

1 AN ACT relating to identity documents.

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

3 ➔Section 1. KRS 186.403 is amended to read as follows:

- 4 (1) The Transportation Cabinet shall develop a system of issuing voluntary travel ID
5 instruction permits, operator's licenses, commercial driver's licenses, and personal
6 identification cards.
- 7 (2) The development of the system identified in subsection (1) of this section shall
8 include but not be limited to the:
- 9 (a) Acquisition of equipment and information technology systems and services;
 - 10 (b) Modification, conversion, or upgrade of the cabinet's existing databases,
11 equipment, and information technology systems;
 - 12 (c) Establishment of electronic connectivity with any other state's driver licensing
13 department, federal agency, national or regional association, or business.
14 Electronic connectivity under this paragraph shall be limited to the sharing of
15 the minimum amount of information necessary to validate information
16 supplied by an applicant, process the application, and produce and distribute
17 the identity document. The Transportation Cabinet shall limit any access to
18 the databases developed under this chapter in accordance with the Driver's
19 Privacy Protection Act, 18 U.S.C. sec. 2721;
 - 20 (d) Creation of a new design for operator's licenses, commercial driver's licenses,
21 instruction permits, and personal identification cards that will meet the
22 minimum content, design, and security standards required under this section;
 - 23 (e) Collection, management, and retention of personal information and identity
24 documents; and
 - 25 (f) Development and implementation of a comprehensive security plan to ensure
26 the security and integrity of the department's:
 - 27 1. Employees;

- 1 2. Facilities;
- 2 3. Storage systems;
- 3 4. Production of operator's licenses, commercial driver's licenses,
- 4 instruction permits, and personal identification cards; and
- 5 5. Collection and retention of personal information and identity
- 6 documents.

7 (3) **A person who**~~[On or after January 1, 2019]:~~

8 (a) ~~[A person who]~~Applies for an initial Kentucky instruction permit, operator's

9 license, or personal identification card under KRS 186.412 or~~[, 186.4121,]~~

10 186.4122~~[, or 186.4123]~~, including any person who establishes residency in

11 the state, may apply for either a voluntary travel ID or a standard instruction

12 permit, operator's license, or personal identification card;

13 (b) ~~[A person who]~~Applies for the renewal of an instruction permit, operator's

14 license, or personal identification card under KRS 186.412, 186.4121,

15 186.4122, or 186.4123 may apply for either a voluntary travel ID or a

16 standard instruction permit, operator's license, or personal identification card;

17 (c) **1. Meets the minimum requirements for federal recognition in Section**

18 **202 of the REAL ID Act of 2005, as amended, in 49 U.S.C. sec. 30301**

19 **note;**

20 **2. Has been admitted to the United States as a nonimmigrant pursuant to**

21 **a compact of free association between the United States and the**

22 **Republic of the Marshall Island, the Republic of Palau, or the**

23 **Federated States of Micronesia; and**

24 **3. Applies for an initial or renewal operator's license or personal**

25 **identification card under Section 2 or 4 of this Act;**

26 **May apply for either a voluntary travel ID or a standard instruction permit,**

27 **operator's license, or personal identification card;** and

1 **(d)** ~~[(e) A person who]~~ Holds a voluntary travel ID operator's license, and
 2 applies for and passes all necessary examinations for a commercial driver's
 3 license under KRS Chapter 281A, shall receive a voluntary travel ID
 4 commercial driver's license. This paragraph shall not apply to a person who is
 5 not a citizen or permanent resident of the United States.

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

9 (5) A voluntary travel ID identity document issued by the cabinet may be used for all
 10 state purposes authorized for identity documents otherwise issued under KRS
 11 186.400 to 186.640 and Chapter 281A.

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

16 ➔Section 2. KRS 186.412 (Effective July 1, 2025) is amended to read as follows:

17 (1) As used in this section, "applicant" means a person who:

18 **(a)** Is a citizen or permanent resident of the United States; **or**

19 **(b)** **Meets the minimum requirements for federal recognition in Section 202 of**
 20 **the REAL ID Act of 2005, as amended, in 49 U.S.C. sec. 30301 note, and**
 21 **has been admitted to the United States as a nonimmigrant pursuant to a**
 22 **compact of free association between the United States and the Republic of**
 23 **the Marshall Island, the Republic of Palau, or the Federated States of**
 24 **Micronesia.**

25 (2) An applicant shall apply for an instruction permit or operator's license with the
 26 Transportation Cabinet, or through alternative technology. Except as provided in
 27 KRS 186.417, the application form shall require the applicant's:

- 1 (a) Full legal name and signature;
- 2 (b) Date of birth;
- 3 (c) Social Security number or a letter from the Social Security Administration
4 declining to issue a Social Security number;
- 5 (d) Sex;
- 6 (e) Present Kentucky resident address, exclusive of a post office box address
7 alone;
- 8 (f) Other information necessary to permit the application of United States citizens
9 to also serve as an application for voter registration;
- 10 (g) A brief physical description of the applicant;
- 11 (h) Proof of the applicant's Kentucky residency, including but not limited to a
12 deed or property tax bill, utility agreement or utility bill, or rental housing
13 agreement; and
- 14 (i) Other information the cabinet may require by administrative regulation
15 promulgated under KRS Chapter 13A.
- 16 (3) (a) To satisfy the requirements of subsection (2)(e) and (h) of this section, an
17 applicant seeking to obtain a renewal or duplicate operator's license may use a
18 completed form attesting to the lack of an established and fixed nighttime
19 residence of regular return as established in accordance with paragraph (b) of
20 this subsection. The form developed under paragraph (b) of this subsection
21 shall not be used by an applicant for an initial operator's license or instruction
22 permit.
- 23 (b) The cabinet shall promulgate administrative regulations in accordance with
24 KRS Chapter 13A to develop forms and procedures whereby an applicant for
25 a renewal or duplicate operator's license under this section or KRS 186.4121,
26 or an applicant for an initial, renewal, or duplicate personal identification card
27 under KRS 186.4122 or 186.4123, who does not have an established and fixed

1 nighttime residence of regular return may use as proof of residency, a form,
 2 attested to by a homeless shelter, health care facility, or social service agency
 3 currently providing the applicant treatment or services, that the applicant is a
 4 resident of Kentucky. An applicant who does not have an established and
 5 fixed nighttime residence of regular return shall not be issued a voluntary
 6 travel ID operator's license under this section or KRS 186.4121.

7 (4) In addition to the information identified in subsection (2) of this section:~~1,~~

8 **(a)** A permanent resident shall present one (1) of the following documents issued
 9 by the United States Department of Homeland Security, United States Bureau
 10 of Citizenship and Immigration Services:

11 ~~1. (a)~~ An I-551 card with a photograph of the applicant; or

12 ~~2. (b)~~ A form with the photograph of the applicant or a passport with a
 13 photograph of the applicant on which the United States Department of
 14 Homeland Security, United States Bureau of Citizenship and
 15 Immigration Services, has stamped the following: "Processed for I-551.
 16 Temporary evidence of lawful admission for permanent residence. Valid
 17 until (Expiration Date). Employment authorized."

18 **(b) An applicant as defined in subsection (1)(b) of this section shall present a**
 19 **valid, unexpired passport from his or her country of origin, along with one**
 20 **(1) of the following documents issued by the United States Department of**
 21 **Homeland Security, United States Bureau of Citizenship and Immigration**
 22 **Services:**

23 **1. Form I-94, Arrival/Departure Record number;**

24 **2. Form I-766, Employment Authorization Document number; or**

25 **3. Form I-797, Notice of Action receipt number.**

26 (5) 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) (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
 17 government, unless express consent is given by the applicant during the
 18 course of obtaining a voluntary travel ID license or permit.
- 19 (7) An applicant shall swear an oath to the cabinet as to the truthfulness of the
 20 statements contained in the form.

21 ➔Section 3. KRS 186.4121 is amended to read as follows:

- 22 (1) As used in this section, "applicant" means a person who:
- 23 (a) Is not a United States citizen;
- 24 (b) ~~[-and -]~~Has not been granted status as a permanent resident of the United
 25 States; and
- 26 (c) *Does not meet the Meet the minimum requirements for federal recognition*
 27 *in Section 202 of the REAL ID Act of 2005, as amended, in 49 U.S.C. sec.*

1 30301 note, and has not been admitted to the United States as a
2 nonimmigrant pursuant to a compact of free association between the United
3 States and the Republic of the Marshall Island, the Republic of Palau, or
4 the Federated States of Micronesia.

- 5 (2) An applicant shall apply for an instruction permit or operator's license to either the
6 Transportation Cabinet in Frankfort or a Transportation Cabinet field office. An
7 applicant under this section shall complete the application identified in KRS
8 186.412, along with other documents required under this section. The cabinet shall
9 keep an electronic copy of the documentation submitted with the application and
10 shall capture a photograph of the applicant in accordance with KRS 186.4102(1)
- 11 (3) The application form under this section shall be accompanied by the applicant's
12 documentation issued by the United States Department of Homeland Security,
13 United States Bureau of Citizenship and Immigration Services, authorizing the
14 person to be in the United States and, if applicable, the applicant's international
15 driving permit. The Transportation Cabinet shall verify the information submitted
16 under this subsection through the Systematic Alien Verification for Entitlements
17 (SAVE) program.
- 18 (4) The application form of a special status individual with a K-1 status shall be
19 accompanied by an original or certified copy of the applicant's completed marriage
20 license signed by the official who presided over the marriage ceremony and two (2)
21 witnesses. The application form of a special status individual with a K-1 status shall
22 also include the applicant's petition to enter the United States for the purpose of
23 marriage that contains the name of the prospective spouse. If the name of the
24 prospective spouse on the petition does not match the name of the spouse on the
25 marriage license, the Transportation Cabinet shall not be required to issue an
26 operator's license.
- 27 (5) (a) The Transportation Cabinet shall verify and validate the immigration status

- 1 and personal identity of an applicant under this section through federal
2 government systems and databases.
- 3 (b) If an applicant's identity and immigration status is validated, the cabinet shall
4 capture a photograph of the applicant, and scan the required documents into
5 the cabinet's database.
- 6 (c) If the applicant successfully completes any examinations required under KRS
7 186.480, or if an examination is not required, the Transportation Cabinet shall
8 present the applicant with a temporary operator's license or instruction permit,
9 which shall be valid for thirty (30) days until a permanent operator's license or
10 instruction permit is mailed to the applicant.
- 11 (d) An applicant under this section shall only be issued a standard operator's
12 license or instruction permit.
- 13 (6) (a) An applicant shall apply to renew an operator's license, or obtain a duplicate
14 operator's license, at the Transportation Cabinet in Frankfort or a
15 Transportation Cabinet field office.
- 16 (b) If an applicant has any type of change in his or her immigration status, the
17 applicant shall apply to update the operator's license with either the
18 Transportation Cabinet in Frankfort or a Transportation Cabinet field office
19 within ten (10) days.
- 20 (7) An applicant shall swear an oath to the Transportation Cabinet as to the truthfulness
21 of the statements contained in the form.
- 22 (8) (a) Except as provided in paragraph (b) of this subsection, an initial or renewal
23 operator's license issued to an applicant who is not a special status individual
24 shall be valid for a period equal to the length of time the applicant's
25 documentation from the United States Department of Homeland Security,
26 United States Bureau of Citizenship and Immigration Services, is valid, or
27 eight (8) years, whichever time period is shorter.

1 (b) An initial or renewal operator's license shall be valid for a period of one (1)
2 year if the applicant is not a special status individual and the person's
3 documentation issued by the United States Department of Homeland Security,
4 United States Bureau of Citizenship and Immigration Services, is issued for
5 an indefinite period of time and does not have an expiration date. The fee
6 shall be the same as for a regular operator's license.

7 ➔Section 4. KRS 186.4122 is amended to read as follows:

- 8 (1) As used in this section, "applicant" means a person who:
- 9 (a) Is a citizen or permanent resident of the United States; or
- 10 (b) Meets the minimum requirements for federal recognition in section 202 of
11 the REAL ID Act of 2005, as amended in 49 U.S.C. sec. 30301 note, and has
12 been admitted to the United States as a nonimmigrant pursuant to a
13 compact of Free Association between the United States and the Republic of
14 the Marshall Island, the Republic of Palau, or the Federated States of
15 Micronesia.
- 16 (2) The Transportation Cabinet shall issue a personal identification card to an applicant
17 who:
- 18 (a) Is a Kentucky resident;
- 19 (b) Applies in person to the cabinet or through alternative technology; and
- 20 (c) Complies with the provisions of this section.
- 21 (3) Upon application for a personal identification card under this section, the cabinet
22 shall capture a photograph of the applicant in accordance with KRS 186.4102(1).
- 23 (4) (a) Except as provided in paragraph (b) of this subsection, the cabinet shall
24 electronically scan the documents required for application under this section
25 and shall electronically retain the application, supporting documents, and the
26 photograph of the applicant. The cabinet shall present the applicant with a
27 temporary personal identification card, which shall be valid for thirty (30)

1 days until a permanent personal identification card is mailed to the applicant
2 by the Transportation Cabinet.

3 (b) The cabinet shall only electronically scan the birth certificate of an individual
4 applying for a voluntary travel ID personal identification card. If the applicant
5 is not seeking such a document, the cabinet shall not electronically scan the
6 applicant's birth certificate.

7 (c) An applicant for a personal identification card shall not be required to
8 surrender the applicant's birth certificate for image capture, image storage, or
9 image transmission to any entity, including the federal government, unless
10 express consent is given by the applicant during the course of obtaining a
11 voluntary travel ID personal identification card.

12 (5) (a) An application for a personal identification card shall be accompanied by the
13 same information as is required for an operator's license under KRS 186.412,
14 except if an applicant does not have an established and fixed nighttime
15 residence of regular return, the applicant may:

16 1. Until July 1, 2025, use as proof of residency a signed letter from a
17 homeless shelter, health care facility, or social service agency currently
18 providing the applicant treatment or services and attesting that the
19 applicant is a resident of Kentucky; or

20 2. On or after July 1, 2025, follow the procedures outlined in KRS
21 186.412(3).

22 (b) An applicant who does not have an established and fixed nighttime residence
23 of regular return shall not be issued a voluntary travel ID personal
24 identification card.

25 (c) An applicant for a personal identification card who is at least sixteen (16)
26 years of age but less than eighteen (18) years of age shall not be required to
27 obtain a signature of a parent or legal guardian on the application if the

- 1 applicant has been verified as a homeless child or youth, as defined in 42
2 U.S.C. sec. 11434a(2), by at least one (1) of the following:
- 3 1. A director or designee of a governmental or nonprofit agency that
4 receives public or private funding to provide services to homeless
5 people;
 - 6 2. A local educational agency liaison for homeless children and youths
7 designated pursuant to 42 U.S.C. sec. 11432(g)(1)(J)(ii), or a school
8 social worker or school counselor;
 - 9 3. The director or director's designee of a federal TRIO Program or a
10 Gaining Early Awareness and Readiness for Undergraduate Program; or
11 4. A financial aid administrator for an institution of higher education.
- 12 (d) It shall be permissible for the application form for a personal identification
13 card to include as an applicant's most current resident address a mailing
14 address or an address provided on a voter registration card.
- 15 (e) If the applicant is not the legal owner or possessor of the address provided on
16 the application form, the applicant shall swear that he or she has permission
17 from the legal owner, authorized agent for the legal owner, or possessor to use
18 the address for purposes of obtaining the personal identification card.
- 19 (6) (a) Every applicant for a personal identification card under this section shall
20 swear an oath to the cabinet as to the truthfulness of the statements contained
21 on the application form.
- 22 (b) A personal identification card may be suspended or revoked if the person who
23 was issued the card presents false or misleading information to the cabinet
24 when applying for the card.
- 25 (7) A personal identification card issued under this section shall be valid for a period of
26 eight (8) years from the date of issuance, except that if the personal identification
27 card is issued to a person who does not have an established and fixed nighttime

1 residence of regular return, then the personal identification card shall be valid for
2 one (1) year from the date of issuance.

3 (8) (a) An applicant shall not be issued a personal identification card if the applicant
4 currently holds a valid Kentucky instruction permit or operator's license. A
5 person shall not hold more than one (1) license or personal identification card.

6 (b) If a person's instruction permit or operator's license has been suspended or
7 revoked, the person may be issued a personal identification card. A personal
8 identification card shall be surrendered when the person applies to have his or
9 her instruction permit or operator's license reinstated.

10 ➔Section 5. KRS 186.4123 is amended to read as follows:

11 (1) As used in this section, "applicant" means a person who:

12 (a) Is not a United States citizen;

13 (b) ~~[-and -]~~Has not been granted status as a permanent resident of the United
14 States; and

15 (c) Does not meet the minimum requirements for federal recognition in Section
16 202 of REAL ID Act of 2005, as amended in 49 U.S.C. sec. 30301 note, and
17 has not been admitted to the United States as a nonimmigrant pursuant to a
18 compact of Free Association between the United States and the Republic of
19 the Marshall Island, the Republic of Palau, or the Federated States of
20 Micronesia.

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

23 (a) Is a Kentucky resident;

24 (b) Applies in person to either the Transportation Cabinet in Frankfort or a
25 Transportation Cabinet field office; and

26 (c) Complies with the provisions of this section.

27 (3) Upon application for a personal identification card under this section, the cabinet

- 1 shall capture a photograph of the applicant in accordance with KRS 186.4102(1).
- 2 (4) The cabinet shall electronically scan the documents required for application under
3 this section, supporting documents, and the photograph of the applicant into the
4 cabinet's database.
- 5 (5) (a) An application for a personal identification card shall be accompanied by the
6 same information as is required for an operator's license under KRS 186.412,
7 along with other documents required under this section, except if an applicant
8 does not have an established and fixed nighttime residence of regular return,
9 the applicant may:
- 10 1. Until July 1, 2025, use as proof of residency a signed letter from a
11 homeless shelter, health care facility, or social service agency currently
12 providing the applicant treatment or services and attesting that the
13 applicant is a resident of Kentucky; or
- 14 2. On or after July 1, 2025, follow the procedures outlined in KRS
15 186.412(3).
- 16 (b) An applicant who does not have an established and fixed nighttime residence
17 of regular return shall not be issued a voluntary travel ID personal
18 identification card.
- 19 (c) It shall be permissible for the application form for a personal identification
20 card to include as an applicant's most current resident address a mailing
21 address or an address provided on a voter registration card.
- 22 (d) If the applicant is not the legal owner or possessor of the address provided on
23 the application form, the applicant shall swear that he or she has permission
24 from the legal owner, authorized agent for the legal owner, or possessor to use
25 the address for purposes of obtaining the personal identification card.
- 26 (6) The application form under this section shall be accompanied by the applicant's
27 documentation issued by the United States Department of Homeland Security,

1 United States Bureau of Citizenship and Immigration Services, authorizing the
2 applicant to be in the United States. The Transportation Cabinet shall verify the
3 information submitted under this subsection through the Systematic Alien
4 Verification for Entitlements (SAVE) program.

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

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

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

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

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

27 (b) If a person has any type of change in his or her immigration status, the person

1 shall apply to update with either the Transportation Cabinet in Frankfort or a
2 Transportation Cabinet field office within ten (10) days.

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

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

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

15 (b) A personal identification card shall be valid for a period of 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 an established and fixed nighttime residence of regular return.

24 ➔Section 6. KRS 186.4125 is amended to read as follows:

25 In order to apply for a voluntary travel ID identity document under KRS 186.403, the
26 applicant shall present:

27 (1) The applicant's certified birth certificate;

1 (2) ~~{or}~~ A valid, unexpired, United States passport or Permanent Resident Card (Form
2 I-551); or

3 (3) A valid, unexpired passport from his or her country of origin, along with one (1)
4 of the following documents issued by the United States Department of Homeland
5 Security, United States Bureau of Citizenship and Immigration Services:

6 (a) Form I-94, Arrival/Departure Record number;

7 (b) Form I-766, Employment Authorization Document number; or

8 (c) Form I-797, Notice of Action receipt number;

9 if he or she is an applicant as defined in subsection (1) (b) of section 2 of this Act.

10 ➔Section 7. This Act takes effect July 1, 2025.