

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) A person who is at least fourteen (14) years of age and is under sixteen (16)*
6 *years of age who resides on a farm in this state may apply to the Transportation*
7 *Cabinet for a limited minor's farm operator's license that expires three (3)*
8 *months after the person turns sixteen (16) years of age.*

9 *(2) A limited minor's farm operator's license shall entitle the person to operate a*
10 *motor vehicle at any time for the purpose of assisting the person's parents or*
11 *legal guardians with farm-related work, including traveling to and from the*
12 *location of the work, provided the person operates the vehicle over the most direct*
13 *and accessible route between the point of origin and the destination.*

14 *(3) A limited minor's farm operator's license shall only be issued if the applicant:*
15 *(a) Can prove that he or she resides on a farm by submitting the signed*
16 *affidavit of either a parent or legal guardian stating that the applicant lives*
17 *on a farm; and*

18 *(b) Successfully passes examinations required by KRS 186.480.*

19 *(4) The Transportation Cabinet shall process applications for limited minor's farm*
20 *operator's licenses under this section in the same manner as in KRS 186.412.*

21 *(5) When the holder of a limited minor's farm operator's license turns sixteen (16)*
22 *years of age, he or she may apply for an intermediate license to operate a motor*
23 *vehicle under Section 7 of this Act. However, if the person is not citation free for*
24 *a minimum of one hundred eighty (180) days, he or she may instead apply for an*
25 *instruction permit under KRS 186.450.*

26 ➔Section 2. KRS 186.401 is amended to read as follows:

27 As used in KRS 186.400 to 186.640:

1 (1) "Driver's license" means an operator's license issued pursuant to KRS 186.4102,
2 186.412, ~~and~~ 186.4121, **and Section 1 of this Act;**

3 (2) "Operator's license," unless otherwise indicated, includes a motor vehicle operator's
4 license, a motorcycle operator's license, ~~and~~ a combination motor vehicle-
5 motorcycle license, **and a limited minor's farm operator's license issued pursuant**
6 **to Section 1 of this Act;** and

7 (3) "Commercial driver's license" means a license issued pursuant to KRS Chapter
8 281A.

9 ➔Section 3. KRS 186.403 is amended to read as follows:

10 (1) The Transportation Cabinet shall develop a system of issuing voluntary travel ID
11 instruction permits, operator's licenses, commercial driver's licenses, and personal
12 identification cards.

13 (2) The development of the system identified in subsection (1) of this section shall
14 include but not be limited to the:

15 (a) Acquisition of equipment and information technology systems and services;

16 (b) Modification, conversion, or upgrade of the cabinet's existing databases,
17 equipment, and information technology systems;

18 (c) Establishment of electronic connectivity with any other state's driver licensing
19 department, federal agency, national or regional association, or business.

20 Electronic connectivity under this paragraph shall be limited to the sharing of
21 the minimum amount of information necessary to validate information
22 supplied by an applicant, process the application, and produce and distribute
23 the identity document. The Transportation Cabinet shall limit any access to
24 the databases developed under this chapter in accordance with the Driver's
25 Privacy Protection Act, 18 U.S.C. sec. 2721;

26 (d) Creation of a new design for operator's licenses, commercial driver's licenses,
27 instruction permits, and personal identification cards that will meet the

- 1 minimum content, design, and security standards required under this section;
- 2 (e) Collection, management, and retention of personal information and identity
- 3 documents; and
- 4 (f) Development and implementation of a comprehensive security plan to ensure
- 5 the security and integrity of the department's:
- 6 1. Employees;
- 7 2. Facilities;
- 8 3. Storage systems;
- 9 4. Production of operator's licenses, commercial driver's licenses,
- 10 instruction permits, and personal identification cards; and
- 11 5. Collection and retention of personal information and identity
- 12 documents.
- 13 (3) ~~[On or after January 1, 2019:]~~
- 14 (a) A person who applies for an initial Kentucky instruction permit, operator's
- 15 license, or personal identification card under KRS 186.412, 186.4121,
- 16 186.4122, ~~[or]~~ 186.4123, **or Section 1 of this Act,** including any person who
- 17 establishes residency in the state, may apply for either a voluntary travel ID or
- 18 a standard instruction permit, operator's license, or personal identification
- 19 card;
- 20 (b) A person who applies for the renewal of an instruction permit, operator's
- 21 license, or personal identification card under KRS 186.412, 186.4121,
- 22 186.4122, or 186.4123 may apply for either a voluntary travel ID or a
- 23 standard instruction permit, operator's license, or personal identification card;
- 24 and
- 25 (c) A person who holds a voluntary travel ID operator's license, and applies for
- 26 and passes all necessary examinations for a commercial driver's license under
- 27 KRS Chapter 281A, shall receive a voluntary travel ID commercial driver's

1 license. This paragraph shall not apply to a person who is not a citizen or
2 permanent resident of the United States.

3 (4) The fees for initial, renewal, duplicate, or corrected voluntary travel ID or standard
4 operator's licenses, instruction permits, or personal identification cards shall be as
5 set forth under KRS 186.531.

6 (5) A voluntary travel ID identity document issued by the cabinet may be used for all
7 state purposes authorized for identity documents otherwise issued under KRS
8 186.400 to 186.640 and Chapter 281A.

9 (6) The Transportation Cabinet shall promulgate administrative regulations under KRS
10 Chapter 13A that set standards for the establishment of a voluntary travel ID
11 identity document system, including but not limited to the components of the
12 system identified in subsection (2) of this section.

13 ➔Section 4. KRS 186.410 is amended to read as follows:

14 (1) Every person except those exempted by KRS 186.420 and 186.430 shall, before
15 operating a motor vehicle, motorcycle, or moped upon a highway, secure an
16 operator's license as provided in this chapter.

17 (2) Except as provided in KRS 186.4121 and Section 1 of this Act, all original,
18 renewal, and duplicate personal identification cards and licenses for the operation of
19 motor vehicles, motorcycles, or mopeds shall be applied for with the Transportation
20 Cabinet, or through alternative technology, and issued by the Transportation
21 Cabinet. Subject to the provisions of KRS 186.4101, applications for renewal
22 licenses and personal identification cards shall be made every eight (8) years within
23 the birth month of the applicant. A license shall not be issued until the application
24 has been certified by the cabinet and the applicant has, if required under KRS
25 186.635, successfully completed the examinations required under KRS 186.480.

26 (3) All personal identification cards shall be issued under the provisions of KRS
27 186.4102, 186.4122, and 186.4123.

- 1 (4) Except for holders of a limited minor's farm operator's license issued under
2 Section 1 of this Act, a person under the age of eighteen (18) years who applies for
3 an instruction permit shall, at any time between the age of sixteen (16) and before
4 the person's eighteenth birthday, enroll in one (1) of the following driver training
5 programs:
- 6 (a) A driver's education course administered by a school district;
 - 7 (b) A driver training school licensed pursuant to KRS Chapter 332 which offers a
8 course meeting or exceeding the minimum standards established by the
9 Transportation Cabinet; or
 - 10 (c) State traffic school. The person may seek to enroll in state traffic school
11 before the person's eighteenth birthday. Persons enrolling in state traffic
12 school pursuant to this paragraph shall not be required to pay a fee.
- 13 (5) Any applicant for any initial or renewal instruction permit, operator's license, or
14 personal identification card under KRS 186.400 to 186.640 may apply for either:
- 15 (a) A voluntary travel ID document; or
 - 16 (b) A standard document that does not meet standards for federal identification
17 purposes.

18 ➔Section 5. KRS 186.440 is amended to read as follows:

19 An operator's license shall not be granted to:

- 20 (1) Any person who is not a resident of Kentucky;
- 21 (2) Any person under the age of sixteen (16), except as provided in Section 1 of this
22 Act;
- 23 (3) Any person under the age of eighteen (18) who holds a valid Kentucky instruction
24 permit issued pursuant to KRS 186.450, but who has not graduated from high
25 school or who is not enrolled and successfully participating in school or who is not
26 being schooled at home, except those persons who satisfy the District Court of
27 appropriate venue pursuant to KRS 159.051(3) that revocation of their license

- 1 would create an undue hardship. Persons under the age of eighteen (18) shall
2 present proof of complying with the requirements of KRS 159.051;
- 3 (4) Any person whose operator's license has been suspended, during the period of
4 suspension, subject to the limitations of KRS 186.442;
- 5 (5) Any person whose operator's license has been revoked, nor to any nonresident
6 whose privilege of exemption under KRS 186.430 has been refused or
7 discontinued, until the expiration of the period for which the license was revoked,
8 or for which the privilege was refused or discontinued;
- 9 (6) Any applicant adjudged incompetent by judicial decree;
- 10 (7) Any person who in the opinion of the Department of Kentucky State Police, after
11 examination, is unable to exercise reasonable and ordinary control over a motor
12 vehicle upon the highways;
- 13 (8) Any person who is unable to understand highway warnings or direction signs in the
14 English language;
- 15 (9) Any person required by KRS 186.480 to take an examination who has not
16 successfully passed the examination;
- 17 (10) Any person required by KRS Chapter 187 to deposit proof of financial
18 responsibility, who has not deposited that proof;
- 19 (11) Any person who has not filed a correct and complete application attested to in the
20 presence of a person authorized to administer oaths;
- 21 (12) Any person who cannot meet the requirements set forth in KRS 186.411(1) or (3);
22 or
- 23 (13) Any person whose operator's license has been suspended or revoked under the
24 provisions of KRS Chapter 186, 187, or 189A who has not paid the reinstatement
25 fee required under KRS 186.531.
- 26 ➔Section 6. KRS 186.450 is amended to read as follows:
- 27 (1) A person who is at least sixteen (16) years of age may apply for an instruction

1 permit to operate a motor vehicle. Except as provided in subsection (9) of this
2 section, a person who possesses a valid intermediate motor vehicle operator's
3 license issued under KRS 186.452 or a person who is at least eighteen (18) years of
4 age may apply for an instruction permit to operate a motorcycle. A holder of either
5 a motor vehicle or motorcycle instruction permit may also operate a moped under
6 that permit. A person applying for an instruction permit under this section shall
7 make application to the Transportation Cabinet. A person applying for an
8 instruction permit shall be required to comply with the following:

9 (a) If the person is under the age of eighteen (18), the instruction permit
10 application shall be signed by the applicant's parent or legal guardian. If the
11 person does not have a living parent or does not have a legal guardian, the
12 instruction permit application shall be signed by a person willing to assume
13 responsibility for the applicant pursuant to KRS 186.590;

14 (b) If the person is under the age of eighteen (18) and in the custody of the
15 Cabinet for Health and Family Services, the instruction permit application
16 shall be signed by:

- 17 1. The applicant's parent, legal guardian, grandparent, adult sibling, aunt,
18 or uncle if the parental rights have not been terminated in accordance
19 with KRS Chapter 625;
- 20 2. The foster parent with whom the applicant resides;
- 21 3. Another person who is at least age eighteen (18) and is willing to
22 assume responsibility for the applicant pursuant to KRS 186.590; or
- 23 4. The applicant, without another person, upon verification by the Cabinet
24 for Health and Family Services in accordance with KRS 605.102 that
25 shall include proof of financial responsibility in accordance with KRS
26 186.590(2); and

27 (c) All applicants for an instruction permit shall comply with the examinations

1 required by KRS 186.480.

2 (2) If an applicant successfully passes the examinations required by KRS 186.480, the
3 applicant shall be issued an instruction permit upon payment of the fee set forth in
4 KRS 186.531.

5 (3) (a) An instruction permit to operate a motor vehicle shall be valid for three (3)
6 years and may be renewed. An instruction permit to operate a motorcycle
7 shall be valid for one (1) year and may be renewed one (1) time.

8 (b) Except as provided in KRS 186.415 and except for holders of a limited
9 minor's farm operator's license issued under Section 1 of this Act, a person
10 who has attained the age of sixteen (16) years and is under the age of eighteen
11 (18) years shall have the instruction permit a minimum of one hundred eighty
12 (180) days before applying for an intermediate license. A holder of an
13 intermediate license~~and~~ shall have the~~an~~ intermediate license for a
14 minimum of one hundred eighty (180) days before applying for an operator's
15 license.

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

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

25 (e) A person who is at least twenty-one (21) years of age at the time of
26 application for an instruction permit shall have the instruction permit a
27 minimum of thirty (30) days before applying for an operator's license.

- 1 (f) In accordance with KRS 176.5062(5), a person whose motorcycle instruction
2 permit has expired may apply to the cabinet to receive a motorcycle operator's
3 license or endorsement if the person presents proof of successful completion
4 of a motorcycle safety education course approved by the Transportation
5 Cabinet under KRS 176.5061 to 176.5069.
- 6 (4) (a) A person shall have the instruction permit in his or her possession at all times
7 when operating a motor vehicle, motorcycle, or moped upon the highway.
- 8 (b) When operating a motor vehicle, a motor vehicle instruction permit holder
9 shall be accompanied by a person with a valid operator's license who is at
10 least twenty-one (21) years of age occupying the seat beside the operator at all
11 times.
- 12 (c) The requirements of paragraph (b) of this subsection shall not apply to a
13 motor vehicle instruction permit holder being supervised on a multiple-
14 vehicle driving range by a driver training instructor affiliated with a driver
15 training school licensed under KRS Chapter 332 or a public or nonpublic
16 secondary school.
- 17 (5) A person with an instruction permit who is under the age of eighteen (18) shall not
18 operate a motor vehicle, motorcycle, or moped between the hours of 12 midnight
19 and 6 a.m. unless the person can demonstrate good cause for driving, including but
20 not limited to emergencies, involvement in school-related activities, or involvement
21 in work-related activities.
- 22 (6) Except when accompanied by a driver training instructor affiliated with a driver
23 training school licensed under KRS Chapter 332 or a public or nonpublic secondary
24 school, a person with an instruction permit who is under the age of eighteen (18)
25 years shall not operate a motor vehicle at any time when accompanied by more than
26 one (1) unrelated person who is under the age of twenty (20) years. A peace officer
27 shall not stop or seize a person nor issue a uniform citation for a violation of this

1 subsection if the officer has no other cause to stop or seize the person other than a
2 violation of this subsection. This subsection shall not apply to any operator of a
3 vehicle registered under the provisions of KRS 186.050(4) who is engaged in
4 agricultural activities.

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

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

14 (9) An applicant who presents evidence of successful completion of an approved rider
15 training course under KRS 176.5062 shall not be required to obtain a motorcycle
16 instruction permit prior to obtaining a motorcycle operator's license.

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

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

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

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

26 (d) Allowing minors for whom an adult has rescinded responsibility under
27 subsection (1) of this section, to obtain a new signature of an individual

1 assuming responsibility without having to retake any examinations the minor
2 has successfully passed.

3 ➔Section 7. KRS 186.452 is amended to read as follows:

4 (1) Except as provided in KRS 186.415, a person who is under eighteen (18) years of
5 age may apply for an intermediate license to operate a motor vehicle if the person
6 has:

7 (a) Held an instruction permit, or held a limited minor's farm operator's license
8 issued under Section 1 of this Act, a minimum of one hundred eighty (180)
9 days without a violation under KRS 186.450(4), (5), or (6), a conviction for a
10 violation of KRS 189.292 or 189.294, a conviction for a moving violation
11 under KRS Chapter 189 for which points are assessed by the cabinet, or a
12 conviction for a violation of KRS 189A.010(1); and

13 (b) Presented a statement to the Department of Kentucky State Police signed by a
14 parent or guardian of the applicant attesting that the applicant has completed
15 at least sixty (60) hours of supervised driving experience, including at least
16 ten (10) hours at night, while accompanied by a person who has attained the
17 age of twenty-one (21) years and holds a valid operator's license occupying
18 the seat beside the applicant.

19 (2) If an applicant for an intermediate license successfully completes the examinations
20 required under KRS 186.480, the Department of Kentucky State Police shall affix
21 an intermediate license sticker to the instruction permit, or shall provide an
22 intermediate license for holders of a limited minor's farm operator's license
23 issued under Section 1 of this Act, and report the applicant's new status to the
24 Transportation Cabinet. The Transportation Cabinet shall update the information in
25 its computer system to reflect that the applicant has been granted an intermediate
26 license. An intermediate license shall be valid for two (2) years and may be
27 renewed.

1 (3) A person shall have the intermediate license in his or her possession at all times
2 when operating a motor vehicle.

3 (4) A person with an intermediate license who is under the age of eighteen (18) years
4 shall not operate a motor vehicle, motorcycle, or moped between the hours of 12
5 midnight and 6 a.m. unless the person can demonstrate good cause for driving,
6 including emergencies, involvement in school-related activities, or involvement in
7 work-related activities.

8 (5) Except when accompanied by a driver training instructor affiliated with a driver
9 training school licensed under KRS Chapter 332 or a public or nonpublic secondary
10 school, a person with an intermediate license who is under the age of eighteen (18)
11 years shall not operate a motor vehicle at any time when accompanied by more than
12 one (1) unrelated person who is under the age of twenty (20) years. A peace officer
13 shall not stop or seize a person nor issue a uniform citation for a violation of this
14 subsection if the officer has no other cause to stop or seize the person other than a
15 violation of this subsection. This subsection shall not apply to any operator of a
16 vehicle registered under the provisions of KRS 186.050(4) who is engaged in
17 agricultural activities.

18 (6) A violation under subsection (3), (4), or (5) of this section, a conviction for a
19 moving violation under KRS Chapter 189 for which points are assessed by the
20 cabinet, or a conviction for a violation of KRS 189A.010(1) shall add an additional
21 minimum of one hundred eighty (180) days from the date of the violation before a
22 person who is under the age of eighteen (18) years may apply for an operator's
23 license.

24 ➔Section 8. KRS 186.531 is amended to read as follows:

25 (1) As used in this section:

26 (a) "GF" means the general fund;

27 (b) "IP" means instruction permit;

1 (c) "License Fund" or "LF" means the KYTC photo license account created in
 2 KRS 174.056;

3 (d) **"LMFOL" means limited minor's farm operator's license;**

4 (e) "MC" means motorcycle;

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

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

8 (h)(g) "PIDC" means personal identification card.

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

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

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

1 follows and, unless otherwise noted, are for an eight (8) year period:

2	Card Type	Fee	LF	GF	MCF
3	OL (initial/renewal)	\$43	\$43	\$0	\$0
4	OL (Under 21) (Up to 4 years)	\$15	\$15	\$0	\$0
5	Any OL, MC, or combination				
6	(duplicate/corrected)	\$15	\$13.25	\$1.75	\$0
7	<u>LMFOL (initial/duplicate/corrected)</u>	<u>\$15</u>	<u>\$15</u>	<u>\$0</u>	<u>\$0</u>
8	Motor vehicle IP (3 years)	\$15	\$13	\$2	\$0
9	Motorcycle IP (1 year)	\$15	\$10	\$1	\$4
10	Motorcycle OL (initial/renewal)	\$43	\$33	\$0	\$10
11	Combination vehicle/MC OL				
12	(initial/renewal)	\$53	\$43	\$0	\$10
13	PIDC (initial/renewal)	\$23	\$20	\$3	\$0
14	PIDC (duplicate/corrected)	\$15	\$13.50	\$1.50	\$0
15	PIDC (no fixed address) under				
16	KRS 186.4122(5)/186.4123(5)				
17	(initial, duplicate, or corrected)	\$5	\$5	\$0	\$0

18 (4) The fee for a four (4) year original or renewal license issued pursuant to KRS
 19 186.4101 shall be fifty percent (50%) of the amount shown in subsections (2) and
 20 (3) of this section. The distribution of fees shown in subsections (2) and (3) of this
 21 section shall also be reduced by fifty percent (50%) for licenses that are issued for
 22 four (4) years.

23 (5) Any fee for any identity document applied for using alternative technology under
 24 KRS 186.410 and 186.4122 shall be distributed in the same manner as a document
 25 applied for in person with the cabinet.

26 (6) (a) An applicant for an original or renewal operator's license, permit, commercial
 27 driver's license, motorcycle operator's license, or personal identification card

1 shall be requested by the cabinet to make a donation to promote an organ
2 donor program.

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

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

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

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

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

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

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

27 1. Thirty-five dollars (\$35) shall be deposited into the photo license

1 account; and

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

5 (c) This subsection shall not apply to:

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

9 2. A student who has had his or her license revoked pursuant to KRS
10 159.051.

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

12 (a) Shall accept cash and personal checks;

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

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

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

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

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

22 ➔Section 9. KRS 189A.005 is amended to read as follows:

23 As used in this chapter, unless the context requires otherwise:

24 (1) "Alcohol concentration" means either grams of alcohol per 100 milliliters of blood
25 or grams of alcohol per 210 liters of breath;

26 (2) "Cabinet" means the Transportation Cabinet;

27 (3) "Ignition interlock device" or "device" means a device, certified by the

- 1 Transportation Cabinet for use in this Commonwealth under KRS 189A.350, that:
- 2 (a) Connects a motor vehicle ignition system or motorcycle ignition system to a
3 breath alcohol analyzer and prevents a motor vehicle ignition or motorcycle
4 ignition from starting, and from continuing to operate, if a driver's breath
5 alcohol concentration exceeds 0.02, as measured by the device; and
- 6 (b) Has a fully functional camera that is equipped to record the date, time, and
7 photo of all persons providing breath samples to the device;
- 8 (4) "Ignition interlock certificate of installation" means a certificate providing that the
9 installed ignition interlock device has been installed and is certified for use in the
10 Commonwealth under KRS 189A.350;
- 11 (5) "Ignition interlock device provider" or "provider" means any person or company
12 certified by the Transportation Cabinet to engage in the business of manufacturing,
13 selling, leasing, servicing, or monitoring ignition interlock devices within the
14 Commonwealth;
- 15 (6) "Ignition interlock license" means a motor vehicle or motorcycle operator's license
16 issued or granted by the laws of the Commonwealth of Kentucky that, except for
17 those with an employer exemption under KRS 189A.340, permits a person to drive
18 only motor vehicles or motorcycles equipped with a functioning ignition interlock
19 device;
- 20 (7) "License" means any driver's or operator's license or any other license or permit to
21 operate a motor vehicle issued under or granted by the laws of this state including:
- 22 (a) Any temporary license or instruction permit;
- 23 (b) The privilege of any person to obtain a valid license or instruction permit, or
24 to drive a motor vehicle whether or not the person holds a valid license;~~and~~
- 25 (c) Any nonresident's operating privilege as defined in KRS Chapter 186 or 189;
- 26 and
- 27 (d) A limited minor's farm operator's license issued under Section 1 of this Act;

- 1 (8) "Limited access highway" has the same meaning as "limited access facility" does in
2 KRS 177.220;
- 3 (9) "Refusal" means declining to submit to any test or tests pursuant to KRS 189A.103.
4 Declining may be either by word or by the act of refusal. If the breath testing
5 instrument for any reason shows an insufficient breath sample and the alcohol
6 concentration cannot be measured by the breath testing instrument, the law
7 enforcement officer shall then request the defendant to take a blood or urine test in
8 lieu of the breath test. If the defendant then declines either by word or by the act of
9 refusal, he shall then be deemed to have refused if the refusal occurs at the site at
10 which any alcohol concentration or substance test is to be administered; and
- 11 (10) When age is a factor, it shall mean age at the time of the commission of the offense.
- 12 ➔Section 10. KRS 186.635 is amended to read as follows:
- 13 (1) The following persons shall be required to successfully complete the examinations
14 required under KRS 186.480 prior to being issued a Kentucky operator's license:
- 15 (a) A person who has been issued a Kentucky instruction permit or intermediate
16 license;
- 17 (b) A person who has applied for a Kentucky operator's license under KRS
18 186.412 or 186.4121;~~and~~
- 19 (c) *A person who has applied for a Kentucky limited minor's farm operator's*
20 *license under Section 1 of this Act; and*
- 21 *(d)* Other persons as identified in an administrative regulation promulgated by the
22 Department of Kentucky State Police or the Transportation Cabinet under
23 KRS Chapter 13A.
- 24 (2) A person who possessed a Kentucky operator's license that has expired for a period
25 of less than five (5) years and was not subject to suspension, withdrawal,
26 revocation, or disqualification at the time of expiration may have that license
27 reinstated without submitting to the examinations required under KRS 186.480 by

1 applying to the cabinet for renewal. Upon submission of any vision testing required
2 under KRS 186.577 and review of the person's driving history record, the cabinet
3 shall issue a renewal operator's license to an applicant under this subsection.