TOURISM, ARTS AND HERITAGE CABINET

Department of Fish and Wildlife Resources

(Amended at ARRS Committee)

301 KAR 5:030. Purchasing licenses and **permits**[**~~obtaining replacement licenses~~**].

RELATES TO: KRS 150.090, 150.170, 150.175, 150.195, 150.235, 150.990

STATUTORY AUTHORITY: KRS 150.170, 150.175, 150.195

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 150.195(1) authorizes the department to promulgate administrative regulations pertaining to the issuance of licenses and permits. KRS 150.175 authorizes the department to require proof of residency and age or disability for those eligible to purchase a senior[~~/~~]or disabled ***combination***[~~combination~~][***~~sportsman's~~***] license. This administrative regulation ***establishes***[***~~specifies~~***] the information required to purchase a [~~POS~~] license or permit, [~~the information required on the license~~ ]the method of purchasing a license or permit, [~~how replacement~~]reprinting or refunding licenses or permits[~~may be obtained~~], and how to obtain a disability authorization[ ~~card~~].

Section 1. Purchasing Licenses or Permits.[~~Information Required to Purchase a POS License.~~]

(1) Licenses or permits ***may***[***~~can~~***] be obtained:

(a) At license agent locations***;***

(b) ***At*** other department ***sponsored or approved***[***~~sponsored/approved~~***] sites or events;[***~~or~~***]

(c) By accessing the department's online or mobile purchase portals***; or***[***~~.~~***]

(d) By Phone. Phone sales customers ***shall***[***~~will~~***] be issued an authorization number and ***shall***[***~~must~~***] comply with Section 2 of this ***administrative*** regulation.

(2) A person buying a [~~POS~~] license or permit shall ***submit to***[***~~furnish~~***] the license agent the ***applicant's***[***~~following applicant information~~***]:

(a)[~~(1)~~] [~~The license applicant's d~~]Date of birth;[~~and~~]

(b)[~~(2)~~] One ***(1)*** of the following[~~An~~] identification numbers:[~~, which shall be:~~]

[~~(a)~~] [~~The license applicant's:~~]

1. Social Security number; ***or***[~~or~~]

2. Fish and Wildlife Identification number;[***~~or~~***]

[***~~3.~~***] [***~~An agency approved state or federal identification number.~~***]

(c) Address, including city, state, and zip code;

(d) Email ***or***[***~~and/or~~***] phone number;

(e) If purchasing a senior license, proof of age; and

(f) If purchasing a disability license, an unexpired disability authorization issued by the department to the license applicant.[

[~~(b)~~] [~~If buying a senior/disabled license:~~]

[~~1.~~] [~~If age sixty-five (65) or over, proof of age and Kentucky residency; or~~]

[~~2.~~] [~~If under age sixty-five (65), an unexpired disability authorization card issued by the department and proof of Kentucky residency.~~]

Section 2. [~~Providing Information on Licenses~~]Proof of License or Permit.

(1) Before performing an act authorized by the license or permit, the [~~license~~] holder shall[***~~:~~***]

[***~~(a)~~***] [~~Sign the POS license~~] keep proof of license or permit purchase, whether printed, electronic, or department issued authorization number in possession at all times while performing any act authorized by the license or permit;[~~and~~]

[~~(b)~~] [~~Provide the following information, legibly in ink or indelible pencil, in the blanks provided on the POS license:~~]

[~~1.~~] [~~Address, including city, state and zip code;~~]

[~~2.~~] [~~Eye color;~~]

[~~3.~~] [~~Hair color;~~]

[~~4.~~] [~~Sex;~~]

[~~5.~~] [~~Height; and~~]

[~~6.~~] [~~Weight.~~]

(2) A license or permit not completed as ***established***[***~~specified~~***] in this section shall not be valid.

(3) A senior ***combination***[~~/disabled~~][~~combination~~][***~~sportsman's~~***] license shall not be valid unless accompanied by[***~~:~~***]

[***~~(a)~~***] proof of age and Kentucky residency, if the license recipient is age sixty-five (65) or over.[~~; or~~]

(4) A disability ***combination***[***~~sportsman's~~***]license shall not be valid unless accompanied by proof of Kentucky residency.

[~~(b)~~] [~~An unexpired disability authorization card issued to the license recipient, if the license recipient is under age sixty-five (65) and proof of Kentucky residency.~~]

(5) The authorization number shall serve in lieu of the paper or electronic license or permit. A person using an authorization number as proof of license or permit, while performing an act authorized by the license or permit, shall carry [***~~upon their person~~*** ]and present upon request to a law enforcement officer:

(a) The authorization number; and

(b) If sixteen (16) years of age or older, identification with a picture and date of birth.

(6) A person using an authorization number in lieu of a deer, elk, or turkey permit shall:

(a) Before hunting, write ***the person's***[***~~their~~***] name, address***,*** and applicable authorization number on a card;

(b) Immediately after taking an animal, write the date the animal was taken, the species***,*** and the sex of the animal on the card;

(c) Complete any check-in procedure required for that species ***and***[***~~,~~***] write the telecheck authorization number on the card;[***~~and~~***]

(d) If the carcass is out of the hunter's possession,[***~~the hunter shall~~*** ]attach another card to the carcass containing the hunter's name, address, authorization number, date the animal was taken, species, and telecheck authorization number, if already obtained***; and***

***(e)*** ***Present to a law enforcement officer, upon request, the information applicable as established in this subsection***.

Section 3. [~~Replacement of Lost or Destroyed Licenses~~]Reprint or Refunding of Licenses or Permits.

(1) A person whose license or permit is lost or destroyed may:

(a) [~~Request a replacement license from the department~~]Reprint the license or permit using the reprint option available in the customer's profile on the department's Web site ***at https://app.fw.ky.gov/Myprofile/default.aspx*** or mobile application; or

(b) [~~Purchase a replacement license and request a refund from the department~~] Ensure an electronic version is available as ***established***[***~~outlined~~***] in Section 2***of this administrative regulation***.

(2) A person may request[~~requesting~~] a refund ***for a***[***~~or~~*** ][~~replacement~~] license or permit[~~or refund~~][~~shall provide the department with~~]by:

[~~(a)~~] [~~His name and complete mailing address;~~]

[~~(b)~~] [~~The identification number used to purchase the original license; and~~]

[~~(c)~~] [~~One (1) of the following:~~]

[~~1.~~] [~~A replacement fee of five (5) dollars; or~~]

[~~2.~~] [~~The license number of the license he bought to replace the lost or destroyed license.~~]

[~~(3)~~] [~~If the department can verify the purchase of the original license, it shall:~~]

[~~(a)~~] [~~Void the original license; and~~]

[~~(b)~~] [~~Issue a:~~]

[~~1.~~] [~~Replacement license; or~~]

[~~2.~~] [~~Refund check for the amount of the license, less a five (5) dollar replacement fee.~~]

[~~(4)~~] [~~A person shall not use, or present to a conservation officer or other peace officer, a license voided by the issuance of a replacement.~~]

[~~(5)~~] [~~The department shall not refund a license replacement fee.~~]

[~~Section 4.~~] [~~Duplicate License Refunds.~~]

[~~(1)~~] [~~A person may obtain a refund for a duplicate license or permit by:~~]

(a) Requesting a refund from the license agent who completed the transaction if the request is made within four (4) hours of the license or permit issuance; or

(b) For duplicate licenses or permits, by ***submitting to***[***~~furnishing~~***] the department [***~~with~~*** ]the license or permit holder's:

1. Identification number used to purchase;

2. Date of birth;

3. Last name;

4. Mailing address to send the refund;

5. License, permit, or authorization number of the original license or permit; and

6. Reason for refund request.

(3) Upon receipt of the refund request, and subsequent verification of the original purchase, the department shall issue a refund check for the license or permit purchased.[~~A person may obtain refunds for a duplicate POS license:~~]

[~~(1)~~] [~~From the license agent who completed the transaction, if:~~]

[~~(a)~~] [~~The request is made on the same day the license was issued; and~~]

[~~(b)~~] [~~The original license is surrendered to the license agent; or~~]

[~~(2)~~] [~~By furnishing the department with:~~]

[~~(a)~~] [~~The duplicate license;~~]

[~~(b)~~] [~~The name and mailing address of the person requesting the refund;~~]

[~~(c)~~] [~~The license number of the original license; and~~]

[~~(d)~~] [~~An explanation of the reason for the refund request.~~]

[~~(3)~~] [~~Upon receipt of the refund request and duplicate license, and subsequent verification of the original purchase, the department shall issue a refund check for the amount of the license less a fee of five (5) dollars.~~]

***Section 4.***[***~~Section 5.~~***] Buying Licenses or permits for Another. A person purchasing a [~~POS~~] license or permit for another person shall provide the[~~license agent with the~~] information about the person for whom the license is being purchased as required in Section 1 of this administrative regulation. A person other than a parent or guardian ***shall***[***~~may~~***] not purchase a junior hunting license for another person.

***Section 5.***[***~~Section 6.~~***] Obtaining a Disability Authorization[ ~~Card~~].

(1) To verify that the applicant[~~he~~] qualifies for a ***combination***[~~senior/~~]disabled [~~combination~~][***~~sportsman's~~***] license because of a disability as ***established***[***~~specified~~***] in KRS 150.175, a person shall provide the department proof of Kentucky residency and one (1) of the following:

(a) A ***paper***[***~~department approved form~~***]or electronic verification from the applicant's [~~"TPQY long" form from his~~] local federal Social Security office certifying [~~that he~~ ]the applicant is receiving disability benefits from Social Security;

(b) A copy of his disability rating showing at least a fifty (50) percent military service-connected disability;

(c) A letter of verification from the United States Railroad Retirement Board certifying that the applicant has been declared totally and permanently disabled;

(d) A letter, on that state board's letterhead, certifying that the applicant has been declared totally and permanently disabled by another state's workers' compensation board;

(e) A letter of verification from the Kentucky Teachers' Retirement System certifying that the applicant has been declared totally and permanently disabled from teaching; or

(f) A letter of verification from the U.S. Office of Personnel Management certifying that the applicant has been declared totally and permanently disabled.

(2) A person declared totally and permanently disabled by the Kentucky State Workers' Compensation Board shall:

(a) Obtain a Disability Workers Compensation Exemption form from the department; and

(b) Complete the form and mail it to the address given on the form.

(3) Upon receipt of the verification required by subsection (1) of this section or upon receipt of verification from the state Worker's Compensation Board, the department shall issue an authorization[~~card~~ ]certifying the person is eligible to purchase a [~~senior/~~]disabled ***combination***[~~combination~~][***~~sportsman's~~***] license.

***Section 6.***[***~~Section 7.~~***]

(1) Duration of Disability Exemption. Certification by the Social Security Administration, Kentucky Teachers' Retirement System, or a state worker's compensation board shall remain valid for three (3) years after issue of the disability authorization[ ~~card~~].

(2) Certification by the United States Railroad Retirement Board, U.S. Office of Personnel Management, or certification of at least fifty (50) percent military service-connected disability shall remain valid until the license holder turns sixty-five (65) years of age or no longer requires the disability exemption.

[~~Section 8.~~] [~~Incorporation by Reference.~~]

[~~(1)~~] [~~The following material is incorporated by reference:~~]

[~~(a)~~] [~~"Disability Authorization Card", March 2001; and~~]

[~~(b)~~] [~~"Disability Authorization Card Instructions", March 2001.~~]

[~~(2)~~] [~~This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Fish and Wildlife Resources, Division of Fiscal Control, #1 Sportsman's Lane, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.~~]

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