

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 159.051 is amended to read as follows:

11 (1) When a student *who is at least fifteen (15) years of age but less than eighteen (18)*  
12 *years of age*~~[age sixteen (16) or seventeen (17)]~~ drops out of school or is declared  
13 to be academically deficient, the school administrator or his *or her* designee shall  
14 notify the superintendent of schools of the district in which the student is a resident  
15 or is enrolled. The reports shall be made at the end of each semester but may be  
16 made earlier in the semester for accumulated absences. A student shall be deemed  
17 to have dropped out of school when he *or she* has nine (9) or more unexcused  
18 absences in the preceding semester. Any absences due to suspension shall be  
19 unexcused absences. A student shall be deemed to be academically deficient when  
20 he *or she* has not received passing grades in at least four (4) courses, or the  
21 equivalent of four (4) courses, in the preceding semester. The local school board  
22 shall adopt a policy to reflect a similar standard for academic deficiency for  
23 students in alternative, special education, or part-time programs.

24 (2) Within ten (10) days after receiving the notification, the superintendent shall report  
25 the student's name and Social Security number to the Transportation Cabinet. As  
26 soon as possible thereafter, the cabinet shall notify the student that his *or her*  
27 operator's license, intermediate license, permit, or privilege to operate a motor



1 vehicle has been revoked or denied and shall inform the student of his ***or her*** right  
2 to a hearing before the District Court of appropriate venue to show cause as to the  
3 reasons ~~the~~<sup>his</sup> license, permit, or privilege should be reinstated. Within fifteen  
4 (15) days after this notice is sent, the custodial parent, legal guardian, or next friend  
5 of the student may request an ex parte hearing before the District Court. The student  
6 shall not be charged District Court filing fees. The notification shall inform the  
7 student that he ***or she*** is not required to have legal counsel.

8 (3) In order for the student to have ~~the~~<sup>his</sup> license reinstated, the court shall be  
9 satisfied that:

- 10 (a) The license is needed to meet family obligations or family economic  
11 considerations which, if unsatisfied, would create an undue hardship; or  
12 (b) The student is the only licensed driver in the household; or  
13 (c) The student is not considered a dropout or academically deficient pursuant to  
14 this section.

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

20 (4) A student who has had his ***or her*** license revoked under ~~the provisions of~~ this  
21 section may reapply for ~~a~~<sup>his driver's</sup> license as early as the end of the semester  
22 during which he ***or she*** enrolls in school and successfully completes the educational  
23 requirements. A student may also reapply for ~~a~~<sup>his driver's</sup> license at the end of a  
24 summer school semester which results in the student having passed at least four (4)  
25 courses, or the equivalent of four (4) courses, during the successive spring and  
26 summer semesters, and the courses meet the educational requirements for  
27 graduation. ***The student***~~He~~ shall provide proof issued by ~~the~~<sup>his</sup> school within

1           the preceding sixty (60) days that he *or she* is enrolled and is not academically  
2           deficient.

3           ➔Section 5. Whereas because there is a need to expand economic and cultural  
4           opportunities for the Commonwealth's youth through increased transportation options, an  
5           emergency is declared to exist, and this Act takes effect upon its passage and approval by  
6           the Governor or upon its otherwise becoming a law.