

1 AN ACT relating to identity documents.

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 *The circuit clerk of each county shall:*

- 6 *(1) Act for the cabinet for the purpose of accepting applications for and issuing*
7 *temporary operator's licenses, instruction permits, and personal identification*
8 *cards;*
9 *(2) Comply with all administrative regulations promulgated by the cabinet;*
10 *(3) Administer the oath required under Sections 7 and 8 of this Act to applicants,*
11 *without fee;*
12 *(4) Electronically transmit a copy of all applications and supporting documents*
13 *taken by the office to the cabinet no later than the next business day;*
14 *(5) Report and remit to the cabinet, no later than the third business day of the month,*
15 *all moneys collected by the office during the preceding month. Upon failure of*
16 *any circuit clerk to report and remit therefor more than seven (7) days after the*
17 *due date, the clerk shall pay, in addition to the amount due, a penalty of ten*
18 *percent (10%) of the amount due. Penalties collected under this section shall be*
19 *paid into the State Treasury as a part of the revenue collected under Section 18 of*
20 *this Act; and*
21 *(6) Keep adequate records of all moneys collected and remitted to the cabinet.*

22 ➔Section 2. KRS 186.400 is amended to read as follows:

- 23 (1) The administration of the provisions of KRS 186.400 to 186.640 *not specifically*
24 *vested in the Transportation Cabinet or the circuits clerks* shall be vested in the
25 Transportation Cabinet. The Transportation Cabinet may *promulgate*
26 *administrative*~~[prescribe]~~ regulations *in accordance with KRS Chapter 13A* for the
27 enforcement of KRS 186.400 to 186.640. The Transportation Cabinet also shall

1 enforce regulations governing the acts of motor vehicle operators under KRS
2 186.400 to 186.640 and require reports which it deems necessary.

3 (2) The cabinet shall provide or cause to be provided to appropriate persons or officials
4 an adequate supply of forms for the administration of KRS 186.400 to 186.640. The
5 style of those forms and the method of their use shall be prescribed by the cabinet
6 and shall be adequate to protect the safety interests of the state. The Transportation
7 Cabinet shall prescribe the method of financial control.

8 (3) (a) The Transportation Cabinet shall collect all moneys due the state under KRS
9 186.531 from the circuit clerks for operators' licenses and personal
10 identification cards issued, and shall deposit those moneys with the state
11 treasurer.

12 (b) At least once each year the secretary of the Transportation Cabinet shall cause
13 a reconciliation to be made between the record of monetary receipts by each
14 circuit clerk~~[the Transportation Cabinet]~~ and the number~~[receipt]~~ of
15 applications accepted by each circuit clerk~~[the Transportation Cabinet]~~.

16 ➔Section 3. KRS 186.410 is amended to read as follows:

17 (1) Except as provided in subsection (6) of this section, every person not exempted by
18 KRS 186.420 and 186.430 shall, before operating a motor vehicle, motorcycle, or
19 moped upon a highway, secure an operator's license as provided in this chapter.

20 (2) Except as provided in KRS 186.4121, all original, renewal, and duplicate personal
21 identification cards and licenses for the operation of motor vehicles or motorcycles
22 shall be applied for with the circuit clerk in the county of the applicant's
23 residence~~[Transportation Cabinet]~~, or through alternative technology, and issued by
24 the Transportation Cabinet. Subject to the provisions of KRS 186.4101,
25 applications for renewal licenses and personal identification cards shall be made
26 every eight (8) years within the birth month of the applicant. A license shall not be
27 issued until the application has been certified by the cabinet and the applicant has, if

1 required under KRS 186.635, successfully completed the examinations required
2 under KRS 186.480.

3 (3) All personal identification cards shall be issued under the provisions of KRS
4 186.4102, 186.4122, and 186.4123.

5 (4) A person under the age of eighteen (18) years who applies for an instruction permit
6 shall, at any time between the age of fifteen (15) years and before the person's
7 eighteenth birthday, enroll in one (1) of the following driver training programs:

8 (a) A driver's education course administered by a school district;

9 (b) A driver training school licensed pursuant to KRS Chapter 332 which offers a
10 course meeting or exceeding the minimum standards established by the
11 Transportation Cabinet; or

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

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

17 (a) A voluntary travel ID document; or

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

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

23 (a) Owner of the motor vehicle is considered the operator of the fully autonomous
24 vehicle and shall comply with applicable traffic or motor vehicle laws,
25 regardless of whether the owner is physically present in the vehicle while the
26 vehicle is operating; and

27 (b) Automated driving system is considered to be licensed to operate the vehicle

1 and a licensed human operator is not required to operate the motor vehicle.

2 ➔Section 4. KRS 186.4101 is amended to read as follows:

3 (1) Except as provided in subsection (2) of this section, a license to operate a motor
4 vehicle, motorcycle, or moped, or a personal identification card shall be renewed
5 every eight (8) years prior to its expiration. Except as provided in KRS 186.410, a
6 person seeking to renew an operator's license shall apply to the office of the circuit
7 clerk in the county where the person resides~~[cabinet]~~ in accordance with KRS
8 186.412 and 186.4121.

9 (2) An applicant for a renewal license, instruction permit, or identification card may
10 choose to be issued a document that is valid for four (4) years. Fees for documents
11 issued for a four (4) year period shall be adjusted in accordance with KRS 186.531.

12 (3) The fee to renew an operator's license or personal identification card shall be
13 according to the schedule set forth in KRS 186.531.

14 ➔Section 5. KRS 186.4102 is amended to read as follows:

15 (1) Except as provided in subsection (9) of this section, the Transportation Cabinet
16 shall issue operator's licenses and personal identification cards bearing a
17 photograph of the applicant and other information the cabinet may deem
18 appropriate to qualified applicants under this chapter. When taking the photograph,
19 the applicant shall be prohibited from wearing sunglasses, veils, scarves, or any
20 other attire that obscures or creates shadows upon any features of the applicant's
21 face as determined by the circuit clerk~~[cabinet]~~. An applicant shall be required to
22 remove eyewear that obstructs the iris or the pupil of the eyes and shall not take any
23 action to obstruct a photograph of his or her facial features. The face shall be visible
24 from the crown to the base of the chin and from ear to ear. Any person who refuses
25 to remove attire prohibited by this subsection as directed by the person taking the
26 application shall be prohibited from receiving an operator's license or personal
27 identification card.

- 1 (2) An operator's license or personal identification card issued by the cabinet shall not
2 contain the applicant's Social Security number. The cabinet shall promulgate
3 administrative regulations in accordance with KRS Chapter 13A that develop a
4 numbering system that uses an identification system other than Social Security
5 numbers. If an applicant submits adequate proof that he or she does not have a
6 Social Security number, the Transportation Cabinet shall assign the applicant a
7 unique identifying number.
- 8 (3) The license or personal identification card shall also designate by color coding and
9 using the phrase "under 21" if the licensee or card holder is under the age of twenty-
10 one (21); "CDL" if the license is issued pursuant to KRS Chapter 281A; or "under
11 21 CDL" if the licensee holds a commercial driver's license issued pursuant to KRS
12 Chapter 281A and is under the age of twenty-one (21).
- 13 (4) The cabinet shall provide on each operator's license and personal identification card
14 space for a notation that the holder of the license or personal identification card has
15 expressed to the circuit clerk~~[cabinet]~~ the person's willingness to make an
16 anatomical gift under KRS 311.1917. If a person who has made a declaration under
17 this subsection wishes to rescind that declaration, the person shall notify the
18 Kentucky Circuit Court Clerks' Trust for Life, which shall remove the notation from
19 his or her records.
- 20 (5) An operator's license issued pursuant to this chapter shall be designated a Class D
21 license.
- 22 (6) A person shall not have more than one (1) operator's license.
- 23 (7) Upon marriage, dissolution of marriage, or any other qualifying event, if a person
24 seeks to change his or her name, the person shall make a name change with the
25 Social Security Administration prior to applying for an operator's license or a
26 personal identification card and shall provide the circuit clerk~~[cabinet]~~ with the
27 person's marriage license, divorce decree, or other documentation. The name issued

1 on the identity document shall match the person's first and last name as recorded
2 with the Social Security Administration. Unless a person is eligible to renew his or
3 her identity document at the time of the name change, the fee charged under this
4 section shall be for a corrected identity document as set forth in KRS 186.531.

5 (8) An identity document issued under this chapter shall contain a denotation that
6 either:

7 (a) The identity document is a voluntary travel ID identity document that
8 complies with the security standards set forth by Pub. L. No. 109-13, Title II,
9 and may be used for identification for federal purposes; or

10 (b) The identity document shall not be used for federal identification purposes.

11 (9) (a) The Transportation Cabinet may provide for the issuance of an instruction
12 permit, operator's license, or personal identification card without a photograph
13 if there is good cause for the omission based in documented religious
14 objections. The Transportation Cabinet shall promulgate administrative
15 regulations pursuant to KRS Chapter 13A to establish the criteria and
16 requirements for obtaining an operator's license, instruction permit, or
17 personal identification card without a photograph.

18 (b) An applicant for an initial instruction permit, operator's license, or personal
19 identification card without a photograph shall apply to the Transportation
20 Cabinet in Frankfort or a Transportation Cabinet field office. The application
21 shall be processed solely by the Transportation Cabinet in the same manner as
22 in KRS 186.4121(5) and 186.4123(8).

23 (c) An operator's license, instruction permit, or personal identification card issued
24 without a photograph shall denote on its face that it shall not be accepted by
25 any federal agency for identification or any other federal purpose.

26 ➔Section 6. KRS 186.411 is amended to read as follows:

27 (1) (a) If a person with a seizure condition applies for an original, duplicate,

1 modified, or renewal operator's license, or applies for an instruction permit, he
2 or she shall be required by the cabinet to present to the Division of Driver
3 Licensing:

4 1. Certification by a physician or advanced practice registered nurse:

5 a. Stating that his or her condition is controlled by drugs; ~~[-]~~

6 b. Details of the drugs, including dosages, which the person takes; ~~[-]~~
7 and

8 c. That the person has been free of any seizures for ninety (90) days;
9 and

10 2. His or her own statement that he or she:

11 a. Has been free of any seizures for ninety (90) days before the date
12 of the application; ~~[-]~~ and

13 b. ~~[- that he or she -]~~ Is taking the medication prescribed by his or her
14 physician or advanced practice registered nurse.

15 (b) The division shall upon receipt of the required documentation issue the
16 person ~~[-him]~~ a letter of authorization to present to the circuit clerk ~~[-cabinet]~~.

17 The circuit clerk ~~[-cabinet]~~ shall not issue an operator's license to a person with
18 a seizure condition who does not present the letter of authorization.

19 (2) Any person who has a seizure condition who cannot present the certification that
20 his or her condition is controlled by drugs or a statement that he or she has been
21 seizure-free for ninety (90) days shall be notified in writing by the cabinet that the
22 person's privilege to operate a motor vehicle is withdrawn and of his or her right to
23 have an informal hearing on the matter of whether he or she is an unsafe driver as a
24 result of having the seizure condition. The notice shall be mailed by first-class mail
25 to the address of record of the person. The hearing shall be automatically waived if
26 not requested within twenty (20) days after the cabinet mails notice. The hearing
27 shall be scheduled as early as practical after receipt of the request at a time and

1 place designated by the cabinet.

2 (3) A person whose seizure condition would impair his or her ability to operate a motor
3 vehicle may present evidence of the condition to the Division of Driver Licensing's
4 medical review board as established under KRS 186.444, including his or her own
5 attested statement, physician's or advanced practice registered nurse's statement,
6 and medical dosage details. If the board determines that the person's seizure
7 condition would not impair his or her ability to operate a motor vehicle, the division
8 shall issue the letter of authorization required by subsection (1) of this section.

9 (4) A person whose seizure condition is of a nature that the seizure condition would not
10 impair the ability to operate a motor vehicle may present evidence of this fact to the
11 Division of Driver Licensing, including the person's own attested statement,
12 physician's or advanced practice registered nurse's statement, and medicine dosage
13 details. If the division determines that the person's seizure condition does not impair
14 the ability to operate a motor vehicle, the division shall issue the letter of
15 authorization required by subsection (1) of this section.

16 (5) Any physician or advanced practice registered nurse shall not be subject to civil or
17 criminal liability, absent a showing of bad faith, for providing any reports, records,
18 examinations, opinions, or recommendations pursuant to this section.

19 ➔Section 7. KRS 186.412 is amended to read as follows:

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

- 21 (a) Is a citizen or permanent resident of the United States; or
22 (b) Meets the minimum requirements for federal recognition in Section 202 of the
23 REAL ID ACT of 2005, as amended, in 49 U.S.C. sec. 30301 note, and has
24 been admitted to the United States as a nonimmigrant pursuant to a compact
25 of free association between the United States and the Republic of the Marshall
26 Islands, the Republic of Palau, or the Federated States of Micronesia.

27 (2) An applicant shall apply for an instruction permit or operator's license with the

- 1 *circuit clerk in the county where the applicant resides*~~[Transportation Cabinet]~~, or
2 through alternative technology. Except as provided in KRS 186.417, the application
3 form shall require the applicant's:
- 4 (a) Full legal name and signature;
 - 5 (b) Date of birth;
 - 6 (c) Social Security number or a letter from the Social Security Administration
7 declining to issue a Social Security number;
 - 8 (d) Sex;
 - 9 (e) Present Kentucky resident address, exclusive of a post office box address
10 alone;
 - 11 (f) Other information necessary to permit the application of United States citizens
12 to also serve as an application for voter registration;
 - 13 (g) A brief physical description of the applicant;
 - 14 (h) Proof of the applicant's Kentucky residency, including but not limited to a
15 deed or property tax bill, utility agreement or utility bill, or rental housing
16 agreement; and
 - 17 (i) Other information the cabinet may require by administrative regulation
18 promulgated under KRS Chapter 13A.
- 19 (3) (a) To satisfy the requirements of subsection (2)(e) and (h) of this section, an
20 applicant seeking to obtain a renewal or duplicate operator's license may use a
21 completed form attesting to the lack of an established and fixed nighttime
22 residence of regular return as established in accordance with paragraph (b) of
23 this subsection. The form developed under paragraph (b) of this subsection
24 shall not be used by an applicant for an initial operator's license or instruction
25 permit.
- 26 (b) The cabinet shall promulgate administrative regulations in accordance with
27 KRS Chapter 13A to develop forms and procedures whereby an applicant for

1 a renewal or duplicate operator's license under this section or KRS 186.4121,
2 or an applicant for an initial, renewal, or duplicate personal identification card
3 under KRS 186.4122 or 186.4123, who does not have an established and fixed
4 nighttime residence of regular return may use as proof of residency, a form,
5 attested to by a homeless shelter, health care facility, or social service agency
6 currently providing the applicant treatment or services, that the applicant is a
7 resident of Kentucky. An applicant who does not have an established and
8 fixed nighttime residence of regular return shall not be issued a voluntary
9 travel ID operator's license under this section or KRS 186.4121.

10 (4) In addition to the information identified in subsection (2) of this section, a:

11 (a) Permanent resident shall present one (1) of the following documents issued by
12 the United States Department of Homeland Security, United States Bureau of
13 Citizenship and Immigration Services:

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

21 (b) Person who meets the definition in subsection (1)(b) of this section shall
22 present a valid, unexpired passport from his or her country of origin, along
23 with one (1) of the following documents issued by the United States
24 Department of Homeland Security, United States Bureau of Citizenship and
25 Immigration Services:

- 26 1. Form I-94, Arrival/Departure Record number;
- 27 2. Form I-766, Employment Authorization Document number; or

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

2 (5) Upon application for an operator's license under this section, the circuit
3 clerk~~[cabinet]~~ shall capture a photograph of the applicant in accordance with the
4 requirements of KRS 186.4102(1).

5 (6) (a) Except as provided in paragraph (b) of this subsection, the circuit
6 clerk~~[cabinet]~~ shall electronically scan the documents required for application
7 under this section and shall electronically forward~~[retain]~~ the application,
8 supporting documents, and the photograph of the applicant to the cabinet.
9 Upon completion of any required examinations under KRS 186.480, the
10 circuit clerk~~[cabinet]~~ shall present the applicant with a temporary operator's
11 license or instruction permit, which shall be valid for thirty (30) days until a
12 permanent operator's license or instruction permit is mailed to the applicant by
13 the Transportation Cabinet.

14 (b) The circuit clerk~~[cabinet]~~ shall only electronically scan the birth certificate of
15 an individual applying for a voluntary travel ID instruction permit or
16 operator's license. If the applicant is not seeking such a permit or license, the
17 circuit clerk~~[cabinet]~~ shall not electronically scan the applicant's birth
18 certificate.

19 (c) An applicant for an operator's license or instruction permit shall not be
20 required to surrender the applicant's birth certificate for image capture, image
21 storage, or image transmission to any entity, including the federal
22 government, unless express consent is given by the applicant during the
23 course of obtaining a voluntary travel ID license or permit.

24 (7) An applicant shall swear an oath to the circuit clerk~~[cabinet]~~ as to the truthfulness
25 of the statements contained in the form.

26 ➔Section 8. KRS 186.4122 is amended to read as follows:

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

- 1 (a) Is a citizen or permanent resident of the United States; or
- 2 (b) Meets the minimum requirements for federal recognition in Section 202 of the
- 3 REAL ID ACT of 2005, as amended, in 49 U.S.C. sec. 30301 note, and has
- 4 been admitted to the United States as a nonimmigrant pursuant to a compact
- 5 of free association between the United States and the Republic of the Marshall
- 6 Islands, the Republic of Palau, or the Federated States of Micronesia.
- 7 (2) The Transportation Cabinet shall issue a personal identification card to an applicant
- 8 who:
- 9 (a) Is a Kentucky resident;
- 10 (b) Applies in person to the office of the circuit clerk of the county in which the
- 11 applicant resides, ~~the cabinet~~ or through alternative technology; and
- 12 (c) Complies with the provisions of this section.
- 13 (3) Upon application for a personal identification card under this section, the circuit
- 14 clerk ~~the cabinet~~ shall capture a photograph of the applicant in accordance with KRS
- 15 186.4102(1).
- 16 (4) (a) Except as provided in paragraph (b) of this subsection, the circuit
- 17 clerk ~~the cabinet~~ shall electronically scan the documents required for application
- 18 under this section and shall electronically forward ~~retain~~ the application,
- 19 supporting documents, and the photograph of the applicant to the cabinet. The
- 20 circuit clerk ~~the cabinet~~ shall present the applicant with a temporary personal
- 21 identification card, which shall be valid for thirty (30) days until a permanent
- 22 personal identification card is mailed to the applicant by the Transportation
- 23 Cabinet.
- 24 (b) The circuit clerk ~~the cabinet~~ shall only electronically scan the birth certificate of
- 25 an individual applying for a voluntary travel ID personal identification card. If
- 26 the applicant is not seeking such a document, the circuit clerk ~~the cabinet~~ shall
- 27 not electronically scan the applicant's birth certificate.

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

6 (5) (a) An application for a personal identification card shall be accompanied by the
7 same information as is required for an operator's license under KRS 186.412,
8 except if an applicant does not have an established and fixed nighttime
9 residence of regular return, 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) An applicant for a personal identification card who is at least sixteen (16)
20 years of age but less than eighteen (18) years of age shall not be required to
21 obtain a signature of a parent or legal guardian on the application if the
22 applicant has been verified as a homeless child or youth, as defined in 42
23 U.S.C. sec. 11434a(2), by at least one (1) of the following:

24 1. A director or designee of a governmental or nonprofit agency that
25 receives public or private funding to provide services to homeless
26 people;

27 2. A local educational agency liaison for homeless children and youths

- 1 designated pursuant to 42 U.S.C. sec. 11432(g)(1)(J)(ii), or a school
2 social worker or school counselor;
- 3 3. The director or director's designee of a federal TRIO Program or a
4 Gaining Early Awareness and Readiness for Undergraduate Program; or
5 4. A financial aid administrator for an institution of higher education.
- 6 (d) It shall be permissible for the application form for a personal identification
7 card to include as an applicant's most current resident address a mailing
8 address or an address provided on a voter registration card.
- 9 (e) If the applicant is not the legal owner or possessor of the address provided on
10 the application form, the applicant shall swear that he or she has permission
11 from the legal owner, authorized agent for the legal owner, or possessor to use
12 the address for purposes of obtaining the personal identification card.
- 13 (6) (a) Every applicant for a personal identification card under this section shall
14 swear an oath to the circuit clerk~~[cabinet]~~ as to the truthfulness of the
15 statements contained on the application form.
- 16 (b) A personal identification card may be suspended or revoked if the person who
17 was issued the card presents false or misleading information to the cabinet
18 when applying for the card.
- 19 (7) A personal identification card issued under this section shall be valid for a period of
20 eight (8) years from the date of issuance, except that if the personal identification
21 card is issued to a person who does not have an established and fixed nighttime
22 residence of regular return, then the personal identification card shall be valid for
23 one (1) year from the date of issuance.
- 24 (8) (a) An applicant shall not be issued a personal identification card if the applicant
25 currently holds a valid Kentucky instruction permit or operator's license. A
26 person shall not hold more than one (1) license or personal identification card.
- 27 (b) If a person's instruction permit or operator's license has been suspended or

1 revoked, the person may be issued a personal identification card. A personal
2 identification card shall be surrendered when the person applies to have his or
3 her instruction permit or operator's license reinstated.

4 ➔Section 9. KRS 186.416 is amended to read as follows:

- 5 (1) If a resident of the Commonwealth currently serving in the United States military is
6 stationed or assigned to a base or other location outside the boundaries of the
7 Commonwealth, the resident, or the resident's spouse or dependents, may:
- 8 (a) Update his or her license electronically or by mail to include a motorcycle
9 operator's endorsement on an existing operator's license; or
- 10 (b) Renew a Class D operator's license issued under this section by mail. If the
11 resident, or his or her spouse or dependents, was issued an "under 21"
12 operator's license, upon the date of the license holder's twenty-first birthday,
13 the "under 21" operator's license may be renewed for an operator's license that
14 no longer contains the outdated reference to being "under 21."
- 15 (2) A resident of the Commonwealth renewing an operator's license by mail under
16 subsection (1) of this section may have a personal designee apply to the circuit
17 clerk~~clerk~~~~cabinet~~ on behalf of the resident to renew the resident's operator's license. An
18 operator's license for which an endorsement is being added electronically or by
19 mail, or which is being renewed by mail under subsection (1) of this section shall be
20 issued a license bearing the applicant's historical photo if there is a photo on file. If
21 there is no photo on file, the license shall be issued without a photograph and shall
22 show in the space provided for the photograph the legend "valid without photo and
23 signature."
- 24 (3) (a) 1. If a resident of the Commonwealth has been serving in the United States
25 military stationed or assigned to a base or other location outside the
26 boundaries of the Commonwealth and has allowed his or her operator's
27 license to expire, he or she shall, within ninety (90) days of returning to

1 the Commonwealth, be permitted to renew his or her license without
2 having to take a written test or road test.

3 2. The spouse or dependent of a person identified in subparagraph 1. of
4 this paragraph shall be afforded the same consideration identified in that
5 subparagraph regarding the renewal of an expired operator's license.

6 (b) A person who meets the criteria in paragraph (a) of this subsection shall not
7 be convicted or cited for driving on an expired license prior to license renewal
8 during the ninety (90) days after the person's return to the Commonwealth if
9 the person can provide proof of his or her out-of-state service and dates of
10 assignment.

11 (c) A person who meets the criteria in paragraph (a) of this subsection and who
12 does not renew his or her license within ninety (90) days of returning to the
13 Commonwealth shall be required to comply with the provisions of this
14 chapter governing renewal of a license that has expired.

15 (d) If a resident of the Commonwealth has been issued an "under 21" or "under
16 21 CDL" operator's license and the person is unable to renew the license on
17 the date of his or her twenty-first birthday, the "under 21" or "under 21 CDL"
18 operator's license shall be valid for ninety (90) days beyond the date of the
19 person's twenty-first birthday.

20 (4) (a) Any person who served in the active Armed Forces of the United States,
21 including the Coast Guard, and any member of the National Guard or Reserve
22 Component who completed the member's term of service and was released,
23 separated, discharged, or retired therefrom under either an honorable
24 discharge or a general under honorable conditions discharge may, at the time
25 of initial application or application for renewal or duplicate, request that an
26 operator's license or a personal identification card issued under this chapter
27 bear the word "veteran" on the face or the back of the license or personal

1 identification card.

2 (b) The designation shall be in a style and format considered appropriate by the
3 Transportation Cabinet. Prior to obtaining a designation requested under this
4 subsection, the applicant shall present to the circuit clerk~~the cabinet~~ as proof of
5 eligibility, an original or copy of his or her:

- 6 1. Unexpired Veteran Identification Card or Veteran Health Identification
7 Card issued by the United States Department of Veterans Affairs;
- 8 2. DD-2, DD-214, DD-256, DD-257, or NGB-22 form; or
- 9 3. Unexpired Geneva Conventions Identification Card issued by the United
10 States Department of Defense.

11 The cabinet shall not be liable for fraudulent or misread forms presented.

12 (5) The cabinet shall promulgate administrative regulations in accordance with KRS
13 Chapter 13A to establish forms and procedures for facilitating the addition of a
14 motorcycle endorsement to an existing operator's license, both electronically and by
15 mail, in accordance with subsection (1) of this section.

16 ➔Section 10. KRS 186.417 is amended to read as follows:

17 (1) The Transportation Cabinet shall issue to any felony offender, if the felony offender
18 is eligible, released from the Kentucky Department of Corrections, a county jail or
19 other local or regional correctional facility, if and when funds are available, or a
20 Federal Bureau of Prisons facility located in Kentucky on home incarceration,
21 parole, completed service of sentence, shock probation, or pardon, a personal
22 identification card or, if the felony offender is eligible, an operator's license. An
23 offender who wishes to obtain a personal identification card or operator's license
24 shall provide proper documentation to comply with the provisions of this section.

25 (2) Proper documentation under subsection (1) of this section shall consist of:

- 26 (a) The offender's certificate of birth;
- 27 (b) A copy of the offender's resident record card and parole certificate or notice of

1 discharge;

2 (c) A photograph of the offender, printed on plastic card or paper; and

3 (d) A release letter that shall contain the offender's:

4 1. Full legal name, subject to the information available to the Kentucky
5 Department of Corrections or a Federal Bureau of Prisons facility
6 located in Kentucky;

7 2. Discharge/release date;

8 3. Signature;

9 4. Social Security number;

10 5. Date of birth;

11 6. Present Kentucky address where he or she resides; and

12 7. Physical description.

13 (3) The Transportation Cabinet shall issue to any felony offender, if the felony offender
14 is eligible, probated or conditionally discharged by the court and under the
15 supervision of the Division of Probation and Parole or the United States Probation
16 Office, a personal identification card or, if the felony offender is eligible, an
17 operator's license. An offender who wishes to obtain a personal identification card
18 or operator's license shall provide proper documentation to comply with the
19 provisions of this section.

20 (4) Proper documentation under subsection (3) of this section shall consist of:

21 (a) The offender's certificate of birth;

22 (b) The offender's sentencing order;

23 (c) A photograph of the offender, printed on plastic card or paper; and

24 (d) A notarized release letter, signed by the supervising officer verifying the
25 offender's status on supervision, that shall contain the offender's:

26 1. Full legal name, subject to the information available to the Division of
27 Probation and Parole or the United States Probation Office;

- 1 2. Signature;
- 2 3. Social Security number;
- 3 4. Date of birth;
- 4 5. Present Kentucky address where he or she resides; and
- 5 6. Physical description.

6 (5) The offender shall present the documentation identified in subsection (2) or (4) of
7 this section to the circuit clerk~~[-cabinet]~~ within thirty (30) calendar days from the
8 date of the release letter and shall be responsible for paying the fee for the personal
9 identification card or operator's license pursuant to KRS 186.531.

10 (6) The Transportation Cabinet shall promulgate administrative regulations in
11 accordance with KRS Chapter 13A to establish procedures for current inmates in
12 state and federal prisons, who are deemed eligible by prison officials, to be issued
13 operator's licenses to engage in work release activities or reentry initiatives. The
14 administrative regulations shall address, at a minimum:

15 (a) The information required for application, which shall include all information
16 in paragraph (b) of this subsection which is germane to a current inmate. For
17 purposes of this paragraph, the facility in which the inmate is housed shall be
18 considered the inmate's residence;

19 (b) Required documentation from the Department of Corrections or the Federal
20 Bureau of Prisons that the inmate meets the security criteria to be eligible for
21 work outside of the facility;

22 (c) Procedures for license issuance; and

23 (d) Restrictions on use of the license, including a requirement that the inmate
24 shall surrender the license to prison officials when the inmate is not engaged
25 in work outside the facility.

26 (7) Except as provided in subsection (8) of this section, the circuit clerk~~[-cabinet]~~ shall
27 process applications for operator's licenses and personal identification cards under

1 this section in the same manner as in KRS 186.412 and 186.4122.

2 (8) The Transportation Cabinet may enter into an agreement with the Kentucky
3 Department of Corrections, the United States Probation Office, or the Federal
4 Bureau of Prisons to use a mobile unit to begin the issuance process in this section.

5 ➔Section 11. KRS 186.418 is amended to read as follows:

6 (1) The Transportation Cabinet shall implement a voluntary statewide child
7 identification program. The program shall issue a photo personal identification card
8 to a child two (2) to fifteen (15) years of age.

9 (2) A parent or guardian may apply for a child identification card under this section at
10 the circuit clerk's office in the county in which the child resides~~[cabinet]~~.
11 Application for a child identification card shall be accompanied by a Social
12 Security card and a birth certificate for the child or other proof of the child's date of
13 birth as provided under KRS 186.412. The card shall not contain the child's Social
14 Security number.

15 (3) (a) If the child's parent or guardian wishes to obtain a travel ID child
16 identification card, the circuit clerk~~[cabinet]~~ shall scan the application and
17 supporting documentation, capture a photograph of the child in accordance
18 with the provisions of KRS 186.4102(1), and submit the application,
19 documentation, and photograph to the cabinet, who shall issue the child
20 identification card by mail.

21 (b) If the child's parent or guardian does not wish to obtain a travel ID child
22 identification card, the circuit clerk~~[cabinet]~~ shall scan the application,
23 capture a photograph of the child in accordance with the provisions of KRS
24 186.4102(1), and submit the application, documentation, and photograph to
25 the cabinet, who shall issue the child identification card by mail.

26 (c) A parent or guardian applying under this section shall not be required to
27 surrender the child's birth certificate for image capture, image storage, or

1 image transmission to any entity, including the federal government, unless
2 express consent is given by the parent or guardian during the course of
3 obtaining a voluntary travel ID child identification card.

4 (4) A child identification card issued under this section shall contain the child's name
5 and the toll-free number of the Kentucky missing persons clearinghouse,
6 Department of Kentucky State Police. The descriptive data and a photo image of the
7 child shall be stored in the Kentucky driver's license information system and may
8 be retrieved and used by public agencies subject to the provisions of the Driver's
9 Privacy Protection Act, 18 U.S.C. sec. 2721, and may also be used by the Kentucky
10 missing persons clearinghouse.

11 (5) The fee for a child identification card shall be six dollars (\$6), of which:
12 (a) Four dollars (\$4) shall be deposited into the KYTC photo license account
13 established in KRS 174.056; and
14 (b) Two dollars (\$2) shall be deposited into the Circuit Court clerk salary
15 account established in Section 34 of this Act.

16 (6) A child identification card shall expire every four (4) years on the child's birthday.
17 Within the time period that the child identification card is valid, the card may be
18 updated with a new photograph and information. The fee for an updated card shall
19 be six dollars (\$6), with the fee distributed in the same manner as the fee for an
20 initial card as described in subsection (5) of this section.

21 (7) If a parent or guardian complies with the requirements of KRS 186.403 and
22 186.419, the parent or guardian may request that the child identification card issued
23 to a minor child under this section be a voluntary travel ID identity document under
24 KRS 186.403.

25 (8) A child identification card issued under this section shall contain a denotation that
26 either:

27 (a) The child identification card is a voluntary travel ID identity document that

1 complies with the security standards set forth by Pub. L. No. 109-13, Title II,
2 and may be used for identification for federal purposes; or

3 (b) The identity document shall not be used for federal identification purposes.

4 ➔Section 12. KRS 186.435 is amended to read as follows:

5 (1) Except as provided in subsection (4) of this section, a licensed driver who becomes
6 a Kentucky resident shall, within thirty (30) days of establishing residency, apply
7 for a Kentucky operator's license to the office of the circuit clerk of the county in
8 which the person has established his or her domicile~~[Transportation Cabinet]~~.

9 (2) The Transportation Cabinet shall, before issuing a person a Kentucky operator's
10 license, verify through the National Drivers Register that the person applying for a
11 Kentucky operator's license does not currently have his or her operator's license or
12 driving privilege suspended or revoked in another licensing jurisdiction.

13 (3) A person who is not a United States citizen but who has been granted permanent
14 resident status by the United States Department of Homeland Security, United
15 States Bureau of Citizenship and Immigration Services, and who is a Kentucky
16 resident, shall follow the same procedures for applying for an original, renewal,
17 transfer, or duplicate operator's license as persons who are United States citizens.

18 (4) A licensed driver from another jurisdiction who:

19 (a) Is not a United States citizen;

20 (b) Has not been granted permanent resident status by the United States
21 Department of Homeland Security, United States Bureau of Citizenship and
22 Immigration Services;

23 (c) Becomes a Kentucky resident; and

24 (d) Wishes to operate a motor vehicle;

25 shall, within thirty (30) days of establishing residency, apply for a Kentucky
26 operator's license under the provisions of KRS 186.4121.

27 ➔Section 13. KRS 186.442 is amended to read as follows:

- 1 (1) The Transportation Cabinet shall, before issuing or renewing a Kentucky operator's
2 license, verify through the National Drivers Register that the person applying for an
3 initial or renewal Kentucky operator's license does not currently have his or her
4 operator's license or driving privilege suspended or revoked in another licensing
5 jurisdiction.
- 6 (2) If the person's operator's license or driving privilege is currently suspended or
7 revoked in another licensing jurisdiction for a traffic offense where the conviction
8 for the offense is less than five (5) years old, the Transportation Cabinet shall not
9 issue the person an initial or renewal Kentucky operator's license until the person
10 resolves the matter in the other licensing jurisdiction and complies with the
11 provisions of this chapter.
- 12 (3) A person whose operator's license has been suspended or revoked in another
13 licensing jurisdiction, or the holder of a Kentucky operator's license whose driving
14 privileges have been suspended in another licensing jurisdiction, may be issued a
15 Kentucky license, or may renew a Kentucky license if:
- 16 (a) The conviction causing the suspension or revocation is more than five (5)
17 years old;
- 18 (b) The conviction is for a traffic offense other than a felony traffic offense or a
19 habitual violator offense; and
- 20 (c) The person has been a resident of the Commonwealth for at least five (5)
21 years prior to the date of application for issuance or renewal.
- 22 (4) (a) A person applying for an operator's license under subsection (3) of this
23 section shall submit an application to the circuit clerk of the county in which
24 the person resides~~[cabinet]~~, who shall electronically scan the application and
25 supporting documents, along with a photograph of the applicant captured in
26 accordance with KRS 186.4102(1), into the cabinet database.
- 27 (b) The circuit clerk~~[cabinet]~~ shall review the person's documentation, including

1 the person's photograph, in the cabinet database. If the documentation is
2 verified as accurate, and if the person successfully completes any
3 examinations required under KRS 186.480 and pays the reinstatement fee
4 required under KRS 186.531, the circuit clerk~~[cabinet]~~ shall present the
5 applicant with a temporary operator's license, which shall be valid for thirty
6 (30) days, until a permanent operator's license is mailed to the applicant by
7 the Transportation Cabinet.

8 (5) A person issued a Kentucky operator's license in accordance with subsection (3) of
9 this section shall be issued an operator's license marked "Valid in Kentucky Only"
10 and shall sign a statement that the person understands that he or she may be subject
11 to arrest and detention if stopped by a law enforcement officer in another state
12 while operating a motor vehicle on this restricted license.

13 (6) If a person granted a license under subsection (3) of this section satisfies the
14 requirements to have the suspension or revocation in another state lifted, the person
15 shall apply to the circuit clerk~~[cabinet]~~ to be issued a new license without the
16 restrictions outlined in subsection (3) of this section.

17 (7) The provisions of subsection (3) of this section shall not apply to a commercial
18 driver's license.

19 ➔Section 14. KRS 186.450 is amended to read as follows:

20 (1) A person who is at least fifteen (15) years of age may apply for an instruction
21 permit to operate a motor vehicle. Except as provided in subsection (9) of this
22 section, a person who possesses a valid intermediate motor vehicle operator's
23 license issued under KRS 186.452 or a person who is at least eighteen (18) years of
24 age may apply for an instruction permit to operate a motorcycle. A holder of either
25 a motor vehicle or motorcycle instruction permit may also operate a moped under
26 that permit. A person applying for an instruction permit under this section shall
27 make application to the circuit clerk of the county where the person

1 resides~~[Transportation Cabinet]~~. A person applying for an instruction permit shall
2 be required to comply with the following:

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

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

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

21 (c) All applicants for an instruction permit shall comply with the examinations
22 required by KRS 186.480.

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

26 (3) (a) An instruction permit to operate a motor vehicle shall be valid for four (4)
27 years and may be renewed. An instruction permit to operate a motorcycle

1 shall be valid for one (1) year and may be renewed one (1) time.

2 (b) Except as provided in KRS 186.415, a person who has attained the age of
3 sixteen (16) years and is under the age of eighteen (18) years shall have held
4 an instruction permit a minimum of one hundred eighty (180) days before
5 applying for an intermediate license and shall have held an intermediate
6 license for a minimum of one hundred eighty (180) days before applying for
7 an operator's license.

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

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

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

20 (f) In accordance with KRS 176.5062(5), a person whose motorcycle instruction
21 permit has expired may apply to the circuit clerk~~clerk~~^{cabinet} to receive a
22 motorcycle operator's license or endorsement if the person presents proof of
23 successful completion of a motorcycle safety education course approved by
24 the Transportation Cabinet under KRS 176.5061 to 176.5069.

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

27 (b) When operating a motor vehicle, a motor vehicle instruction permit holder

1 shall be accompanied by a person with a valid operator's license who is at
2 least twenty-one (21) years of age occupying the seat beside the operator at all
3 times.

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

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

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

24 (7) A violation under subsection (4), (5), or (6) of this section, a conviction for a
25 moving violation under KRS Chapter 189 for which points are assessed by the
26 cabinet, or a conviction for a violation of KRS 189A.010(1) shall add an additional
27 minimum of one hundred eighty (180) days from the date of the violation before a

1 person who is under the age of eighteen (18) years may apply for an intermediate
2 license to operate a motor vehicle, motorcycle, or moped.

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

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

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

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

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

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

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

22 ➔Section 15. KRS 186.480 is amended to read as follows:

23 (1) The Department of Kentucky State Police shall examine every applicant for an
24 operator's license as identified in KRS 186.635, except as otherwise provided in this
25 section. The examination shall be held in the county where the applicant resides
26 unless:

27 (a) The applicant is granted written permission by the circuit clerk of the county

- 1 in which the applicant resides~~[Transportation Cabinet]~~ to take the
2 examination in another county; or
- 3 (b) The applicant is tested using a bioptic telescopic device.
- 4 (2) The examination shall include a test of the applicant's eyesight to ensure
5 compliance with the visual acuity and visual field standards set forth in KRS
6 186.577. The vision testing outlined in this subsection shall be administered under
7 the provisions established in KRS 186.577 at, or prior to, the time of application.
8 The examination shall also include a test of the applicant's ability to read and
9 understand highway signs regulating, warning, and directing traffic, the applicant's
10 knowledge of traffic laws, and an actual demonstration of the applicant's ability to
11 exercise ordinary and reasonable control in the operation of a motor vehicle. The
12 provisions of this subsection shall not apply to an applicant who:
- 13 (a) At the time of application, holds a valid operator's license from another state,
14 provided that state affords a reciprocal exemption to a Kentucky resident;
- 15 (b) At the time of application for a motorcycle instruction permit or motorcycle
16 operator's license, presents evidence of successful completion of an approved
17 rider training course under KRS 176.5062; or
- 18 (c) Is a citizen of the Commonwealth who has been serving in the United States
19 military and has allowed his or her operator's license to expire.
- 20 (3) In addition to the requirements of subsection (2) of this section, an applicant for a
21 motorcycle operator's license who does not present evidence of successful
22 completion of an approved rider training course under KRS 176.5062 shall be
23 required to show his or her ability to operate a motorcycle. An applicant who
24 successfully completes the skills portion of the test under this subsection on a:
- 25 (a) Three (3) wheeled motorcycle shall be issued a motorcycle operator's license
26 restricted to the operation of three (3) wheeled motorcycles under KRS
27 186.447; or

1 (b) Two (2) wheeled motorcycle shall be issued a motorcycle operator's license
2 without the restriction identified in KRS 186.447, and may operate both two
3 (2) and three (3) wheeled motorcycles.

4 (4) Any person whose intermediate license or operator's license is denied, suspended,
5 or revoked for cause shall apply for reinstatement at the termination of the period
6 for which the license was denied, suspended, or revoked by submitting to the
7 examination. The provisions of this subsection shall not apply to any person whose
8 license was suspended for failure to meet the conditions described in KRS 186.411
9 when, within one (1) year of suspension, the driving privileges of the person are
10 reinstated.

11 (5) An applicant shall not use an autocycle for road skills testing administered under
12 the provisions of this section.

13 (6) The Department of Kentucky State Police shall include, in the educational materials
14 it produces for prospective drivers, information about the purposes, processes, and
15 benefits of the organ donation program.

16 ➔Section 16. KRS 186.510 is amended to read as follows:

17 The licensee shall have his or her license in his or her immediate possession at all times
18 when driving a motor vehicle and shall display it upon demand to a circuit clerk, a peace
19 officer, a member of the Department of Kentucky State Police, or a field deputy or
20 inspector of the Department of Vehicle Regulation or Transportation Cabinet or, pursuant
21 to KRS 67A.075 or 83A.088, a safety officer who is in the process of securing
22 information to complete an accident report. It shall be a defense to any charge under this
23 section if the person so charged produces in court an operator's license, issued to him or
24 her before his or her arrest and valid at the time of his or her arrest.

25 ➔Section 17. KRS 186.520 is amended to read as follows:

26 (1) A person whose license, instruction permit, or personal identification card has
27 been legitimately lost or destroyed, shall apply to the circuit clerk of the county in

1 which the most recent permanent license, instruction permit, or personal
 2 identification card was obtained~~[Transportation Cabinet]~~ in order to make
 3 application for a duplicate license, instruction permit, or personal identification
 4 card. The person shall furnish satisfactory proof by affidavit substantiating the loss
 5 or destruction when applying for a duplicate~~[license]~~.

6 (2) The fee for a duplicate license, instruction permit, or personal identification card
 7 shall be according to the schedule set forth in KRS 186.531.

8 ➔Section 18. KRS 186.531 is amended to read as follows:

9 (1) As used in this section:

10 (a) "AOC Fund" or "AOCF" means the Circuit Court clerk salary account
 11 created in Section 34 of this Act;

12 (b) "GF" means the general fund;

13 (c)~~[(b)]~~ "IP" means instruction permit;

14 (d)~~[(e)]~~ "License Fund" or "LF" means the KYTC photo license account created
 15 in KRS 174.056;

16 (e)~~[(d)]~~ "MC" means motorcycle;

17 (f)~~[(e)]~~ "MC Fund" or "MCF" means the motorcycle safety education program
 18 fund established in KRS 176.5065;

19 (g)~~[(f)]~~ "OL" means operator's license; and

20 (h)~~[(g)]~~ "PIDC" means personal identification card.

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

<u>Card Type</u>	<u>Fee</u>	<u>LF</u>	<u>AOCF</u>	<u>GF</u>	<u>MCF</u>
<u>OL (initial/renewal)</u>	<u>\$48</u>	<u>\$38</u>	<u>\$10</u>	<u>\$0</u>	<u>\$0</u>
<u>OL (Under 21) (Up to 4 years)</u>	<u>\$18</u>	<u>\$13.50</u>	<u>\$4.50</u>	<u>\$0</u>	<u>\$0</u>

1	<u>Any OL, MC, or combination</u>					
2	<u>(duplicate/corrected)</u>	<u>\$15</u>	<u>\$9.25</u>	<u>\$4</u>	<u>\$1.75</u>	
3	<u>Motor vehicle IP (3 years)</u>	<u>\$18</u>	<u>\$11</u>	<u>\$5</u>	<u>\$2</u>	
4	<u>Motorcycle IP (1 year)</u>	<u>\$18</u>	<u>\$11</u>	<u>\$2</u>	<u>\$1</u>	
5	<u>Motorcycle OL (initial/renewal)</u>	<u>\$48</u>	<u>\$28.50</u>	<u>\$9.50</u>	<u>\$0</u>	
6	<u>Combination vehicle/MC OL</u>					
7	<u>(initial/renewal)</u>	<u>\$58</u>	<u>\$35</u>	<u>\$13</u>	<u>\$0</u>	
8	<u>PIDC (initial/renewal)</u>	<u>\$28</u>	<u>\$19</u>	<u>\$6</u>	<u>\$3</u>	
9	<u>PIDC (duplicate/corrected)</u>	<u>\$15</u>	<u>\$10</u>	<u>\$3.50</u>	<u>\$1.50</u>	
10	[Card Type	Fee	LF	GF	MCF	
11	OL (initial/renewal)	\$48	\$48	\$0	\$0	
12	OL (Under 21) (Up to 4 years)	\$18	\$18	\$0	\$0	
13	Any OL, MC, or combination					
14	(duplicate/corrected)	\$15	\$13.25	\$1.75	\$0	
15	Motor vehicle IP (3 years)	\$18	\$16	\$2	\$0	
16	Motorcycle IP (1 year)	\$18	\$13	\$1	\$4	
17	Motorcycle OL (initial/renewal)	\$48	\$38	\$0	\$10	
18	Combination vehicle/MC OL					
19	(initial/renewal)	\$58	\$48	\$0	\$10	
20	PIDC (initial/renewal)	\$28	\$25	\$3	\$0	
21	PIDC (duplicate/corrected)	\$15	\$13.50	\$1.50	\$0	
22	(3) Except as provided in subsection (10) of this section, the fees imposed for stan					
23	operator's licenses, instruction permits, and personal identification cards shall b					
24	follows. <u>The fees received shall be distributed as shown in the table. The</u>					
25	<u>shown</u> [and] , unless otherwise noted, are for an eight (8) year period:					
26	<u>Card Type</u>	<u>Fee</u>	<u>LF</u>	<u>AOCF</u>	<u>GF</u>	<u>MCF</u>
27	<u>OL (initial/renewal)</u>	<u>\$43</u>	<u>\$35</u>	<u>\$8</u>	<u>\$0</u>	<u>\$0</u>

1	<u>OL (Under 21) (Up to 4 years)</u>	<u>\$15</u>	<u>\$11.50</u>	<u>\$3.50</u>	<u>\$0</u>	<u>\$0</u>
2	<u>Any OL, MC, or combination</u>					
3	<u>(duplicate/corrected)</u>	<u>\$15</u>	<u>\$9.25</u>	<u>\$3</u>	<u>\$1.75</u>	<u>\$0</u>
4	<u>Motor vehicle IP (3 years)</u>	<u>\$15</u>	<u>\$9</u>	<u>\$4</u>	<u>\$2</u>	<u>\$0</u>
5	<u>Motorcycle IP (1 year)</u>	<u>\$15</u>	<u>\$10</u>	<u>\$1</u>	<u>\$1</u>	<u>\$4</u>
6	<u>Motorcycle OL (initial/renewal)</u>	<u>\$43</u>	<u>\$25.50</u>	<u>\$7.50</u>	<u>\$0</u>	<u>\$10</u>
7	<u>Combination vehicle/MC OL</u>					
8	<u>(initial/renewal)</u>	<u>\$53</u>	<u>\$32</u>	<u>\$11</u>	<u>\$0</u>	<u>\$10</u>
9	<u>PIDC (initial/renewal)</u>	<u>\$23</u>	<u>\$16</u>	<u>\$4</u>	<u>\$3</u>	<u>\$0</u>
10	<u>PIDC (duplicate/corrected)</u>	<u>\$15</u>	<u>\$10</u>	<u>\$3.50</u>	<u>\$1.50</u>	<u>\$0</u>
11	<u>PIDC (no fixed address) under</u>					
12	<u>KRS 186.4122(5)/186.4123(5)</u>					
13	<u>(initial, duplicate, or corrected)</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
14	[Card Type	Fee	LF	GF	MCF	
15	OL (initial/renewal)	\$43	\$43	\$0	\$0	
16	OL (Under 21) (Up to 4 years)	\$15	\$15	\$0	\$0	
17	Any OL, MC, or combination					
18	(duplicate/corrected)	\$15	\$13.25	\$1.75	\$0	
19	Motor vehicle IP (3 years)	\$15	\$13	\$2	\$0	
20	Motorcycle IP (1 year)	\$15	\$10	\$1	\$4	
21	Motorcycle OL (initial/renewal)	\$43	\$33	\$0	\$10	
22	Combination vehicle/MC OL					
23	(initial/renewal)	\$53	\$43	\$0	\$10	
24	PIDC (initial/renewal)	\$23	\$20	\$3	\$0	
25	PIDC (duplicate/corrected)	\$15	\$13.50	\$1.50	\$0	
26	PIDC (no fixed address) under					
27	KRS 186.4122(5)/186.4123(5)					

1 ~~—— (initial, duplicate, or corrected) —— \$0 —— \$0 —— \$0 —— \$0~~

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

7 (5) Any fee for any identity document applied for using alternative technology under
8 KRS 186.410 and 186.4122 shall be distributed in the same manner as a document
9 applied for in person with the circuit clerk~~[cabinet]~~.

10 (6) (a) An applicant for an original or renewal operator's license, permit, commercial
11 driver's license, motorcycle operator's license, or personal identification card
12 shall be requested by the circuit clerk~~[cabinet]~~ to make a donation to promote
13 an organ donor program.

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

19 (c) The fee shall be paid to the circuit clerk~~[cabinet]~~ and shall be forwarded by
20 the clerk~~[cabinet]~~ on a monthly basis to the Kentucky Circuit Court Clerks'
21 Trust for Life, and such moneys are hereby appropriated to be used
22 exclusively for the purpose of promoting an organ donor program. A donation
23 under this subsection shall be voluntary and may be refused by the applicant
24 at the time of issuance or renewal.

25 (7) In addition to the fees outlined in this section, the following individuals, upon
26 application for an initial or renewal operator's license, instruction permit, or
27 personal identification card, shall pay an additional application fee of thirty dollars

1 (\$30), which shall be deposited in the photo license account:

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

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

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

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

11 1. Thirty-five dollars (\$35) shall be deposited into the photo license
12 account; and

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

16 (c) This subsection shall not apply to:

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

20 2. A student who has had his or her license revoked pursuant to KRS
21 159.051.

22 (9) As payment for any fee identified in this section, circuit clerks~~[the cabinet]~~:

23 (a) Shall accept cash and personal checks;

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

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

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

- (a) Does not possess a valid operator's license or a commercial driver's license; and
- (b) Is at least eighteen (18) years of age on or before the next regular election.

➔Section 19. KRS 186.540 is amended to read as follows:

(1) Except as provided in subsections (2) and (3) of this section, when any person, after applying for or receiving an operator's license or personal identification card, moves from the address named in the application or on the identity document issued to the person, or when the name of a identity document holder is changed, by marriage or otherwise, the person shall within ten (10) days after the change apply to the circuit clerk in the person's county of residence~~[Transportation Cabinet]~~ for the issuance of a corrected license. The fee for a corrected license shall be as set forth in KRS 186.531.

(2) If an identity document holder's street name or postal address is changed and the person has not moved to a new residence, the person shall apply to the circuit clerk in the person's county of residence~~[cabinet]~~ for a corrected identity document, which shall be issued free of charge.

(3) If a person receives an identity document that contains an error, the person shall apply to the circuit clerk to whom the person made application for the identity document~~[cabinet]~~ for a corrected identity document, which shall be issued free of charge.

➔Section 20. KRS 186.577 is amended to read as follows:

(1) (a) The following persons shall submit to a test of visual acuity and visual field at the time of application or renewal:

- 1. All persons applying for an initial or renewal operator's license;
- 2. All persons applying for an initial or renewal instruction permit; and

- 1 3. Any person required to complete an examination under KRS 186.635.
- 2 (2) Vision testing under this section shall be administered to any person:
- 3 (a) Applying for an initial operator's license, an initial instruction permit, or
- 4 reinstatement of a license when vision must be tested as required in KRS
- 5 186.480:
- 6 1. Prior to the time of application under subsection (5) of this section; or
- 7 2. By Kentucky State Police at the time of application;
- 8 (b) Applying for operator's license renewal or instruction permit renewal:
- 9 1. Prior to the time of application under subsection (5) of this section; or
- 10 2. By the circuit clerk~~[Transportation Cabinet]~~ at the time of application;
- 11 or
- 12 (c) Identified in Kentucky administrative regulations promulgated by the
- 13 Transportation Cabinet or the Kentucky State Police as being required to
- 14 undergo the exam required by KRS 186.480.
- 15 (3) (a) Persons whose visual acuity is 20/40 or better and who meet or exceed the
- 16 visual field standard established by the Transportation Cabinet without
- 17 corrective lenses shall not have a restriction placed on their driving privileges.
- 18 (b) Persons whose visual acuity is 20/40 or better and who meet or exceed the
- 19 visual field standard established by the Transportation Cabinet with corrective
- 20 lenses shall have their driving privileges restricted to mandate the use of the
- 21 corrective lenses.
- 22 (c) If a person fails to meet a 20/40 visual acuity standard or the visual field
- 23 standard established by the cabinet, the person shall be referred to a vision
- 24 specialist for examination.
- 25 (4) A person referred to a vision specialist under subsection (3) of this section whose
- 26 visual acuity is 20/60 or better and who meets or exceeds the visual field standard
- 27 established by the cabinet shall be eligible to test for an instruction permit or

1 operator's license, or shall be eligible for operator's license renewal. If corrective
2 lenses were prescribed by the vision specialist, the person's driving privileges shall
3 be restricted to mandate the use of the corrective lenses.

4 (5) Vision tests administered under subsection (2)(a) of this section shall be deemed to
5 meet the testing provisions outlined in subsection (3) or (4) of this section, if the
6 person submits a driver vision testing form that complies with the provisions of
7 subsection (6) of this section and the form has been completed by:

8 (a) A vision specialist; or
9 (b) An osteopath, physician, or advanced practice registered nurse who is
10 credentialed by the cabinet to perform vision testing under this section.

11 (6) All driver vision testing forms completed under subsection (5) of this section shall:

12 (a) Attest that the applicant meets or exceeds the visual acuity standard and visual
13 field standard established by the cabinet;

14 (b) Only be valid if the vision specialist or the credentialed osteopath,
15 credentialed physician, or credentialed advanced practice registered nurse
16 signed and completed the vision testing form less than twelve (12) months
17 prior to the date of application or renewal;

18 (c) State whether the driving privileges of the applicant shall be restricted to
19 mandate the use of corrective lenses; and

20 (d) Clearly indicate that the vision testing under this section is a screening for
21 minimum vision standards established in this section and is not a complete
22 eye examination.

23 (7) Any person seeking application or permit under subsection (1) of this section shall
24 attest that he or she has submitted to and passed the visual acuity and visual field
25 tests required under this section.

26 (8) Any person renewing an operator's license under KRS 186.416 shall be exempt
27 from the vision testing requirements outlined in this section.

- 1 (9) Persons who meet the requirements of KRS 186.578 and are issued operator's
2 licenses under KRS 186.579 shall:
- 3 (a) Have their driving privileges restricted to the use of a bioptic telescopic
4 device; and
- 5 (b) Be exempt from this section.
- 6 (10) The Transportation Cabinet shall promulgate administrative regulations pursuant to
7 KRS Chapter 13A to implement the provisions of this section, including but not
8 limited to establishing visual field standards, the creation of a driver vision testing
9 form, and establishing a credentialing process for osteopaths, physicians, and
10 advanced practice registered nurses to conduct vision testing under this section.
- 11 (11) The Transportation Cabinet may promulgate administrative regulations pursuant to
12 KRS Chapter 13A to:
- 13 (a) Implement a system for electronic transmission of driver vision testing forms
14 and accompanying documentation; and
- 15 (b) Assess a fee to an applicant to cover the administrative costs of performing
16 on-site vision testing. Any funds received from this fee shall be deposited into
17 the photo license account established in KRS 174.056.
- 18 ➔Section 21. KRS 186.580 is amended to read as follows:
- 19 (1) If the circuit clerk refuses to issue an operator's license, instruction permit, or
20 personal identification card to an applicant, the applicant may appeal the
21 decision of the circuit clerk to the cabinet.
- 22 (2) If any person is aggrieved by any final order of the cabinet relating to the denial,
23 revocation, suspension, or cancellation of an operator's license, instruction permit,
24 or personal identification card,~~[or motorcycle operator's license]~~ other than orders
25 of revocation or suspension when the facts render revocation or suspension
26 mandatory, the person~~he~~ may file a petition for judicial review in the Circuit
27 Court of the county in which the person~~he~~ resides, or in the Franklin Circuit

1 Court in accordance with KRS Chapter 13B.

2 ➔Section 22. KRS 186.010 is amended to read as follows:

3 As used in this chapter, unless otherwise indicated:

- 4 (1) "Cabinet," as used in KRS 186.400 to 186.640, means the Transportation Cabinet;
5 except as specifically designated, "cabinet," as used in KRS 186.020 to 186.270,
6 means the Transportation Cabinet only with respect to motor vehicles, other than
7 commercial vehicles; "cabinet," as used in KRS 186.020 to 186.270, means the
8 Department of Vehicle Regulation when used with respect to commercial vehicles;
- 9 (2) "Highway" means every way or place of whatever nature when any part of it is
10 open to the use of the public, as a matter of right, license, or privilege, for the
11 purpose of vehicular traffic;
- 12 (3) "Manufacturer" means any person engaged in manufacturing motor vehicles who
13 will, under normal conditions during the year, manufacture or assemble at least ten
14 (10) new motor vehicles;
- 15 (4) "Motor vehicle" means in KRS 186.020 to 186.260, all vehicles, as defined in
16 paragraph (a) of subsection (8) of this section, which are propelled otherwise than
17 by muscular power. As used in KRS 186.400 to 186.640, it means all vehicles, as
18 defined in paragraph (b) of subsection (8) of this section, which are self-propelled.
19 "Motor vehicle" shall not include a moped as defined in this section, but for
20 registration purposes shall include low-speed vehicles and military surplus vehicles
21 as defined in this section and vehicles operating under KRS 189.283;
- 22 (5) "Moped" means either a motorized bicycle whose frame design may include one (1)
23 or more horizontal crossbars supporting a fuel tank so long as it also has pedals, or
24 a motorized bicycle with a step-through type frame which may or may not have
25 pedals rated no more than two (2) brake horsepower, a cylinder capacity not
26 exceeding fifty (50) cubic centimeters, an automatic transmission not requiring
27 clutching or shifting by the operator after the drive system is engaged, and capable

1 of a maximum speed of not more than thirty (30) miles per hour;

2 (6) "Operator" means any person in actual control of a motor vehicle upon a highway;

3 (7) (a) "Owner" means a person who holds the legal title of a vehicle or a person who
4 pursuant to a bona fide sale has received physical possession of the vehicle
5 subject to any applicable security interest.

6 (b) A vehicle is the subject of an agreement for the conditional sale or lease, with
7 the vendee or lessee entitled to possession of the vehicle, upon performance of
8 the contract terms, for a period of three hundred sixty-five (365) days or more
9 and with the right of purchase upon performance of the conditions stated in
10 the agreement and with an immediate right of possession vested in the
11 conditional vendee or lessee, or if a mortgagor of a vehicle is entitled to
12 possession, the conditional vendee or lessee or mortgagor shall be deemed the
13 owner.

14 (c) A licensed motor vehicle dealer who transfers physical possession of a motor
15 vehicle to a purchaser pursuant to a bona fide sale, and complies with the
16 requirements of KRS 186A.220, shall not be deemed the owner of that motor
17 vehicle solely due to an assignment to his or her dealership or a certificate of
18 title in the dealership's name. Rather, under these circumstances, ownership
19 shall transfer upon delivery of the vehicle to the purchaser, subject to any
20 applicable security interest;

21 (8) (a) "Vehicle," as used in KRS 186.020 to 186.260, includes all agencies for the
22 transportation of persons or property over or upon the public highways of this
23 Commonwealth and all vehicles passing over or upon said highways, except
24 electric low-speed scooters, road rollers, road graders, farm tractors, vehicles
25 on which power shovels are mounted, such other construction equipment
26 customarily used only on the site of construction and which is not practical for
27 the transportation of persons or property upon the highways, such vehicles as

1 travel exclusively upon rails, and such vehicles as are propelled by electric
2 power obtained from overhead wires while being operated within any
3 municipality or where said vehicles do not travel more than five (5) miles
4 beyond the city limit of any municipality.

5 (b) As used in KRS 186.400 to 186.640, "vehicle" means every device in, upon,
6 or by which any person or property is or may be transported or drawn upon a
7 public highway, except electric low-speed scooters, devices moved by human
8 and animal power or used exclusively upon stationary rails or tracks, or which
9 derives its power from overhead wires;

10 (9) KRS 186.020 to 186.270 apply to motor vehicle licenses. KRS 186.400 to 186.640
11 apply to operator's licenses;

12 (10) "Dealer" means any person engaging in the business of buying or selling motor
13 vehicles;

14 (11) "Commercial vehicles" means all motor vehicles that are required to be registered
15 under the terms of KRS 186.050, but not including vehicles primarily designed for
16 carrying passengers and having provisions for not more than nine (9) passengers
17 (including driver), motorcycles, sidecar attachments, pickup trucks and passenger
18 vans which are not being used for commercial or business purposes, and motor
19 vehicles registered under KRS 186.060;

20 (12) "Resident" means any person who has established Kentucky as his or her state of
21 domicile. Proof of residency shall include but not be limited to a deed or property
22 tax bill, utility agreement or utility bill, or rental housing agreement. The possession
23 by an operator of a vehicle of a valid Kentucky operator's license shall be prima-
24 facie evidence that the operator is a resident of Kentucky;

25 (13) "Special status individual" means:

26 (a) "Asylee" means any person lawfully present in the United States who
27 possesses an I-94 card issued by the United States Department of Justice,

1 Immigration and Naturalization Service, on which it states "asylum status
2 granted indefinitely pursuant to Section 208 of the Immigration & Nationality
3 Act";

4 (b) "K-1 status" means the status of any person lawfully present in the United
5 States who has been granted permission by the United States Department of
6 Justice, Immigration and Naturalization Service to enter the United States for
7 the purpose of marrying a United States citizen within ninety (90) days from
8 the date of that entry;

9 (c) "Refugee" means any person lawfully present in the United States who
10 possesses an I-94 card issued by the United States Department of Justice,
11 Immigration and Naturalization Service, on which it states "admitted as a
12 refugee pursuant to Section 207 of the Immigration & Nationality Act"; and

13 (d) "Paroled in the Public Interest" means any person lawfully present in the
14 United States who possesses an I-94 card issued by the United States
15 Department of Justice, Immigration and Naturalization Service, on which it
16 states "paroled pursuant to Section 212 of the Immigration & Nationality Act
17 for an indefinite period of time";

18 (14) "Instruction permit" includes both motor vehicle instruction permits and motorcycle
19 instruction permits;

20 (15) "Motorcycle" means any motor driven vehicle that has a maximum speed that
21 exceeds fifty (50) miles per hour, has a seat or saddle for the use of the operator,
22 and is designed to travel on not more than three (3) wheels in contact with the
23 ground, including vehicles on which the operator and passengers ride in an enclosed
24 cab. Only for purposes of registration, "motorcycle" shall include a motor scooter,
25 an alternative-speed motorcycle, and an autocycle as defined in this section, but
26 shall not include a tractor or a moped as defined in this section;

27 (16) "Low-speed vehicle" means a motor vehicle that:

- 1 (a) Is self-propelled using an electric motor, combustion-driven motor, or a
2 combination thereof;
- 3 (b) Is four (4) wheeled; and
- 4 (c) Is designed to operate at a speed not to exceed twenty-five (25) miles per hour
5 as certified by the manufacturer;
- 6 (17) "Alternative-speed motorcycle" means a motorcycle that:
- 7 (a) Is self-propelled using an electric motor;
- 8 (b) Is three (3) wheeled;
- 9 (c) Has a fully enclosed cab and includes at least one (1) door for entry;
- 10 (d) Is designed to operate at a speed not to exceed forty (40) miles per hour as
11 certified by the manufacturer; and
- 12 (e) Is not an autocycle as defined in this section;
- 13 (18) "Multiple-vehicle driving range" means an enclosed area that is not part of a
14 highway or otherwise open to the public on which a number of motor vehicles may
15 be used simultaneously to provide driver training under the supervision of one (1)
16 or more driver training instructors;
- 17 (19) "Autocycle" means any motor vehicle that:
- 18 (a) Is equipped with a seat that does not require the operator to straddle or sit
19 astride it;
- 20 (b) Is designed to travel on three (3) wheels in contact with the ground;
- 21 (c) Is designed to operate at a speed that exceeds forty (40) miles per hour as
22 certified by the manufacturer;
- 23 (d) Allows the operator and passenger to ride either side-by-side or in tandem in a
24 seating area that may be enclosed with a removable or fixed top;
- 25 (e) Is equipped with a three (3) point safety belt system;
- 26 (f) May be equipped with a manufacturer-installed air bags or a roll cage;
- 27 (g) Is designed to be controlled with a steering wheel and pedals; and

- 1 (h) Is not an alternative-speed motorcycle as defined in this section;
- 2 (20) "Military surplus vehicle" means a multipurpose wheeled surplus military vehicle
- 3 that:
- 4 (a) Is not operated using continuous tracks;
- 5 (b) Was originally manufactured for and sold directly to the Armed Forces of the
- 6 United States; and
- 7 (c) Was originally manufactured under the federally mandated requirements set
- 8 forth in 49 C.F.R. sec. 571.7;
- 9 (21) "Livestock" means cattle, sheep, swine, goats, horses, alpacas, llamas, buffaloes,
- 10 and any other animals of the bovine, ovine, porcine, caprine, equine, or camelid
- 11 species;
- 12 (22) "Identity document" means an instruction permit, operator's license, or personal
- 13 identification card issued under KRS 186.4102, 186.412, 186.4121, 186.4122, and
- 14 186.4123 or a commercial driver's license issued under KRS Chapter 281A;
- 15 (23) "Travel ID," as it refers to an identity document, means a document that complies
- 16 with Pub. L. No. 109-13, Title II;
- 17 (24) "Motor scooter" means a low-speed motorcycle that is:
- 18 (a) Equipped with wheels greater than sixteen (16) inches in diameter;
- 19 (b) Equipped with an engine greater than fifty (50) cubic centimeters;
- 20 (c) Designed to operate at a speed not to exceed fifty (50) miles per hour;
- 21 (d) Equipped with brake horsepower of two (2) or greater; and
- 22 (e) Equipped with a step-through frame or a platform for the operator's feet;
- 23 (25) "Alternative technology," as used in KRS 186.400 to 186.640, means methods used
- 24 by the cabinet to facilitate the issuance of operator's licenses and personal
- 25 identification cards outside of the normal in-person application at a circuit
- 26 clerk~~cabinet~~ office, including but not limited to a cabinet mobile unit or online
- 27 services;

1 (26) "Electric motorcycle" means the same as "motorcycle" or "motor scooter" as
2 defined in this section, that is powered by a:

3 (a) Battery or equivalent energy storage device that can be charged with an
4 electric plug using an external electricity source; or

5 (b) Combination of an internal combustion engine and electric motor; and

6 (27) "Electric vehicle" means any vehicle that has plug-in charging capability, regardless
7 of whether the vehicle is powered by:

8 (a) An electric motor only; or

9 (b) A combination of an internal combustion engine and electric power.

10 ➔Section 23. KRS 189A.340 is amended to read as follows:

11 (1) (a) If a person's license is suspended pursuant to this chapter and the initial
12 suspension was for a violation of KRS 189A.010(1)(a), (b), (e), or (f), the sole
13 license the person shall be eligible for is an ignition interlock license pursuant
14 to this section.

15 (b) If a person's license is suspended pursuant to this chapter and the initial
16 suspension was for a violation of KRS 189A.010(1)(c) or (d), the person shall
17 be eligible for an ignition interlock license pursuant to this section and may be
18 eligible for a hardship license pursuant to KRS 189A.410.

19 (2) (a) A person may apply for an ignition interlock license anytime, including after
20 receiving the notices under KRS 189A.105 or after his or her license has been
21 suspended pursuant to this chapter.

22 (b) If at the time the person applies for an ignition interlock license, the person's
23 license has been suspended pursuant to this chapter, the person shall be
24 authorized to drive to:

25 1. An ignition interlock device provider to have a functioning ignition
26 interlock device installed in his or her motor vehicle or motorcycle; and

27 2. The circuit clerk's office in the person's county of

1 residence~~[Transportation Cabinet]~~ to apply for~~[obtain]~~ an ignition
2 interlock license;

3 This paragraph shall only apply within fourteen (14) days of the date printed
4 on the ignition interlock approval letter issued by the Transportation Cabinet
5 and if the person has the ignition interlock approval letter in the motor vehicle
6 or motorcycle.

7 (3) Before the Transportation Cabinet shall issue an ignition interlock license, the
8 person shall:

- 9 (a) Submit an application for an ignition interlock license;
10 (b) Provide proof of motor vehicle insurance;
11 (c) Provide an ignition interlock certificate of installation issued by an ignition
12 interlock device provider; and
13 (d) Provide any other information required by administrative regulations
14 promulgated by the Transportation Cabinet under KRS 189A.350.

15 (4) An ignition interlock license shall restrict the person to operating only a motor
16 vehicle or motorcycle equipped with a functioning ignition interlock device, unless
17 the person qualifies for an employer exemption under subsection (6) of this section.
18 This restriction shall remain in place for:

- 19 (a) If a person's license was suspended pretrial pursuant to KRS 189A.200, the
20 required suspension period under KRS 189A.200(6);
21 (b) If a person's license was suspended pursuant to KRS 189A.070 or 189A.107:
22 1. The required suspension period under KRS 189A.070(1); and
23 2. a. If the maximum suspension period under KRS 189A.070(1)(a) has
24 not yet been met, until the Transportation Cabinet has received a
25 declaration from the person's ignition interlock device provider, in
26 a form provided or approved by the cabinet, certifying that none of
27 the violations outlined in subdivision b. of this subparagraph has

1 occurred:

- 2 i. For a first offense within a ten (10) year period of KRS
3 189A.010(1)(a), (b), (c), (d), or (e) or for any offense of KRS
4 189A.010(1)(f), in the ninety (90) consecutive days; and
5 ii. For all subsequent offenses within a ten (10) year period of
6 KRS 189A.010(1)(a), (b), (c), (d), or (e), one hundred twenty
7 (120) consecutive days;

8 prior to the date of releasing the ignition interlock device
9 restriction.

- 10 b. If any of the following occur, it shall be a violation of the ninety
11 (90) or one hundred twenty (120) consecutive day requirement:

- 12 i. Failure to take any random breath alcohol concentration test
13 unless a review of the digital image confirms that the motor
14 vehicle or motorcycle was not occupied by a driver at the
15 time of the missed test;
16 ii. Failure to pass any random retest with a breath alcohol
17 concentration of 0.02 or lower unless a subsequent test
18 performed within ten (10) minutes registers a breath alcohol
19 concentration lower than 0.02, and the digital image
20 confirms the same person provided both samples;
21 iii. Failure of the person, or his or her designee, to appear at the
22 ignition interlock device provider when required for
23 maintenance, repair, calibration, monitoring, inspection, or
24 replacement of the device;
25 iv. Failure of the person to pay fees established pursuant to
26 subsection (7) of this section;
27 v. Tampering with an installed ignition interlock device with

- 1 the intent of rendering it defective; or
- 2 vi. Altering, concealing, hiding, or attempting to alter, conceal,
- 3 or hide, the person's identity from the ignition interlock
- 4 device's camera while providing a breath sample;
- 5 (c) If a person's license was suspended pursuant to KRS 189A.090, for the
- 6 required suspension period under KRS 189A.090(2); or
- 7 (d) If a person's license suspension was extended pursuant to KRS 189A.345, the
- 8 required suspension period under KRS 189A.345(1).
- 9 (5) (a) The time period a person:
- 10 1. Holds a valid ignition interlock license pursuant to this section; or
- 11 2. Receives alcohol or substance abuse treatment in an inpatient residential
- 12 facility;
- 13 shall apply on a day-for-day basis toward satisfying the suspension periods
- 14 detailed in subsection (4) of this section.
- 15 (b) Except as provided in paragraph (c) of this subsection, the Transportation
- 16 Cabinet shall give the person a day-for-day credit for any time period the
- 17 person:
- 18 1. Held a valid ignition interlock license; or
- 19 2. Received alcohol or substance abuse treatment in an inpatient residential
- 20 facility.
- 21 (c) A person shall not receive day-for-day credit for days the person utilized the
- 22 employer exemption in accordance with subsection (6) of this section and
- 23 drove an employer's motor vehicle or motorcycle not equipped with a
- 24 functioning ignition interlock device.
- 25 (6) (a) A person with an ignition interlock license may operate a motor vehicle or
- 26 motorcycle not equipped with a functioning ignition interlock device if:
- 27 1. The person is required to operate an employer's motor vehicle or

1 motorcycle in the course and scope of employment; and

2 2. The business entity that owns the motor vehicle or motorcycle is not
3 owned or controlled by the person.

4 (b) To qualify for the employer exemption, the person shall provide the
5 Transportation Cabinet with a sworn statement from his or her employer
6 stating that the person and business entity meet the requirements of paragraph
7 (a) of this subsection.

8 (7) (a) Except as provided in paragraph (c) of this subsection, an ignition interlock
9 device provider may charge the following fees:

10 1. An installation fee for an alternative fuel vehicle or a vehicle with a
11 push button starter not to exceed one hundred thirty dollars (\$130), an
12 installation fee for all other vehicles not to exceed one hundred dollars
13 (\$100);

14 2. A monthly fee not to exceed one hundred dollars (\$100);

15 3. A removal fee not to exceed thirty dollars (\$30);

16 4. A reset fee not to exceed fifty dollars (\$50); or

17 5. A missed appointment fee not to exceed thirty-five dollars (\$35).

18 (b) A person who is issued an ignition interlock license shall pay fees as
19 established in his or her lease agreement with the ignition interlock device
20 provider for any ignition interlock device installed in his or her motor vehicle
21 or motorcycle. However, the fees shall never be more than allowed under
22 paragraph (a) of this subsection and are subject to paragraph (c) of this
23 subsection.

24 (c) Any person who has an income:

25 1. At or below two hundred percent (200%) but above one hundred fifty
26 percent (150%) of the federal poverty guidelines, shall pay only
27 seventy-five percent (75%) of fees established pursuant to paragraph (a)

1 of this subsection;

2 2. At or below one hundred fifty percent (150%) but above one hundred
3 percent (100%) of the federal poverty guidelines, shall pay only fifty
4 percent (50%) of fees established pursuant to paragraph (a) of this
5 subsection; or

6 3. At or below one hundred percent (100%) of the federal poverty
7 guidelines, shall pay only twenty-five percent (25%) of fees established
8 pursuant to paragraph (a) of this subsection;

9 As used in this paragraph, "federal poverty guidelines" has the same meaning
10 as in KRS 205.5621. The Transportation Cabinet shall determine the person's
11 income and where that income places the person on the federal poverty
12 guidelines.

13 (d) Neither the Commonwealth, the Transportation Cabinet, nor any unit of state
14 or local government shall be responsible for payment of any costs associated
15 with an ignition interlock device.

16 (8) For a person issued an ignition interlock license under this section who is residing
17 outside of Kentucky, the Transportation Cabinet may accept an ignition interlock
18 certificate of installation from an ignition interlock device provider authorized to do
19 business in the state where the person resides if the ignition interlock device meets
20 the requirements of that state.

21 ➔Section 24. KRS 281A.090 is amended to read as follows:

22 (1) Except when driving under a commercial learner's permit and accompanied by the
23 holder of commercial driver's license valid for the vehicle being driven, no person
24 shall drive a commercial motor vehicle on the highways of this state unless the
25 person holds a valid commercial driver's license with applicable endorsements valid
26 for the vehicle he or she is driving.

27 (2) No person shall drive a commercial motor vehicle on the highways of this state

1 while his or her driving privilege for a commercial or noncommercial motor vehicle
2 is suspended, revoked, or canceled, or while he or she is subject to a
3 disqualification, or in violation of an out-of-service order.

- 4 (3) The licensee shall have in his or her immediate possession at all times when
5 operating a motor vehicle his or her commercial driver's license, and shall display
6 the license upon demand to a circuit clerk, the Transportation Cabinet, a license
7 examiner, a peace officer, a State Police officer, or an inspector or officer of the
8 Department of Vehicle Regulation. It shall be a defense to a violator of this
9 subsection if the person so charged produces in court a commercial driver's license,
10 issued to him or her before his or her arrest or violation and which was valid at that
11 time.

12 ➔Section 25. KRS 281A.130 is amended to read as follows:

- 13 (1) A person shall not be issued a commercial driver's license unless that person:
- 14 (a) Is a resident of this state;
- 15 (b) Holds a valid operator's license;
- 16 (c) Has complied with the provisions of KRS 281A.300;
- 17 (d) Except as provided in KRS 281A.165, has passed the knowledge and skills
18 tests for driving a commercial motor vehicle which comply with minimum
19 federal standards established by federal regulation enumerated in 49 C.F.R. pt.
20 383, as adopted by the cabinet; and
- 21 (e) Has satisfied all other safety requirements including those requirements
22 imposed by state law or federal regulation. The tests shall be prescribed and
23 conducted as set forth in KRS 281A.160.
- 24 (2) A commercial driver's license or commercial learner's permit shall not be issued to
25 a person while the person is subject to a disqualification from driving a commercial
26 motor vehicle or while the person's driver's license or driving privilege is
27 suspended, revoked, or canceled in any state or jurisdiction.

- 1 (3) A commercial driver's license shall not be issued to a person who has a commercial
2 driver's license issued by any other state unless the person first surrenders all such
3 licenses, which shall be returned to the issuing jurisdiction for cancellation.
- 4 (4) To ensure that an applicant for a commercial driver's license or commercial
5 learner's permit complies with the requirements of subsections (2) and (3) of this
6 section, the circuit clerk~~[Transportation Cabinet]~~ shall verify through the
7 commercial driver's license information system and national driver register that the
8 person applying for a Kentucky CDL does not currently have his or her operator's
9 license or driving privilege suspended or revoked in another licensing jurisdiction.
10 If the person's operator's license or driving privilege is currently suspended or
11 revoked in another licensing jurisdiction, the circuit clerk~~[Transportation Cabinet]~~
12 shall not issue the person a Kentucky CDL until the person resolves the matter in
13 the other licensing jurisdiction and complies with the provisions of this chapter and
14 KRS Chapter 186.
- 15 ➔Section 26. KRS 281A.140 is amended to read as follows:
- 16 (1) The application for a commercial driver's license or commercial learner's permit
17 shall include the following information:
- 18 (a) The applicant's full legal name, any nicknames or other names by which he or
19 she is known, and present Kentucky resident address. If the applicant's
20 mailing address is different from the resident address, the mailing address
21 shall also be included;
- 22 (b) A physical description of the applicant including sex, height, weight, eye
23 color, and race;
- 24 (c) The applicant's date of birth;
- 25 (d) The applicant's Social Security number;
- 26 (e) The applicant's signature;
- 27 (f) Certifications including those required by 49 C.F.R. secs. 383.71, 383.73, and

- 1 384.206, as adopted by the cabinet;
- 2 (g) A consent to release driving record information;
- 3 (h) A valid Class D operator's license issued pursuant to KRS 186.4102 and
- 4 186.412;
- 5 (i) A birth certificate if the applicant does not hold a valid operator's license at
- 6 the time of application;
- 7 (j) The name of every jurisdiction in which the applicant has previously been
- 8 licensed to drive any type of motor vehicle during the ten (10) year period
- 9 immediately preceding the date of the application; and
- 10 (k) Any other information required by the cabinet.
- 11 (2) The cabinet or state police may require any other information needed in order to
- 12 process the application.
- 13 (3) When the holder of a commercial driver's license changes his or her name or
- 14 residence, the information shall be reported to the cabinet within ten (10) days. The
- 15 holder of a Class A, B, or C license shall make an application for a duplicate license
- 16 within thirty (30) days of changing his or her name or address.
- 17 (4) Any person whose commercial driver's license has been legitimately lost or
- 18 destroyed shall make an application for a duplicate. A person applying for a
- 19 duplicate within the time period for which the original license was issued shall
- 20 apply to the office of the circuit clerk in the county where the person
- 21 resides~~[Transportation Cabinet]~~. The person shall provide the clerk~~[cabinet]~~ with
- 22 proof of the person's identity and a notarized affidavit with a raised seal explaining
- 23 in detail the loss or destruction of the original license.
- 24 (5) A person who is a resident of this state shall not drive a commercial motor vehicle
- 25 under the authority of a commercial driver's license issued by another jurisdiction.
- 26 (6) Any person who knowingly falsifies information or certifications required to obtain
- 27 a commercial driver's license, a commercial driver's license permit, or a duplicate

commercial driver's license subsequent to an administrative hearing conducted in accordance with KRS 186.570, shall be subject to suspension, revocation, or cancellation of his or her commercial driver's license for a period of at least sixty (60) consecutive days.

➔Section 27. KRS 281A.150 is amended to read as follows:

(1) Every person seeking a commercial driver's license or a commercial learner's permit shall first apply in person to the circuit clerk of the county in which the applicant:

(a) Resides; or

(b) Is enrolled in a driver training school, if the applicant is not a Kentucky resident~~[cabinet]~~.

(2) The application shall be in the form prescribed by KRS 281A.140 as provided by the cabinet. Except as provided in KRS 281A.160(6), each time a person applies for a commercial driver's license, a commercial learner's permit, or seeks to upgrade or change his or her commercial driver's license, the person shall be required to:

(a) Update the application; and

(b) Submit the appropriate fee to the circuit clerk~~[cabinet]~~.

(3)~~(2)~~ In addition to the fees for an operator's license under KRS 186.531, the cabinet shall set fees by administrative regulation, in accordance with KRS Chapter 13A, for the following applications that shall not exceed:

(a) Forty dollars (\$40) for each application for a commercial driver's license. The fee shall be based on the class, type of license, endorsement, restriction, or tests to be taken;

(b) Thirty-five dollars (\$35) for each application for a commercial learner's permit;

(c) Fifteen dollars (\$15) for each application for a change or addition in class or type of license, endorsement, or restriction; and

(d) Forty dollars (\$40) for each application for a duplicate if it is the first

1 duplicate applied for within the time period for which the original license was
2 issued. Sixty dollars (\$60) for a second or subsequent duplicate applied for
3 within the time period for which the original license was issued. The fees
4 required for a duplicate shall be in addition to fees charged under
5 paragraph~~[subsection (2)]~~ (c) of this subsection~~[section]~~.

6 ~~(4)~~~~(3)~~ In addition to the fees for an operator's license KRS 186.531, the cabinet shall
7 set fees by administrative regulation in accordance with KRS Chapter 13A, for the
8 following commercial driver's licenses that shall not exceed:

- 9 (a) Forty-five dollars (\$45) for each initial or renewal of a commercial driver's
10 license;
11 (b) Sixty dollars (\$60) for each transfer of a commercial driver's license; and
12 (c) Thirty dollars (\$30) for each initial or renewal of a commercial driver's
13 license with an "S" endorsement.

14 ~~(5)~~~~(4)~~ All fees remitted to the circuit clerk~~[cabinet]~~ shall be nonrefundable
15 regardless of whether the applicant completes the requirements for a commercial
16 driver's license or is tested.

17 ~~(6)~~~~(5)~~ All fees collected for the issuance of a commercial driver's license or a
18 commercial learner's permit shall be deposited into trust and agency accounts to be
19 used exclusively for the administration and implementation of this chapter, except
20 as prescribed in subsection ~~(7)~~~~(6)~~ of this section. The accounts shall not lapse but
21 shall be continuing from year to year.

22 ~~(7)~~~~(6)~~ All fees collected pursuant to this section shall be allocated between the
23 Transportation Cabinet and Department of Kentucky State Police, except a fifty
24 cent (\$0.50) issuance fee shall be allocated to the general fund from issuance of a
25 commercial driver's license permit and a three dollar (\$3) issuance fee shall be
26 allocated to the general fund from issuance of a commercial driver's license.

27 ~~(8)~~~~(7)~~ Any applicant who seeks reinstatement of his or her commercial driving

1 privilege after a suspension, withdrawal, revocation, or disqualification shall pay a
2 reinstatement fee of fifty dollars (\$50) in addition to those fees required by
3 subsection (2) of this section and shall satisfy the requirements of KRS 281A.160.
4 This fee shall not be required if his or her commercial driving privilege was
5 withdrawn only as a result of the withdrawal of his or her privilege to drive a
6 noncommercial motor vehicle.

7 ~~(9)~~~~(8)~~ As payment for any fee identified in this section, the circuit clerk~~feabinet~~:

- 8 (a) Shall accept cash and personal checks; and
- 9 (b) May accept other methods of payment in accordance with KRS 45.345.

10 ➔Section 28. KRS 281A.160 is amended to read as follows:

- 11 (1) (a) Except as provided in subsection (4) of this section, the State Police shall be
12 responsible for administering both the knowledge and skills test required by
13 KRS 281A.130.
- 14 (b) Prior to taking the knowledge test, a first-time applicant for a hazardous
15 materials endorsement shall complete the entry level driver training required
16 under 49 C.F.R. pt. 380.
- 17 (c) Applicants who fail the written knowledge test shall be permitted to retake the
18 written test on the next day the tests are administered. Applicants who fail the
19 written test six (6) times shall be required to wait three (3) days before taking
20 the knowledge test again. Applicants who subsequently fail the written test
21 three (3) additional times shall be required to wait three (3) days prior to
22 retaking the test.
- 23 (2) (a) Except as provided for in subsection (3) of this section, at the time a CDL
24 permit is issued:
 - 25 1. An applicant who has held a Kentucky operator's license for thirty (30)
26 days or longer shall pay a skills-testing fee of fifty dollars (\$50); and
 - 27 2. An applicant who has held a Kentucky operator's license for less than

1 thirty (30) days or an applicant who holds an out-of-state operator's
2 license and commercial learner's permit shall pay a skills-testing fee of
3 one hundred fifty dollars (\$150).

4 (b) There is created within the State Treasury a trust fund to be known as the
5 State Police CDL skills-testing fund. The fund shall be administered by the
6 State Police and shall receive all skills-testing and retesting fees collected
7 under paragraph (a) of this subsection and subsection (6)(e) of this section, in
8 addition to any grants, gifts, or appropriations of state or federal moneys and
9 any interest earned on moneys in the fund. Moneys in the fund shall not lapse
10 and shall be carried forward to the next succeeding fiscal year. The State
11 Police CDL skills-testing fund shall be used by the State Police to contract
12 with and train civilian CDL skills examiners and to improve the logistics of
13 the CDL skills-testing process.

14 (c) The State Police, upon request of an applicant who has passed both the vision
15 and knowledge tests, and has successfully completed all of the entry level
16 driver training required under 49 C.F.R. pt. 380 for the license class and
17 endorsements the applicant seeks, may schedule the applicant for the skills
18 test at the first available test date at a test site designated by the State Police
19 but not less than fourteen (14) days after the applicant has filed the application
20 and been issued a CDL permit. Except in extenuating circumstances, a retest
21 for a failed portion of the skills test shall be given within three (3) days of a
22 request of a retest.

23 (d) An applicant shall provide a class representative commercial vehicle, for the
24 class of CDL for which the applicant is testing, in which to take the skills test.
25 Unless the State Police grant an exemption at the time the application for
26 testing is made, the vehicle supplied under this paragraph shall be unloaded.
27 Upon arrival for the skills test, the applicant shall have in his or her

1 possession a valid Kentucky operator's license and a valid CDL permit. A
2 CDL-licensed driver who is at least twenty-one (21) years old shall
3 accompany the applicant at all times the applicant is in operation of a
4 commercial vehicle.

5 (3) A testing fee shall not be charged to:

6 (a) An individual applying for a CDL with an "S" endorsement as defined in KRS
7 281A.170; or

8 (b) Military personnel applying for a CDL under KRS 281A.165.

9 (4) The State Police may authorize a third party to administer the skills test specified by
10 this section if:

11 (a) The test is the same that would otherwise be administered by the state; and

12 (b) The third party has entered into an agreement with this Commonwealth which
13 complies with requirements of 49 C.F.R. sec. 383.75, as adopted by the
14 Transportation Cabinet.

15 (5) The State Police shall promulgate administrative regulations in accordance with
16 KRS Chapter 13A that establish procedures that ensure an arm's-length relationship
17 is maintained between a third-party tester and any owner, officer, or employee of
18 any program offering commercial truck driving under the Kentucky Community
19 and Technical College System or a proprietary school licensed under KRS Chapter
20 165A.

21 (6) (a) Applicants shall be permitted to take the skills test for a particular class
22 vehicle an unlimited number of times; however, an applicant shall not retest
23 more than one (1) time in any twenty-four (24) hour period.

24 (b) The skills test shall consist of three (3) separate portions: pre-trip inspection,
25 basic maneuvering, and road skills. An applicant must achieve a score of at
26 least eighty percent (80%) on each portion of the skills test before a CDL may
27 be issued to the applicant. An applicant who passes one (1) or more portions

1 of the skills test but does not pass all portions of the skills test shall retest only
2 on those portions of the skills test the applicant failed.

3 (c) An applicant who fails any portion of the skills test four (4) times shall be
4 notified by the State Police that the applicant is required to wait one (1) week
5 before retaking a portion of this skills test again.

6 (d) Failure of an applicant to notify the State Police at least forty-eight (48) hours
7 prior to missing an appointment for a skills test, or provide a written medical
8 excuse from a licensed physician, advanced registered nurse practitioner, or
9 physician's assistant, shall be considered a failure on all parts of the skills test
10 scheduled to be given for the purposes of determining number of failures,
11 waiting periods, and retesting fees under paragraphs (c) and (e) of this
12 subsection for individual applicants. The fees for a missed appointment failure
13 shall be forfeited and retained in the State Police CDL skills-testing fund
14 established under this section. If the forty-eight (48) hour notice or medical
15 excuse is given, the fee shall be applied to the rescheduled test. A missed
16 appointment failure under this paragraph shall not be reported as a failure to
17 the board.

18 (e) Except as provided for in paragraph (d) of this subsection, at the time of
19 application for a retest under this subsection, the applicant shall pay a
20 retesting fee of fifty dollars (\$50).

21 (7) (a) An applicant who seeks reinstatement of a commercial driver's license after a
22 suspension, withdrawal, revocation, or disqualification of less than one (1)
23 year shall pay the reinstatement fee as prescribed by KRS 281A.150~~(8)~~⁽⁷⁾
24 and shall receive his or her commercial driver's license with all endorsement
25 and restrictions that were in effect at the time of suspension. An applicant who
26 seeks reinstatement of a commercial driver's license after a suspension,
27 withdrawal, revocation, or disqualification of one (1) year or more shall

1 submit to the skills, knowledge, and vision tests.

2 (b) Subject to paragraphs (c) and (d) of this subsection, a person who possessed a
3 Kentucky commercial driver's license that has expired for a period of less than
4 five (5) years and was not subject to suspension, withdrawal, revocation, or
5 disqualification for any reason at the time of expiration may have that license
6 reinstated, with all endorsements, without submitting to the skills and
7 knowledge tests by applying to the cabinet for renewal. Upon submission of
8 medical certification, driver self-certifications required under KRS
9 281A.140(1)(f), successful completion of any necessary criminal background
10 check, and review of the person's driving history record, the cabinet shall
11 issue a renewal CDL, with all endorsements, to an applicant under this
12 paragraph.

13 (c) A person who otherwise meets the requirements of paragraph (b) of this
14 subsection whose CDL was subject to suspension or revocation solely for
15 failure to provide medical certification may apply for renewal of a CDL under
16 paragraph (b) of this subsection.

17 (d) If the CDL held by a person who otherwise meets the requirements of
18 paragraph (b) of this subsection carried a hazardous materials endorsement,
19 and the applicant wishes to retain that endorsement, he or she shall complete
20 any examinations required for a hazardous materials endorsement renewal in
21 KRS 281A.180(2) prior to renewing the CDL under paragraph (b) of this
22 subsection.

23 (8) (a) The commissioner of the Department of Kentucky State Police shall
24 promulgate administrative regulations in accordance with KRS Chapter 13A
25 to implement the provisions of this section.

26 (b) The State Police shall promulgate administrative regulations in accordance
27 with KRS Chapter 13A to set forth the qualifications for contract examiners

1 retained under subsection (2)(b) of this section.

2 ➔Section 29. KRS 281A.300 is amended to read as follows:

- 3 (1) (a) Any person initially applying for, or renewing, a Kentucky CDL or CLP shall
4 be required to undergo a state and national criminal history background check
5 of state and federal wanted or "hot file" records conducted by the State Police.
- 6 (b) All initial and renewal application forms for a Kentucky CDL or CLP shall
7 conspicuously state the following: "STATE LAW REQUIRES A STATE
8 AND NATIONAL CRIMINAL HISTORY BACKGROUND CHECK AS A
9 CONDITION OF APPLYING FOR A KENTUCKY CDL. ANY PERSON
10 WHO REFUSES TO SUBMIT TO A CRIMINAL HISTORY
11 BACKGROUND CHECK SHALL NOT BE ELIGIBLE TO APPLY FOR,
12 OR BE ISSUED, A KENTUCKY CDL."
- 13 (2) The results of the state and national criminal history background checks shall be
14 sent to the cabinet for review within seventy-two (72) hours. An applicant for a
15 CLP may enroll in a commercial driver training program under the Kentucky
16 Community and Technical College System or a proprietary school licensed under
17 KRS Chapter 165A, and may be issued a CLP upon enrollment, however the status
18 of the applicant retaining the CLP shall not be determined until the results of the
19 background checks are made available to the cabinet. The cabinet shall inform an
20 applicant and the circuit clerk, based upon the criminal history background check,
21 of the applicant's eligibility to be issued a CLP or CDL. The cabinet shall
22 promulgate administrative regulations in accordance with KRS Chapter 13A to
23 specify conditions that will cause a person to be denied a CLP or CDL based upon
24 the person's criminal history background check.
- 25 (3) Any fee charged by the State Police to conduct a criminal history background check
26 shall be paid by the applicant and shall not be refundable. Any fee charged to
27 conduct a criminal history background check shall be an amount not greater than

1 the actual cost of processing the request and conducting the search.

2 (4) The criminal history background checks required by this section shall be in addition
3 to any type of background check that may be required by federal statute, rule,
4 regulation, or order.

5 ➔Section 30. KRS 281A.320 is amended to read as follows:

6 Any person initially renewing a commercial driver's license or adding an endorsement
7 after September 30, 2002, shall apply for the renewal at least thirty (30) days prior to the
8 expiration date of the license. The purpose of the early renewal procedures is to ensure
9 the criminal history background check required under KRS 281A.300 may be completed
10 prior to the expiration date on the license. A person may obtain the information necessary
11 to conduct the criminal history background check from the circuit clerk~~[cabinet]~~. If the
12 person has a law enforcement agency other than the State Police conduct the background
13 check, the law enforcement agency may charge the person a nonrefundable fee for the
14 service. Any fee charged by any law enforcement agency to conduct a criminal history
15 background check shall be an amount not greater than the actual cost of processing the
16 request and conducting the search.

17 ➔Section 31. KRS 116.0452 is amended to read as follows:

18 (1) For the purpose of determining whether a voter registration application is received
19 during the period in which registration books are open under KRS 116.045(2), an
20 application shall be deemed timely received:

21 (a) In the case of registration with a motor vehicle driver's license application, if
22 the valid voter registration form of the applicant is accepted by the circuit
23 clerk~~[Transportation Cabinet]~~ before the registration books are closed;

24 (b) In the case of registration by mail, if the valid voter registration form of the
25 applicant is legibly postmarked before the registration books are closed;

26 (c) In the case of registration with a voter registration agency, if the valid voter
27 registration form of the applicant is accepted at the voter registration agency

1 before the registration books are closed; and

2 (d) In any other case, if the valid voter registration form of the applicant is
3 received by the appropriate county clerk, no later than 4 p.m. local time,
4 before the registration books are closed.

5 (2) The county clerk shall send notice to each applicant of the disposition of the
6 application.

7 (3) The name of a registered voter shall not be removed from the registration books
8 except:

9 (a) Upon request of the voter;

10 (b) As provided by KRS 116.113, upon notice of death, declaration of
11 incompetency, excusal from jury duty for not being a United States citizen, or
12 conviction of a felony; or

13 (c) Upon failure to respond to a confirmation mailing sent pursuant to KRS
14 116.112(3) and failure to vote or appear to vote and, if necessary, correct the
15 registration record of the voter's address in an election during the period
16 beginning on the date of the notice and ending on the day after the date of the
17 second general election for Federal office that occurs after the date of the
18 notice.

19 (4) The identity of the voter registration agency or circuit clerk's ~~Transportation~~
20 ~~Cabinet~~ office through which any particular voter is registered shall not be
21 disclosed to the public.

22 ➔Section 32. KRS 116.0455 is amended to read as follows:

23 (1) (a) Each motor vehicle driver's license application, including any renewal
24 application, submitted to the appropriate motor vehicle authority shall serve as
25 an application for voter registration unless the applicant fails to sign the voter
26 registration application.

27 (b) An application for voter registration submitted under paragraph (a) of this

1 subsection shall be considered as updating any previous voter registration by
2 the applicant.

3 (2) No information relating to the failure of an applicant for a motor vehicle driver's
4 license to sign a voter registration application may be used for any purpose other
5 than voter registration.

6 (3) (a) The Transportation Cabinet shall include a voter registration application form
7 as part of an application for a motor vehicle driver's license.

8 (b) The voter registration application portion of an application for a motor vehicle
9 driver's license shall comply with the requirements of Section 5 of Public Law
10 103-31, the National Voter Registration Act of 1993.

11 (4) Any change of address form submitted for purposes of a motor vehicle driver's
12 license shall serve as notification of change of address for voter registration for the
13 registrant involved unless the registrant states on the form that the change of
14 address is not for voter registration purposes.

15 (5) (a) A completed voter registration portion of an application for a motor vehicle
16 driver's license accepted by the circuit clerk~~[Transportation Cabinet]~~ shall be
17 transmitted to the county clerk of the county of the applicant's voting
18 residence not later than ten (10) days after the date of acceptance.

19 (b) If a voter registration application is accepted within five (5) days before the
20 last day for registration to vote in an election, the application shall be
21 transmitted to the county clerk of the county of the applicant's voting
22 residence not later than five (5) days after the date of acceptance.

23 (6) The circuit clerk~~[Transportation Cabinet]~~ shall provide to the county clerk a
24 declination statement signed by an applicant if the applicant has declined to register
25 to vote.

26 ➔Section 33. KRS 116.085 is amended to read as follows:

27 (1) When a voter changes his or her place of residence to another location within the

1 county, the clerk shall, upon application of the voter in person, by mail, or through
2 the circuit clerk~~[Transportation Cabinet]~~, transfer the voter's registration record to
3 the proper precinct.

4 (2) When a registered voter changes his or her place of residence from one (1) precinct
5 to another within the same county before the registration books are closed and fails
6 to transfer his or her registration with the county clerk prior to the date the
7 registration books are closed, the voter shall be permitted to update the voting
8 records and to vote in the present election at the appropriate precinct for the current
9 address upon affirmation of his or her current address and signing the precinct list
10 as set forth in KRS 117.225. Before being permitted to vote, the voter shall also
11 confirm his or her identity as required in KRS 117.227 and complete the affidavit
12 which is required to be completed by a voter whose right to vote has been
13 challenged. The subscribed oaths shall be delivered to the county clerk and
14 investigated in accordance with KRS 117.245.

15 (3) When a registered voter changes his or her place of residence from one (1) precinct
16 to another precinct within the same county after the registration books close, the
17 voter shall be permitted to vote in the present election at the appropriate precinct for
18 the current address upon affirmation of his or her current address and signing the
19 precinct list as set forth in KRS 117.225. Before being permitted to vote, the voter
20 shall confirm his or her identity as required by KRS 117.227 and complete the
21 affidavit which is required to be completed by a voter whose right to vote is
22 challenged. The subscribed oaths shall be delivered to the county clerk and
23 investigated in accordance with KRS 117.245.

24 (4) (a) When the boundaries of a precinct are changed by law, placing a registered
25 voter in a new or different precinct, the clerk shall automatically transfer the
26 voter's registration record to the proper precinct and mail the voter a notice of
27 the change.

1 (b) When the General Assembly enacts a new redistricting plan, the clerk shall
2 mail each voter a notice informing the voter of his or her current district
3 number, State Representative, and State Senator.

4 (5) A voter who has changed his or her name may indicate the change at the precinct
5 on election day by completing the form provided for this purpose by the State
6 Board of Elections. The form shall be returned by the precinct officer to the county
7 clerk who shall make the necessary change on the voter's registration record.

8 ➔Section 34. KRS 27A.052 is amended to read as follows:

9 (1) The Circuit Court clerk salary account is created as a trust and agency account in
10 the State Treasury to be administered by the Administrative Office of the Courts.
11 The account shall consist of the portion of fees directed to the account under
12 Section 11, and 18 of this Act, proceeds from grants, contributions, appropriations,
13 or other moneys made available for the purposes of the account.

14 (2) Notwithstanding KRS 45.229, any moneys remaining in the account not expended
15 at the close of a fiscal year shall not lapse but shall be carried forward to the next
16 fiscal year.

17 (3)~~Any interest earnings of the account shall become a part of the account and shall~~
18 ~~not lapse.~~

19 (4)~~Moneys in the account shall be used for the purposes of hiring additional deputy~~
20 ~~circuit clerks and providing salary adjustments to deputy circuit clerks and~~ for no
21 other purpose~~[are hereby appropriated for these purposes].~~

22 ➔Section 35. KRS 186.014 is amended to read as follows:

23 In any county, the:

24 (1) County clerk may maintain branch offices for the purpose of processing motor
25 vehicle titling and registration transactions; and

26 (2) Circuit clerk may maintain branch offices for the purpose of processing
27 applications for operator's licenses, instruction permits, and personal

1 *identification cards.*

2 ➔Section 36. This Act takes effect July 1, 2027.