initial/renewal)	\$23	\$20	\$3	\$0
21 PIDC (duplicate/corrected)	\$15	\$13.50	\$1.50	\$0
22 PIDC (no fixed address) under				

23 Subsection (3) of Section 1 of this Act (Initial, renewal,

24 or duplicate) \$5 \$5 \$0 \$0

25 [~~KRS 186.4122(5)/186.4123(5) \$10 \$10 \$0 \$0]~~

26 (4) ~~[The fee for a second or subsequent duplicate personal identification card for a~~  
27 ~~person who does not have a fixed, permanent address, as allowed under KRS~~

1       ~~186.4122(5) and 186.4123(5), shall be the same as for a duplicate regular personal~~  
2       ~~identification card.~~

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

8       ~~(5)~~~~[(6)]~~ Any fee for any identity document applied for using alternative technology  
9       under KRS 186.410 and 186.4122 shall be distributed in the same manner as a  
10      document applied for in person with the cabinet.

11     ~~(6)~~~~[(7)]~~ (a) An applicant for an original or renewal operator's license, permit,  
12      commercial driver's license, motorcycle operator's license, or personal  
13      identification card shall be requested by the cabinet to make a donation to  
14      promote an organ donor program.

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

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

26     ~~(7)~~~~[(8)]~~ In addition to the fees outlined in this section, the following individuals, upon  
27      application for an initial or renewal operator's license, instruction permit, or

1 personal identification card, shall pay an additional application fee of thirty dollars  
2 (\$30), which shall be deposited in the photo license account:

- 3 (a) An applicant who is not a United States citizen or permanent resident and who  
4 applies under KRS 186.4121 or 186.4123; or  
5 (b) An applicant who is applying for a instruction permit, operator's license, or  
6 personal identification card without a photo under KRS 186.4102(9).

7 ~~(8)~~~~(9)~~ (a) Except for individuals exempted under paragraph (c) of this subsection,  
8 an applicant for relicensing after revocation or suspension shall pay a  
9 reinstatement fee of forty dollars (\$40).

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

- 12 1. Thirty-five dollars (\$35) shall be deposited into the photo license  
13 account; and  
14 2. Five dollars (\$5) shall be deposited into a trust and agency fund to be  
15 used in defraying the costs and expenses of administering a driver  
16 improvement program for problem drivers.

17 (c) This subsection shall not apply to:

- 18 1. Any person whose license was suspended for failure to meet the  
19 conditions set out in KRS 186.411 when, within one (1) year of  
20 suspension, the driving privileges of the individual are reinstated; or  
21 2. A student who has had his or her license revoked pursuant to KRS  
22 159.051.

23 ~~(9)~~~~(10)~~ As payment for any fee identified in this section, the cabinet:

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

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

26 **(c) May enter into billing agreements with homeless shelters, health care**  
27 **facilities, or social service agencies that serve individuals without an**

1                    *established and fixed nighttime residence of regular return.*

2     ~~(10)~~~~(11)~~ There shall be no fee assessed for the initial, renewal, or duplicate standard  
3                    personal identification card to an individual, if the individual:

4                    (a) Does not possess a valid operator's license or a commercial driver's license;

5                    and

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