

EDUCATION AND LABOR CABINET
Kentucky Commission on Proprietary Education
(Amended at ARRS Committee)

791 KAR 1:060. Application for renewal of license for commercial driver license training school.

RELATES TO: KRS 165A.330(1), 165A.370, 165A.460-165A.515, 49 C.F.R. ***Part 383/325***

STATUTORY AUTHORITY: KRS 165A.340(6), 165A.400, 165A.485

NECESSITY, FUNCTION, AND CONFORMITY: KRS 165A.340(6) and 165A.400 authorize the Kentucky Commission on Proprietary Education to promulgate administrative regulations to administer the provisions of KRS Chapter 165A. KRS 165A.485 requires that the Kentucky Commission on Proprietary Education establish application forms for license renewal of commercial driver license training schools. This administrative regulation establishes the renewal procedures for commercial driver license training schools.

Section 1. Renewal Application for Kentucky Commercial Driver License Training School.

(1) On or before forty-five (45) days prior to the expiration date~~[May 15] of each year~~, a licensed Kentucky resident commercial driver license training school shall:

- (a) Complete and submit to the commission Form PE 32, Renewal Application to Operate a Resident Commercial Driver License Training School, with supporting documentation as listed on the form;
- (b) Pay the nonrefundable renewal application fee of \$200 established in KRS 165A.475(2);
- (c) Pay the nonrefundable renewal licensure fee required by 791 KAR 1:050, Section 3; and
- (d) Meet the requirements of Section 3 of this administrative regulation.

(2) All fees shall be paid by check or money order payable to the Kentucky State Treasurer.

Section 2. Renewal Application for Non-Resident~~[Non-Kentucky Resident]~~ Commercial Driver License Training School.

(1) On or before forty-five (45) days prior to the expiration date~~[May 15 of each year]~~, a licensed non-resident~~[non-Kentucky resident]~~ commercial driver license training school not residing in Kentucky, but recruiting, advertising, or otherwise doing business in Kentucky shall:

- (a) Complete and submit to the commission Form PE 33, Renewal Application to Operate a Non-Resident Commercial Driver License Training School, with supporting documentation as listed on the form;
- (b) Pay the nonrefundable renewal application fee of \$200 established in KRS 165A.475(2);
- (c) Pay the nonrefundable renewal licensure fee required by 791 KAR 1:050, Section 3; and
- (d) Meet the requirements of Section 3 of this administrative regulation.

(2) All fees shall be paid by check or money order made payable to the Kentucky State Treasurer.

Section 3. Evidence of Liability Insurance Coverage.

(1) Each renewal application to operate a commercial driver license training school shall be accompanied by verification of liability insurance coverage for the commercial driver license training school from a Kentucky-Licensed insurance carrier, as mandated by KRS 165A.475(1)(d).

(2) Verification of liability insurance coverage from the school's insurance carrier shall include on the policy a complete listing of all equipment, serial numbers, and vehicle identification numbers covered by the liability insurance with subsequent liability insurance coverage changes filed with the commission in writing within thirty (30) days of the subsequent change.

Section 4. Denial of Renewal Application.

(1) The commission shall deny a renewal application to operate a commercial driver license training school for:

- (a) Failure to comply with the requirements of KRS 165A.460-165A.515;
- (b) Failure to comply with 791 KAR 1:040 to 791 KAR 1:160, governing the application and operation of a commercial driver license training school;
- (c) Failure to comply with KRS 165A.475(1)(d) regarding persons connected in any capacity with commercial driver license training schools; or
- (d) Failure to maintain all training vehicles in a safe operating condition, pursuant to 49 C.F.R. ~~Part 383.325~~, as enforced by the Kentucky State Police.

(2) The commission may deny a renewal application to operate a commercial driver license training school for lack of good moral character, as determined by KRS 165A.475(7).

Section 5. Incorporation by Reference.

(1) The following material is incorporated by reference:

- (a) Form PE 32, "Renewal Application to Operate a Resident Commercial Driver License Training School", as provided in EDvera software version 2.1, edition May 2022/2021/[2017 edition]; and
- (b) Form PE 33, "Renewal Application to Operate a Non-Resident Commercial Driver License Training School", as provided in EDvera software version 2.1, edition May 2022/2021/[2017 edition].

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(30 Ky.R. 135; Am. 580; eff. 9-8-2003; 37 Ky.R. 787; 1187; eff. 11-16-2010; Recodified from 201 KAR 40:060, 6-12-2014; 41 Ky.R. 127; 759; eff. 10-31-2014; TAm eff. 4-12-2017; 48 Ky.R. 1042; 49 Ky.R. 8100; eff. 1-3-2023.)

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