

JUSTICE AND PUBLIC SAFETY CABINET
Department of Kentucky State Police
(Amended After Comments)

502 KAR 10:030. Instructor's license.

RELATES TO: KRS 332.204

STATUTORY AUTHORITY: KRS 15A.160, 332.204, 332.216

NECESSITY, FUNCTION, AND CONFORMITY: KRS 332.216 requires the department to promulgate administrative regulations to carry out the provisions of KRS Chapter 332. KRS 15A.160 authorizes the secretary of the cabinet to adopt administrative regulations to administer the cabinet. KRS 332.204(3) requires the department to establish an application process for the licensing of instructors for driver training in the operation of noncommercial motor vehicles. This administrative regulation establishes the requirements for the application and licensing for a driver training instructor.

Section 1. A person seeking to be licensed as a driver training instructor shall submit an application with required documents to the Kentucky State Police Drivers Testing Branch at the address in Section 12 of this administrative regulation .

Section 2. The driver training instructor license application shall indicate the name and address of the driver training school employing the applicant and shall be signed by an agent or representative of the driver training school. The application shall be verified under oath and signed by the applicant.

Section 3. The driver training instructor license applicant shall submit to the Drivers Testing Branch at the address in Section 12 of this administrative regulation the following:

- (1) A duly completed driver training instructor application, KSP 107;
- (2) The fee set in KRS 332.204(4) in the form of a certified check or money order made payable to the Kentucky State Treasurer;
- (3) Three (3) identical photographs that:
 - (a) Are one and one-half (1 1/2) inches by one and one-half (1 1/2) inches; and
 - (b) Show a full face view of the applicant's neck and uncovered head;
- (4) A physical examination report, including the following:
 - (a) Results of an eye examination showing the visual acuity of the applicant to be at least 20/20 in one (1) eye and 20/40 in the other, or 20/30 in each eye separately with or without corrective lenses;
 - (b) Showing that the applicant has at least one (1) functional:
 1. Eye;
 2. Hand; and
 3. Foot; and
 - (c) Would not be disqualified for a driver's license pursuant to 601 KAR 13:010;
- (5) Proof of age by copy of birth certificate or valid driver's license;
- (6) Proof of education by copy of diploma or GED certificate; and
- (7) A Driver Training Instructor's Examination Report, KSP 110, if the applicant has obtained a passing score.

Section 4. The driver training instructor examination shall be administered by the department.

- (1) The examination shall consist of a written theoretical examination prepared and administered by the department and embracing subject matter pertinent to the care, operation, and use of a motor vehicle on the highways, and to general safety principles and practices, both for the purpose of testing an applicant's competency and fitness in the operation of a motor vehicle and in providing classroom instruction, including rules of

the road, safe driving practices, pedestrian safety, mechanics of motor vehicles, driver responsibility, the Kentucky point system, types of automobile insurance, and use of automobile safety devices. The results of the examination shall be recorded on the Drivers Training Instructors Examination Report, KSP 110.

(2) The department may also test the applicant for depth perception, peripheral vision, and reaction time.

Section 5. All applicants who pass the instructor's examination and who are qualified pursuant to KRS 332.204(3) and this administrative regulation shall be issued a driver training instructor license certifying the instructor for both classroom and practical instruction and containing the instructor's photograph, the name and address of the licensee, and the name and address of the driver training school by whom the instructor is employed. The license shall be:

- (1) Nontransferable;
- (2) Carried and displayed in compliance with KRS 332.206; and
- (3) Surrendered to the Drivers Testing Branch upon expiration, revocation, suspension, mutilation of the physical license, or the instructor's separation from employment with the driver training school listed on the license.

Section 6. A driver training instructor license shall expire on June 30 of each year or upon separation from employment by the driver training school listed on the license. License renewal shall require submission of a new application pursuant to Section 3 of this administrative regulation, including payment of fees. A renewal application, supporting documents, and fees shall be submitted to the Drivers Testing Branch by June 30 of each year.

Section 7. If a license is lost, mutilated, or destroyed, a duplicate license will be issued upon proof of the date the license was lost or destroyed and the circumstances involving the loss, mutilation, or destruction. A five (5) dollar replacement fee shall be paid for a duplicate license.

Section 8. Any applicant who has previously been licensed as a driver training instructor but has not been so employed within two (2) years preceding application shall apply as an original applicant.

Section 9. Any instructor who has had the instructor's license suspended or revoked or any applicant denied a license may apply again six (6) months following the suspension, revocation, or denial.

Section 10. The department shall not issue a driver training instructor license to any applicant who has been convicted of two (2) or more moving hazardous traffic violations within the two (2) year period immediately preceding the date of application.

Section 11. A driver training school shall complete a Driver Training School License Information Notice of Change, KSP 115, within ten (10) days of termination of employment of an instructor or agent, or if there is any change in the address of any owner, partner, officer, or driving instructor.

Section 12. Incorporation by Reference.

- (1) The following material is incorporated by reference:
 - (a) "Driver Training Instructor Application". KSP 107, 2009 edition;
 - (b) "Driver Training Instructor's Examination Report", KSP 110, 2001 edition; and
 - (c) "Driver Training School License Information Notice of Change", KSP 115, 2006 edition.
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky State Police, Drivers Testing Branch, 1250 Louisville Road,

Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. or at any KSP regional driver testing office. This material is also available on the agency Web site kentuckystatepolice.org under drivers testing.

(1 Ky.R. 1032; Am. 2 Ky.R. 123; eff. 8-13-1975; 12 Ky.R. 1620; 1831; eff. 5-6-1986; 48 Ky.R. 1263, 2241; eff. 8-16-2022.)

COL. PHILLIP J. BURNETT, JR., Commissioner

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