

1 AN ACT relating to instruction permits and declaring an emergency.

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

3 ➔Section 1. KRS 186.450 is amended to read as follows:

4 (1) A person who is at least **fifteen (15) years**~~[sixteen (16) years]~~ of age may apply for
5 an instruction permit to operate a motor vehicle. Except as provided in subsection
6 (9) of this section, a person who possesses a valid intermediate motor vehicle
7 operator's license issued under KRS 186.452 or a person who is at least eighteen
8 (18) years of age may apply for an instruction permit to operate a motorcycle. A
9 holder of either a motor vehicle or motorcycle instruction permit may also operate a
10 moped under that permit. A person applying for an instruction permit under this
11 section shall make application to the Transportation Cabinet. A person applying for
12 an 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 four
10 ~~(4)[three (3)]~~ years and may be renewed. An instruction permit to operate a
11 motorcycle 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 held
14 an~~the~~ instruction permit a minimum of one hundred eighty (180) days
15 before applying for an intermediate license and shall have held an
16 intermediate license for a minimum of one hundred eighty (180) days before
17 applying for an 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) An applicant who presents evidence of successful completion of an approved rider
17 training course under KRS 176.5062 shall not be required to obtain a motorcycle
18 instruction permit prior to obtaining a motorcycle operator's license.

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

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

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

26 (c) Notifying minors when an adult has rescinded responsibility under subsection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

1 (d) Allowing minors for whom an adult has rescinded responsibility under
2 subsection (1) of this section, to obtain a new signature of an individual
3 assuming responsibility without having to retake any examinations the minor
4 has successfully passed.

5 ➔Section 2. KRS 186.410 is amended to read as follows:

- 6 (1) Except as provided in subsection (6) of this section, every person not exempted by
7 KRS 186.420 and 186.430 shall, before operating a motor vehicle, motorcycle, or
8 moped upon a highway, secure an operator's license as provided in this chapter.
- 9 (2) Except as provided in KRS 186.4121, all original, renewal, and duplicate personal
10 identification cards and licenses for the operation of motor vehicles or motorcycles
11 shall be applied for with the Transportation Cabinet, or through alternative
12 technology, and issued by the Transportation Cabinet. Subject to the provisions of
13 KRS 186.4101, applications for renewal licenses and personal identification cards
14 shall be made every eight (8) years within the birth month of the applicant. A
15 license shall not be issued until the application has been certified by the cabinet and
16 the applicant has, if required under KRS 186.635, successfully completed the
17 examinations required under KRS 186.480.
- 18 (3) All personal identification cards shall be issued under the provisions of KRS
19 186.4102, 186.4122, and 186.4123.
- 20 (4) A person under the age of eighteen (18) years who applies for an instruction permit
21 shall, at any time between the age of fifteen (15) years~~sixteen (16)~~ and before the
22 person's eighteenth birthday, enroll in one (1) of the following driver training
23 programs:
- 24 (a) A driver's education course administered by a school district;
- 25 (b) A driver training school licensed pursuant to KRS Chapter 332 which offers a
26 course meeting or exceeding the minimum standards established by the
27 Transportation Cabinet; or

1 (c) State traffic school. The person may seek to enroll in state traffic school
2 before the person's eighteenth birthday. Persons enrolling in state traffic
3 school pursuant to this paragraph shall not be required to pay a fee.

4 (5) Any applicant for any initial or renewal instruction permit, operator's license, or
5 personal identification card under KRS 186.400 to 186.640 may apply for either:

6 (a) A voluntary travel ID document; or

7 (b) A standard document that does not meet standards for federal identification
8 purposes.

9 (6) When an automated driving system as defined in KRS 186.760 is installed on a
10 motor vehicle and is engaged, and the motor vehicle is operating as a fully
11 autonomous vehicle as defined in KRS 186.760, the:

12 (a) Owner of the motor vehicle is considered the operator of the fully autonomous
13 vehicle and shall comply with applicable traffic or motor vehicle laws,
14 regardless of whether the owner is physically present in the vehicle while the
15 vehicle is operating; and

16 (b) Automated driving system is considered to be licensed to operate the vehicle
17 and a licensed human operator is not required to operate the motor vehicle.

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

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

22 (a) *Attained the age of sixteen (16) years;*

23 (b) Held an instruction permit a minimum of one hundred eighty (180) days
24 without a violation under KRS 186.450(4), (5), or (6), a conviction for a
25 violation of KRS 189.292 or 189.294, a conviction for a moving violation
26 under KRS Chapter 189 for which points are assessed by the cabinet, or a
27 conviction for a violation of KRS 189A.010(1); and

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

7 (2) If an applicant for an intermediate license successfully completes the examinations
8 required under KRS 186.480, the Department of Kentucky State Police shall affix
9 an intermediate license sticker to the instruction permit and report the applicant's
10 new status to the Transportation Cabinet. The Transportation Cabinet shall update
11 the information in its computer system to reflect that the applicant has been granted
12 an intermediate license. An intermediate license shall be valid for two (2) years and
13 may be renewed.

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

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

21 (5) Except when accompanied by a driver training instructor affiliated with a driver
22 training school licensed under KRS Chapter 332 or a public or nonpublic secondary
23 school, a person with an intermediate license who is under the age of eighteen (18)
24 years shall not operate a motor vehicle at any time when accompanied by more than
25 one (1) unrelated person who is under the age of twenty (20) years. A peace officer
26 shall not stop or seize a person nor issue a uniform citation for a violation of this
27 subsection if the officer has no other cause to stop or seize the person other than a

1 violation of this subsection. This subsection shall not apply to any operator of a
2 vehicle registered under the provisions of KRS 186.050(4) who is engaged in
3 agricultural activities.

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

10 ➔Section 4. KRS 186.454 is amended to read as follows:

11 (1) Except as provided in KRS 186.415, a person with an intermediate license who is
12 under the age of eighteen (18) years may apply for an operator's license to operate a
13 motor vehicle if the person has:

14 (a) **Attained the age of seventeen (17) years;**

15 (b) Held an intermediate license for a minimum of one hundred eighty (180) days
16 without a conviction for a moving violation under KRS Chapter 189 for which
17 points are assessed by the cabinet, a conviction for a violation of KRS
18 189.292 or 189.294, a conviction for a violation of KRS 189A.010(1), or a
19 conviction under KRS 186.452(3), (4), or (5); and

20 (c)~~(b)~~ Completed a driver training program under KRS 186.410(4).

21 (2) A person with an intermediate license who is eighteen (18) years of age or older
22 may apply for an operator's license to operate a motor vehicle if the person has
23 completed a driver training program under KRS 186.410(4).

24 ➔Section 5. KRS 159.051 is amended to read as follows:

25 (1) When a student **who is at least fifteen (15) years of age but less than eighteen (18)**
26 **years of age**~~[age sixteen (16) or seventeen (17)]~~ drops out of school or is declared
27 to be academically deficient, the school administrator or his **or her** designee shall

1 notify the superintendent of schools of the district in which the student is a resident
2 or is enrolled. The reports shall be made at the end of each semester but may be
3 made earlier in the semester for accumulated absences. A student shall be deemed
4 to have dropped out of school when he or she has nine (9) or more unexcused
5 absences in the preceding semester. Any absences due to suspension shall be
6 unexcused absences. A student shall be deemed to be academically deficient when
7 he or she has not received passing grades in at least four (4) courses, or the
8 equivalent of four (4) courses, in the preceding semester. The local school board
9 shall adopt a policy to reflect a similar standard for academic deficiency for
10 students in alternative, special education, or part-time programs.

11 (2) Within ten (10) days after receiving the notification, the superintendent shall report
12 the student's name and Social Security number to the Transportation Cabinet. As
13 soon as possible thereafter, the cabinet shall notify the student that his or her
14 operator's license, intermediate license, permit, or privilege to operate a motor
15 vehicle has been revoked or denied and shall inform the student of his or her right
16 to a hearing before the District Court of appropriate venue to show cause as to the
17 reasons ~~the~~^{his} license, permit, or privilege should be reinstated. Within fifteen
18 (15) days after this notice is sent, the custodial parent, legal guardian, or next friend
19 of the student may request an ex parte hearing before the District Court. The student
20 shall not be charged District Court filing fees. The notification shall inform the
21 student that he or she is not required to have legal counsel.

22 (3) In order for the student to have ~~the~~^{his} license reinstated, the court shall be
23 satisfied that:

- 24 (a) The license is needed to meet family obligations or family economic
25 considerations which, if unsatisfied, would create an undue hardship; or
26 (b) The student is the only licensed driver in the household; or
27 (c) The student is not considered a dropout or academically deficient pursuant to

1 this section.

2 If the student satisfies the court, the court shall notify the cabinet to reinstate the
3 student's license at no cost. The student, if aggrieved by a decision of the court
4 issued pursuant to this section, may appeal the decision within thirty (30) days to
5 the Circuit Court of appropriate venue. A student who is being schooled at home
6 shall be considered to be enrolled in school.

7 (4) A student who has had his ***or her*** license revoked under ~~[the provisions of]~~ this
8 section may reapply for ~~a~~[his driver's] license as early as the end of the semester
9 during which he ***or she*** enrolls in school and successfully completes the educational
10 requirements. A student may also reapply for ~~a~~[his driver's] license at the end of a
11 summer school semester which results in the student having passed at least four (4)
12 courses, or the equivalent of four (4) courses, during the successive spring and
13 summer semesters, and the courses meet the educational requirements for
14 graduation. ***The student***~~[He]~~ shall provide proof issued by ~~the~~[his] school within
15 the preceding sixty (60) days that he ***or she*** is enrolled and is not academically
16 deficient.

17 ➔Section 6. Whereas there is a need to expand economic and cultural
18 opportunities for the Commonwealth's youth through increased transportation options, an
19 emergency is declared to exist, and this Act takes effect upon its passage and approval by
20 the Governor or upon its otherwise becoming a law.