

1 AN ACT relating to operator's licenses.

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

3 ➔SECTION 1. A NEW SECTION OF KRS 186.400 TO 186.640 IS CREATED  
4 TO READ AS FOLLOWS:

5 *(1) An active-duty member of the Armed Forces of the United States stationed*  
6 *outside of the United States, who maintains a home of record for military*  
7 *purposes in Kentucky, may be considered a Kentucky resident for operator's*  
8 *license purposes, and may make initial application for and obtain a standard*  
9 *Kentucky operator's license provided that the person is at least eighteen (18)*  
10 *years of age or older and does not have an operator's license issued by another*  
11 *state.*

12 *(2) (a) The Transportation Cabinet and the Department of Kentucky State Police*  
13 *may enter into an agreement with the United States Department of Defense*  
14 *for the issuance of standard operator's licenses to members of the Armed*  
15 *Forces stationed outside the United States.*

16 *(b) Under the agreement identified in this subsection, the Department of*  
17 *Defense shall submit required documentation for a person's initial*  
18 *application for a standard operator's license under the provisions of KRS*  
19 *186.412 to the Transportation Cabinet, and conduct operator's license*  
20 *examinations in accordance with the provisions of KRS 186.480 as a proxy*  
21 *for the Department of Kentucky State Police.*

22 *(c) Individuals applying for a standard operator's license under this section*  
23 *may use the address of the military base as the individual's home address.*

24 *(d) Individuals who fulfill the requirements of this section shall not be required*  
25 *to obtain an instruction permit under Section 2 of this Act, but shall*  
26 *immediately receive a standard operator's license.*

27 *(3) The Transportation Cabinet and the Department of Kentucky State Police shall*

1        **promulgate administrative regulations pursuant to KRS Chapter 13A setting forth**  
2        **the procedures for operator's license testing and issuance under this section.**

3        ➔Section 2. KRS 186.450 is amended to read as follows:

4        (1) **Except as provided in subsection (10) of this section,** a person who is at least  
5        sixteen (16) years of age may apply for an instruction permit to operate a motor  
6        vehicle. A person who possesses a valid intermediate motor vehicle operator's  
7        license issued under KRS 186.452 or a person who is at least eighteen (18) years of  
8        age may apply for an instruction permit to operate a motorcycle. A holder of either  
9        a motor vehicle or motorcycle instruction permit may also operate a moped under  
10       that permit. A person applying for an instruction permit under this section shall  
11       make application to the Transportation Cabinet. A person applying for an  
12       instruction permit shall be 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  
11           shall 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           sixteen (16) years and is under the age of eighteen (18) years shall have the  
14           instruction permit a minimum of one hundred eighty (180) days before  
15           applying for an intermediate license and shall have an intermediate license for  
16           a minimum of one hundred eighty (180) days before applying for an  
17           operator's license.

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

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

27       (e) A person who is at least twenty-one (21) years of age at the time of

1 application for an instruction permit shall have the instruction permit a  
2 minimum of thirty (30) days before applying for an operator's license.

3 (f) In accordance with KRS 176.5062(5), a person whose motorcycle instruction  
4 permit has expired may apply to the cabinet to receive a motorcycle operator's  
5 license or endorsement if the person presents proof of successful completion  
6 of a motorcycle safety education course approved by the Transportation  
7 Cabinet under KRS 176.5061 to 176.5069.

8 (4) (a) A person shall have the instruction permit in his *or her* possession at all times  
9 when operating a motor vehicle, motorcycle, or moped upon the highway.

10 (b) When operating a motor vehicle, a motor vehicle instruction permit holder  
11 shall be accompanied by a person with a valid operator's license who is at  
12 least twenty-one (21) years of age occupying the seat beside the operator at all  
13 times.

14 (c) The requirements of paragraph (b) of this subsection shall not apply to a  
15 motor vehicle instruction permit holder being supervised on a multiple-  
16 vehicle driving range by a driver training instructor affiliated with a driver  
17 training school licensed under KRS Chapter 332 or a public or nonpublic  
18 secondary school.

19 (5) A person with an instruction permit who is under the age of eighteen (18) shall not  
20 operate a motor vehicle, motorcycle, or moped between the hours of 12 midnight  
21 and 6 a.m. unless the person can demonstrate good cause for driving, including but  
22 not limited to emergencies, involvement in school-related activities, or involvement  
23 in work-related activities.

24 (6) Except when accompanied by a driver training instructor affiliated with a driver  
25 training school licensed under KRS Chapter 332 or a public or nonpublic secondary  
26 school, a person with an instruction permit who is under the age of eighteen (18)  
27 years shall not operate a motor vehicle at any time when accompanied by more than

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

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

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

16 (9) The Transportation Cabinet shall promulgate administrative regulations, in  
17 accordance with KRS Chapter 13A, to establish procedures for:

18 (a) Minors who reside with individuals in informal guardianship arrangements to  
19 have an adult who resides with them sign the minor's application and assume  
20 responsibility in accordance with subsection (1) of this section;

21 (b) Individuals who have signed for responsibility under subsection (1) of this  
22 section to rescind that assumption of responsibility;

23 (c) Notifying minors when an adult has rescinded responsibility under subsection  
24 (1) of this section; and

25 (d) Allowing minors for whom an adult has rescinded responsibility under  
26 subsection (1) of this section, to obtain a new signature of an individual  
27 assuming responsibility without having to retake any examinations the minor

1                   has successfully passed.

2     **(10) A member of the Armed Forces of the United States who fulfills the requirements**  
3     **of Section 1 of this Act shall not be required to obtain an instruction permit under**  
4     **this section, but shall immediately receive a standard operator's license.**