

1 AN ACT relating to vision testing on renewal of operator's licenses and declaring
2 an emergency.

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

4 ➔Section 1. KRS 186.577 is amended to read as follows:

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

7 1. All persons applying for an initial [or renewal]operator's license;
8 2. All persons applying for an initial [or renewal]instruction permit;[and]

9 **3. All persons applying for a renewal operator's license who are sixty-**
10 **five (65) years of age or older on the date of the renewal application;**
11 **and**

12 **4.[3.]**Any person required to complete an examination under KRS 186.635.

13 (2) Vision testing under this section shall be administered to any person:

14 (a) Applying for an initial operator's license, an initial instruction permit, or
15 reinstatement of a license when vision must be tested as required in KRS
16 186.480:

17 1. Prior to the time of application under subsection (5) of this section; or
18 2. By Kentucky State Police at the time of application;

19 (b) Applying for operator's license renewal or instruction permit renewal:

20 1. Prior to the time of application under subsection (5) of this section; or
21 2. By the Transportation Cabinet at the time of application; or

22 (c) Identified in Kentucky administrative regulations promulgated by the
23 Transportation Cabinet or the Kentucky State Police as being required to
24 undergo the exam required by KRS 186.480.

25 (3) (a) Persons whose visual acuity is 20/40 or better and who meet or exceed the
26 visual field standard established by the Transportation Cabinet without
27 corrective lenses shall not have a restriction placed on their driving privileges.

1 (b) Persons whose visual acuity is 20/40 or better and who meet or exceed the
2 visual field standard established by the Transportation Cabinet with corrective
3 lenses shall have their driving privileges restricted to mandate the use of the
4 corrective lenses.

5 (c) If a person fails to meet a 20/40 visual acuity standard or the visual field
6 standard established by the cabinet, the person shall be referred to a vision
7 specialist for examination.

8 (4) A person referred to a vision specialist under subsection (3) of this section whose
9 visual acuity is 20/60 or better and who meets or exceeds the visual field standard
10 established by the cabinet shall be eligible to test for an instruction permit or
11 operator's license, or shall be eligible for operator's license renewal. If corrective
12 lenses were prescribed by the vision specialist, the person's driving privileges shall
13 be restricted to mandate the use of the corrective lenses.

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

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

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

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

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

- (c) State whether the driving privileges of the applicant shall be restricted to mandate the use of corrective lenses; and
- (d) Clearly indicate that the vision testing under this section is a screening for minimum vision standards established in this section and is not a complete eye examination.

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

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

(9) Persons who meet the requirements of KRS 186.578 and are issued operator's licenses under KRS 186.579 shall:

- (a) Have their driving privileges restricted to the use of a bioptic telescopic device; and
- (b) Be exempt from this section.

(10) The Transportation Cabinet shall promulgate administrative regulations pursuant to KRS Chapter 13A to implement the provisions of this section, including but not limited to establishing visual field standards, the creation of a driver vision testing form, and establishing a credentialing process for osteopaths, physicians, and advanced practice registered nurses to conduct vision testing under this section.

(11) The Transportation Cabinet may promulgate administrative regulations pursuant to KRS Chapter 13A to:

- (a) Implement a system for electronic transmission of driver vision testing forms and accompanying documentation; and
- (b) Assess a fee to an applicant to cover the administrative costs of performing on-site vision testing. Any funds received from this fee shall be deposited into the photo license account established in KRS 174.056.

1 ➔Section 2. Whereas the requirement for vision testing on operator's license
2 renewals for all drivers has placed an additional burden on an already overtaxed driver
3 licensing system, and it is increasingly difficult to obtain an operator's license, an
4 emergency is declared to exist, and this Act takes effect upon its passage and approval by
5 the Governor or upon it otherwise becoming a law.