

1 AN ACT relating to identity documents, making an appropriation therefor, and
2 declaring an emergency.

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

4 ➔Section 1. KRS 186.400 is amended to read as follows:

5 (1) The administration of the provisions of KRS 186.400 to 186.640~~[not specifically~~
6 ~~vested in the Transportation Cabinet or the circuit clerks]~~ shall be vested in the
7 Transportation Cabinet. The Transportation Cabinet may prescribe regulations for
8 the enforcement of KRS 186.400 to 186.640~~[, except that rules concerned with the~~
9 ~~functions and duties of the Transportation Cabinet provided in subsection (3) of this~~
10 ~~section shall be prescribed by the Transportation Cabinet]~~. The Transportation
11 Cabinet also shall enforce regulations governing the acts of~~[the circuit clerks and]~~
12 motor vehicle operators under KRS 186.400 to 186.640 and require reports which it
13 deems necessary.

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

19 (3) (a) The Transportation Cabinet shall collect all moneys due the state ***under***
20 ***Section 20 of this Act***~~[from the circuit clerks]~~ for operators' licenses ***and***
21 ***personal identification cards*** issued, and shall deposit those moneys with the
22 state treasurer.

23 (b) At least once each year the secretary of the Transportation Cabinet shall cause
24 a reconciliation to be made between the record of receipts by the
25 Transportation Cabinet and the receipt of applications by the Transportation
26 Cabinet.

27 ➔Section 2. KRS 186.410 is amended to read as follows:

- 1 (1) Every person except those exempted by KRS 186.420 and 186.430 shall, before
2 operating a motor vehicle, motorcycle, or moped upon a highway, secure an
3 operator's license as provided in this chapter.
- 4 (2) Except as provided in KRS 186.4121, all original, renewal, and duplicate **personal**
5 **identification cards and** licenses for the operation of motor vehicles, motorcycles,
6 or mopeds shall be applied for **with the Transportation Cabinet**~~[with the circuit~~
7 ~~clerk in the county of the applicant's residence]~~, or through alternative technology~~],~~
8 ~~including a Transportation Cabinet mobile unit]~~, and issued by the Transportation
9 Cabinet. Subject to the provisions of KRS 186.4101, applications for renewal
10 licenses **and personal identification cards** shall be made every eight (8) years
11 within the birth month of the applicant. A license shall not be issued until the
12 application has been certified by the cabinet and the applicant has, if required under
13 KRS 186.635, successfully completed the examinations required under KRS
14 186.480.
- 15 (3) All personal identification cards shall be issued under the provisions of KRS
16 186.4102, 186.4122, and 186.4123.
- 17 (4) A person under the age of eighteen (18) years who applies for an instruction permit
18 shall, at any time between the age of sixteen (16) and before the person's eighteenth
19 birthday, enroll in one (1) of the following driver training programs:
- 20 (a) A driver's education course administered by a school district;
- 21 (b) A driver training school licensed pursuant to KRS Chapter 332 which offers a
22 course meeting or exceeding the minimum standards established by the
23 Transportation Cabinet; or
- 24 (c) State traffic school. The person may seek to enroll in state traffic school
25 before the person's eighteenth birthday. Persons enrolling in state traffic
26 school pursuant to this paragraph shall not be required to pay a fee.
- 27 (5) ~~If, for any reason, a person fails to successfully complete the required driver~~

1 training pursuant to subsection (4) of this section within one (1) year of being issued
 2 an operator's license, the Transportation Cabinet shall enroll the person in state
 3 traffic school and cancel or suspend the operator's driving privileges until the person
 4 completes state traffic school.

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

7 (a) A voluntary travel ID document; or

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

10 ➔ Section 3. KRS 186.4101 is amended to read as follows:

11 (1) **Except as provided in subsection (2) of this section,** a license to operate a motor
 12 vehicle, motorcycle, or moped, **or a personal identification card** shall be renewed
 13 every eight (8) years prior to its expiration. Except as provided in KRS 186.4101
 14 and 186.4121, a person seeking to renew an operator's license shall apply **to the**
 15 **cabinet** ~~[at the office of the circuit clerk in the county where the person resides]~~ in
 16 accordance with KRS 186.412 **and 186.4121**.

17 (2) **An applicant for a renewal license, instruction permit, or identification card may**
 18 **choose to be issued a document that is valid for** ~~[In order to accommodate the~~
 19 ~~transition from a four (4) year licensing schedule to an eight (8) year licensing~~
 20 ~~schedule, the Transportation Cabinet may, during the first four (4) years after~~
 21 ~~January 1, 2019, renew operator's licenses and personal identification cards with~~
 22 ~~terms of both] four (4) ~~and eight (8)~~ years. **Fees for documents issued for a four**
 23 **(4) year period shall be adjusted in accordance with Section 20 of this Act.**~~

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

26 ➔ Section 4. KRS 186.4102 is amended to read as follows:

27 (1) Except as provided in subsection (9) of this section, the Transportation Cabinet

1 shall issue operator's licenses and personal identification cards bearing a photograph
2 of the applicant and other information the cabinet may deem appropriate to
3 qualified applicants under this chapter. When taking the photograph, the applicant
4 shall be prohibited from wearing sunglasses, veils, scarves, or any other attire that
5 obscures or creates shadows upon any features of the applicant's face as determined
6 by the cabinet~~[clerk]~~. An applicant shall be required to remove eyewear that
7 obstructs the iris or the pupil of the eyes and shall not take any action to obstruct a
8 photograph of his or her facial features. The face shall be visible from the crown to
9 the base of the chin and from ear to ear. Any person who refuses to remove attire
10 prohibited by this subsection as directed by the person taking the application shall
11 be prohibited from receiving an operator's license or personal identification card.

12 (2) An operator's license or personal identification card issued by the cabinet shall not
13 contain the applicant's Social Security number. The cabinet shall promulgate
14 administrative regulations in accordance with KRS Chapter 13A that develop a
15 numbering system that uses an identification system other than Social Security
16 numbers. If an applicant submits adequate proof that he or she does not have a
17 Social Security number, the Transportation Cabinet shall assign the applicant a
18 unique identifying number.

19 (3) The license or personal identification card shall also designate by color coding and
20 using the phrase "under 21" if the licensee or card holder is under the age of twenty-
21 one (21); "CDL" if the license is issued pursuant to KRS Chapter 281A; or "under
22 21 CDL" if the licensee holds a commercial driver's license issued pursuant to KRS
23 Chapter 281A and is under the age of twenty-one (21).

24 (4) The cabinet shall provide on each operator's license and personal identification card
25 space for a notation that the holder of the license or personal identification card has
26 expressed to the cabinet~~[circuit clerk]~~ the person's willingness to make an
27 anatomical gift under KRS 311.1917. If a person who has made a declaration under

1 this subsection wishes to rescind that declaration, the person shall notify the
2 Kentucky Circuit Court Clerks' Trust for Life, which shall remove the notation from
3 his or her records.

4 (5) An operator's license issued pursuant to this chapter shall be designated a Class D
5 license.

6 (6) A person shall not have more than one (1) operator's license.

7 (7) Upon marriage, dissolution of marriage, or any other qualifying event, if a person
8 seeks to change his or her name, the person shall make a name change with the
9 Social Security Administration prior to applying for an operator's license or a
10 personal identification card and shall provide the cabinet~~circuit clerk~~ with the
11 person's marriage license, divorce decree, or other documentation. The name issued
12 on the identity document shall match the person's first and last name as recorded
13 with the Social Security Administration. Unless a person is eligible to renew his or
14 her identity document at the time of the name change, the fee charged under this
15 section shall be for a corrected identity document as set forth in KRS 186.531.

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

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

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

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

1 personal identification card without a photograph.

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

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

10 ➔Section 5. KRS 186.411 is amended to read as follows:

11 (1) If a person with a seizure condition applies for an original, duplicate, modified, or
12 renewal operator's license, or applies for an instruction permit, he or she shall be
13 required by the cabinet to present to the Division of Driver Licensing certification
14 by a physician or advanced practice registered nurse that his or her condition is
15 controlled by drugs, details of the drugs, dosages which the person takes, and that
16 the person has been free of any seizures for ninety (90) days; his or her own
17 statement that he or she has been free of any seizures for ninety (90) days before the
18 date of the application, and that he or she is taking the medication prescribed by his
19 physician or advanced practice registered nurse. The division shall upon receipt of
20 the required documentation issue him a letter of authorization to present to the
21 ~~cabinet~~[circuit clerk]. The ~~cabinet~~[circuit clerk] shall not issue an operator's license
22 to a person with a seizure condition who does not present the letter of authorization.

23 (2) Any person who has a seizure condition who cannot present the certification that his
24 or her condition is controlled by drugs or a statement that he or she has been
25 seizure-free for ninety (90) days shall be notified in writing by the cabinet that the
26 person's privilege to operate a motor vehicle is withdrawn and of his or her right to
27 have an informal hearing on the matter of whether he or she is an unsafe driver as a

1 result of having the seizure condition. The notice shall be mailed by first-class mail
2 to the address of record of the person. The hearing shall be automatically waived if
3 not requested within twenty (20) days after the cabinet mails notice. The hearing
4 shall be scheduled as early as practical after receipt of the request at a time and
5 place designated by the cabinet.

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

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

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

23 ➔Section 6. KRS 186.412 is amended to read as follows:

24 (1) As used in this section, "applicant" means a person who is a citizen or permanent
25 resident of the United States.

26 (2) An applicant shall apply for an instruction permit or operator's license with the
27 Transportation Cabinet~~in the office of the circuit clerk of the county where the~~

- 1 ~~applicant lives~~, or through alternative technology. Except as provided in KRS
2 186.417, the application form shall require the applicant's:
- 3 (a) Full legal name and signature;
 - 4 (b) Date of birth;
 - 5 (c) Social Security number or a letter from the Social Security Administration
6 declining to issue a Social Security number;
 - 7 (d) Sex;
 - 8 (e) Present Kentucky resident address, exclusive of a post office box address
9 alone;
 - 10 (f) Other information necessary to permit the application of United States citizens
11 to also serve as an application for voter registration;
 - 12 (g) A brief physical description of the applicant;
 - 13 (h) Proof of the applicant's Kentucky residency, including but not limited to a
14 deed or property tax bill, utility agreement or utility bill, or rental housing
15 agreement; and
 - 16 (i) Other information the cabinet may require by administrative regulation
17 promulgated under KRS Chapter 13A.
- 18 (3) In addition to the information identified in subsection (2) of this section, a
19 permanent resident shall present one (1) of the following documents issued by the
20 United States Department of Homeland Security, United States Bureau of
21 Citizenship and Immigration Services:
- 22 (a) An I-551 card with a photograph of the applicant; or
 - 23 (b) A form with the photograph of the applicant or a passport with a photograph
24 of the applicant on which the United States Department of Homeland
25 Security, United States Bureau of Citizenship and Immigration Services, has
26 stamped the following: "Processed for I-551. Temporary evidence of lawful
27 admission for permanent residence. Valid until (Expiration Date).

1 Employment authorized."

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

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

14 (b) The cabinet~~[circuit-clerk]~~ 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 cabinet~~[circuit-clerk]~~ 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 government,
22 unless express consent is given by the applicant during the course of obtaining
23 a voluntary travel ID license or permit.

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

26 ➔Section 7. KRS 186.4122 is amended to read as follows:

27 (1) As used in this section, "applicant" means a person who is a citizen or permanent

1 resident of the United States.

2 (2) The Transportation Cabinet shall issue a personal identification card to an applicant
3 who:

4 (a) Is a Kentucky resident;

5 (b) Applies in person to the cabinet~~[in the office of the circuit clerk in his or her~~
6 ~~county of residence]~~ or through alternative technology; and

7 (c) Complies with the provisions of this section.

8 (3) Upon application for a personal identification card under this section, the
9 cabinet~~[circuit clerk]~~ shall capture a photograph of the applicant in accordance with
10 KRS 186.4102(1).

11 (4) (a) Except as provided in paragraph (b) of this subsection, the cabinet~~[circuit~~
12 ~~clerk]~~ shall electronically scan the documents required for application under
13 this section and shall electronically retain~~[forward]~~ the application,
14 supporting documents, and the photograph of the applicant~~[to the~~
15 ~~Transportation Cabinet]~~. The cabinet~~[circuit clerk]~~ shall present the applicant
16 with a temporary personal identification card, which shall be valid for thirty
17 (30) days until a permanent personal identification card is mailed to the
18 applicant by the Transportation Cabinet.

19 (b) The cabinet~~[circuit clerk]~~ shall only electronically scan the birth certificate of
20 an individual applying for a voluntary travel ID personal identification card. If
21 the applicant is not seeking such a document, the cabinet~~[circuit clerk]~~ shall
22 not electronically scan the applicant's birth certificate.

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

- 1 (5) (a) An application for a personal identification card shall be accompanied by the
2 same information as is required for an operator's license under KRS 186.412,
3 except if an applicant does not have a fixed, permanent address, the applicant
4 may use as proof of residency a signed letter from a homeless shelter, health
5 care facility, or social service agency currently providing the applicant
6 treatment or services and attesting that the applicant is a resident of Kentucky.
7 An applicant who does not have a fixed, permanent address shall not be issued
8 a voluntary travel ID personal identification card.
- 9 (b) It shall be permissible for the application form for a personal identification
10 card to include as an applicant's most current resident address a mailing
11 address or an address provided on a voter registration card.
- 12 (c) If the applicant is not the legal owner or possessor of the address provided on
13 the application form, the applicant shall swear that he or she has permission
14 from the legal owner, authorized agent for the legal owner, or possessor to use
15 the address for purposes of obtaining the personal identification card.
- 16 (6) (a) Every applicant for a personal identification card under this section shall
17 swear an oath to the cabinet~~clerk~~ as to the truthfulness of the
18 statements contained on the application form.
- 19 (b) A personal identification card may be suspended or revoked if the person who
20 was issued the card presents false or misleading information to the cabinet
21 when applying for the card.
- 22 (7) A personal identification card issued under this section shall be valid for a period of
23 eight (8) years from the date of issuance, except that if the personal identification
24 card is issued to a person who does not have a fixed, permanent address, then the
25 personal identification card shall be valid for one (1) year from the date of issuance.
- 26 (8) (a) An applicant may be issued a personal identification card if the applicant
27 currently holds a valid Kentucky instruction permit or operator's license,

1 except that a person shall not hold more than one (1) license or personal
 2 identification card that is a voluntary travel ID identity document which
 3 indicates that it meets the requirements for federal identification under Pub. L.
 4 No. 109-13, Title II, as referenced in KRS 186.4102(8).

- 5 (b) If a person's instruction permit or operator's license has been suspended or
 6 revoked, the person may be issued a ~~temporary~~ personal identification card.
 7 subject to the limitations in paragraph (a) of this subsection, ~~a temporary~~
 8 personal identification card ~~shall be renewed annually and~~ may be
 9 surrendered when the person applies to have his or her instruction permit or
 10 operator's license reinstated.

11 ➔Section 8. KRS 186.416 is amended to read as follows:

- 12 (1) If a resident of the Commonwealth currently serving in the United States military is
 13 stationed or assigned to a base or other location outside the boundaries of the
 14 Commonwealth, the resident, or the resident's spouse or dependents, may renew a
 15 Class D operator's license issued under this section by mail. If the resident, or his or
 16 her spouse or dependents, was issued an "under 21" operator's license, upon the date
 17 of the license holder's twenty-first birthday, the "under 21" operator's license may be
 18 renewed for an operator's license that no longer contains the outdated reference to
 19 being "under 21."
- 20 (2) A resident of the Commonwealth renewing an operator's license by mail under
 21 subsection (1) of this section may have a personal designee apply to the
 22 cabinet~~circuit clerk~~ on behalf of the resident to renew the resident's operator's
 23 license. An operator's license being renewed by mail under subsection (1) of this
 24 section shall be issued a license bearing the applicant's historical photo~~without a~~
 25 ~~photograph~~ if there is a~~no~~ photo on file. If there is no photo on file, the license
 26 shall be issued without a photograph and shall show in the space provided for the
 27 photograph the legend "valid without photo and signature."

- 1 (3) (a) 1. If a resident of the Commonwealth has been serving in the United States
2 military stationed or assigned to a base or other location outside the
3 boundaries of the Commonwealth and has allowed his or her operator's
4 license to expire, he or she shall, within ninety (90) days of returning to
5 the Commonwealth, be permitted to renew his or her license without
6 having to take a written test or road test.
- 7 2. The spouse or dependent of a person identified in subparagraph 1. of this
8 paragraph shall be afforded the same consideration identified in that
9 subparagraph regarding the renewal of an expired operator's license.
- 10 (b) A person who meets the criteria in paragraph (a) of this subsection shall not be
11 convicted or cited for driving on an expired license prior to license renewal
12 during the ninety (90) days after the person's return to the Commonwealth if
13 the person can provide proof of his or her out-of-state service and dates of
14 assignment.
- 15 (c) A person who meets the criteria in paragraph (a) of this subsection and who
16 does not renew his or her license within ninety (90) days of returning to the
17 Commonwealth shall be required to comply with the provisions of this chapter
18 governing renewal of a license that has expired.
- 19 (d) If a resident of the Commonwealth has been issued an "under 21" or "under 21
20 CDL" operator's license and the person is unable to renew the license on the
21 date of his or her twenty-first birthday, the "under 21" or "under 21 CDL"
22 operator's license shall be valid for ninety (90) days beyond the date of the
23 person's twenty-first birthday.
- 24 (4) (a) Any person who served in the active Armed Forces of the United States,
25 including the Coast Guard, and any member of the National Guard or Reserve
26 Component who completed the member's term of service and was released,
27 separated, discharged, or retired therefrom under either an honorable

1 discharge or a general under honorable conditions discharge may, at the time
2 of initial application or application for renewal or duplicate, request that an
3 operator's license or a personal identification card issued under this chapter
4 bear the word "veteran" on the face or the back of the license or personal
5 identification card.

6 (b) The designation shall be in a style and format considered appropriate by the
7 Transportation Cabinet. Prior to obtaining a designation requested under this
8 subsection, the applicant shall present the cabinet~~[circuit clerk]~~ with an
9 original or copy of his or her DD-214, DD-2, DD-256, DD-257, or NGB-22
10 form as proof of veteran status. The cabinet~~[circuit clerk]~~ shall not be liable
11 for fraudulent or misread forms presented.

12 ➔Section 9. KRS 186.417 is amended to read as follows:

13 (1) The Transportation Cabinet shall issue to any felony offender, if the felony offender
14 is eligible, released from the Kentucky Department of Corrections or a Federal
15 Bureau of Prisons facility located in Kentucky on home incarceration, parole,
16 completed service of sentence, shock probation, or pardon, a personal identification
17 card or, if the felony offender is eligible, an operator's license. An offender who
18 wishes to obtain a personal identification card or operator's license shall provide
19 proper documentation to comply with the provisions of this section.

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

- 21 (a) The offender's certificate of birth;
- 22 (b) A copy of the offender's resident record card and parole certificate or notice of
23 discharge;
- 24 (c) A photograph of the offender, printed on plastic card or paper; and
- 25 (d) A release letter that shall contain the offender's:

26 1. Full legal name, subject to the information available to the Kentucky
27 Department of Corrections or a Federal Bureau of Prisons facility

- 1 located in Kentucky;
- 2 2. Discharge/release date;
- 3 3. Signature;
- 4 4. Social Security number;
- 5 5. Date of birth;
- 6 6. Present Kentucky address where he or she resides; and
- 7 7. Physical description.

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

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

- 16 (a) The offender's certificate of birth;
- 17 (b) The offender's sentencing order;
- 18 (c) A photograph of the offender, printed on plastic card or paper; and
- 19 (d) A notarized release letter, signed by the supervising officer verifying the
20 offender's status on supervision, that shall contain the offender's:
 - 21 1. Full legal name, subject to the information available to the Division of
22 Probation and Parole or the United States Probation Office;
 - 23 2. Signature;
 - 24 3. Social Security number;
 - 25 4. Date of birth;
 - 26 5. Present Kentucky address where he or she resides; and
 - 27 6. Physical description.

- 1 (5) The offender shall present the documentation identified in subsection (2) or (4) of
2 this section to the cabinet~~[circuit clerk]~~ within thirty (30) calendar days from the
3 date of the release letter and shall be responsible for paying the fee for the personal
4 identification card or operator's license pursuant to KRS 186.531.
- 5 (6) The Transportation Cabinet shall promulgate administrative regulations in
6 accordance with KRS Chapter 13A to establish procedures for current inmates in
7 state and federal prisons, who are deemed eligible by prison officials, to be issued
8 operator's licenses to engage in work release activities or reentry initiatives. The
9 administrative regulations shall address, at a minimum:
- 10 (a) The information required for application, which shall include all information
11 in paragraph (b) of this subsection which is germane to a current inmate. For
12 purposes of this paragraph, the facility in which the inmate is housed shall be
13 considered the inmate's residence;
- 14 (b) Required documentation from the Department of Corrections or the Federal
15 Bureau of Prisons that the inmate meets the security criteria to be eligible for
16 work outside of the facility;
- 17 (c) Procedures for license issuance; and
- 18 (d) Restrictions on use of the license, including a requirement that the inmate
19 shall surrender the license to prison officials when the inmate is not engaged
20 in work outside the facility.
- 21 (7) The cabinet~~[Except as provided in subsection (8) of this section, the circuit clerk]~~
22 shall process applications for operator's licenses and personal identification cards
23 under this section in the same manner as in KRS 186.412 and 186.4122.
- 24 (8) The Transportation Cabinet may enter into an agreement with the Kentucky
25 Department of Corrections, the United States Probation Office, or the Federal
26 Bureau of Prisons to use a mobile unit to begin the issuance process in this section.
- 27 ➔Section 10. KRS 186.418 is amended to read as follows:

- 1 (1) The Transportation Cabinet shall implement a voluntary statewide child
2 identification program. The program shall issue a photo personal identification card
3 to a child two (2) to fifteen (15) years of age.
- 4 (2) A parent or guardian may apply for a child identification card under this section at
5 the cabinet~~[circuit clerk's office in the county in which the child resides]~~.
6 Application for a child identification card shall be accompanied by a Social Security
7 card and a birth certificate for the child or other proof of the child's date of birth as
8 provided under KRS 186.412. The card shall not contain the child's Social Security
9 number.
- 10 (3) (a) If the child's parent or guardian wishes to obtain a travel ID child
11 identification card, the cabinet~~[circuit clerk]~~ shall scan the application and
12 supporting documentation, capture a photograph of the child in accordance
13 with the provisions of KRS 186.4102(1), and~~[submit the application,~~
14 ~~documentation, and photograph to the Transportation Cabinet, who shall]~~
15 issue the child identification card by mail.
- 16 (b) If the child's parent or guardian does not wish to obtain a travel ID child
17 identification card, the cabinet~~[circuit clerk]~~ shall scan the application,
18 capture a photograph of the child in accordance with the provisions of KRS
19 186.4102(1), and~~[submit the application and photograph to the Transportation~~
20 ~~Cabinet, who shall]~~ issue the child identification card by mail.
- 21 (c) A parent or guardian applying under this section shall not be required to
22 surrender the child's birth certificate for image capture, image storage, or
23 image transmission to any entity, including the federal government, unless
24 express consent is given by the parent or guardian during the course of
25 obtaining a voluntary travel ID child identification card.
- 26 (4) A child identification card issued under this section shall contain the child's name
27 and the toll-free number of the Kentucky missing persons clearinghouse,

1 Department of Kentucky State Police. The descriptive data and a photo image of the
2 child shall be stored in the Kentucky driver's license information system and may be
3 retrieved and used by public agencies subject to the provisions of the Driver's
4 Privacy Protection Act, 18 U.S.C. sec. 2721, and may also be used by the Kentucky
5 missing persons clearinghouse.

6 (5) The fee for a child identification card shall be six dollars (\$6), ***which*** ~~Four dollars~~
7 ~~(\$4) of the fee~~ shall be deposited into the KYTC photo license account established
8 in KRS 174.056. ~~Two dollars (\$2) of the fee shall be deposited in the Circuit Court~~
9 ~~clerk salary account established in KRS 27A.052.~~

10 (6) A child identification card shall expire every ***four (4)***~~two (2)~~ years on the child's
11 birthday. Within the time period that the child identification card is valid, the card
12 may be updated with a new photograph and information. The fee for an updated
13 card shall be six dollars (\$6), with the fee distributed in the same manner as the fee
14 for an initial card as described in subsection (5) of this section.

15 (7) If a parent or guardian complies with the requirements of KRS 186.403 and
16 186.419, the parent or guardian may request that the child identification card issued
17 to a minor child under this section be a voluntary travel ID identity document under
18 KRS 186.403.

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

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

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

25 ➔Section 11. KRS 186.419 is amended to read as follows:

26 (1) In addition to the information required under KRS 186.412, 186.4121, 186.4122,
27 and 186.4123, an applicant for a voluntary travel ID instruction permit, operator's

1 license, or personal identification card under KRS 186.403 shall present two (2) of
2 the following documents upon application or renewal that show the name and
3 physical residential address of the applicant:

- 4 (a) Utility bill ***that is less than one (1) year old;***
5 (b) Current lease or rental agreement;
6 (c) Bank statement ***that is less than one (1) year old;***
7 (d) Mortgage statement;
8 (e) Telephone bill ***that is less than one (1) year old;***
9 (f) Current insurance policy;
10 (g) State or federal tax return that is less than one (1) year old;
11 (h) Pay slip or salary statement ***that is less than one (1) year old;***
12 (i) Record from an educational institution in Kentucky which establishes
13 enrollment;~~[-or]~~
14 (j) Kentucky voter registration card ***that is less than one (1) year old***
15 ***(k) Current property tax bill;***
16 ***(l) Current vehicle registration;***
17 ***(m) Current operator's license, instruction permit, or personal identification***
18 ***card;***
19 ***(n) Postmarked mail that is less than one (1) year old;***
20 ***(o) Internal Revenue Service form W-2 from the most recent tax year available;***
21 ***or***
22 ***(p) Internal Revenue Service form 1099 from the most recent tax year***
23 ***available.***
24 (2) Any of the documents described in subsection (1) of this section that contains the
25 name of the spouse of the applicant, together with a certified copy of the applicant's
26 marriage license or marriage certificate, shall be considered acceptable
27 documentation of proof of residence under subsection (1) of this section.

1 (3) The Transportation Cabinet may promulgate administrative regulations under KRS
2 Chapter 13A to identify additional documentation that would satisfy the proof of
3 residence requirement under this section.

4 ~~(4) Unless otherwise specified, the documentation furnished under subsection (1) of~~
5 ~~this section must be less than sixty one (61) days old.~~

6 ~~(5)~~ A Kentucky post office box address is not sufficient proof of physical address for
7 purposes of this section.

8 ~~(5)~~~~(6)~~ The cabinet may require additional proof of physical address if the cabinet
9 questions the validity or authenticity of the proof of physical address submitted by
10 the applicant.

11 ~~(6)~~~~(7)~~ In addition to the information required under KRS 186.412, 186.4121,
12 186.4122, and 186.4123, an applicant for a voluntary travel ID instruction permit,
13 operator's license, or personal identification card under KRS 186.403 shall present
14 valid documentary evidence that the applicant:

15 (a) Is a citizen or national of the United States;

16 (b) Is an alien lawfully admitted for permanent or temporary residence in the
17 United States;

18 (c) Has conditional permanent resident status in the United States;

19 (d) Has an approved application for asylum in the United States or has entered
20 into the United States in refugee status;

21 (e) Has a valid, unexpired nonimmigrant visa or nonimmigrant visa status for
22 entry into the United States;

23 (f) Has a pending application for asylum in the United States;

24 (g) Has a pending or approved application for temporary protected status in the
25 United States;

26 (h) Has approved deferred action status; or

27 (i) Has a pending application for adjustment of status to that of an alien lawfully

1 admitted for permanent residence in the United States or conditional
2 permanent resident status in the United States.

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

- 4 (1) Except as provided in subsection (4) of this section, a licensed driver who becomes
5 a Kentucky resident shall, within thirty (30) days of establishing residency, apply
6 for a Kentucky operator's license to the Transportation Cabinet~~[in the office of the~~
7 ~~circuit clerk in the county where the person has established his or her domicile]~~.
- 8 (2) The Transportation Cabinet shall, before issuing a person a Kentucky operator's
9 license, verify through the National Drivers Register that the person applying for a
10 Kentucky operator's license does not currently have his or her operator's license or
11 driving privilege suspended or revoked in another licensing jurisdiction.
- 12 (3) A person who is not a United States citizen but who has been granted permanent
13 resident status by the United States Department of Homeland Security, United
14 States Bureau of Citizenship and Immigration Services, and who is a Kentucky
15 resident, shall follow the same procedures for applying for an original, renewal,
16 transfer, or duplicate operator's license as persons who are United States citizens.
- 17 (4) A licensed driver from another jurisdiction who:
18 (a) Is not a United States citizen;
19 (b) Has not been granted permanent resident status by the United States
20 Department of Homeland Security, United States Bureau of Citizenship and
21 Immigration Services;
22 (c) Becomes a Kentucky resident; and
23 (d) Wishes to operate a motor vehicle;
24 shall, within thirty (30) days of establishing residency, apply for a Kentucky
25 operator's license under the provisions of KRS 186.4121.

26 ➔Section 13. KRS 186.440 is amended to read as follows:

27 An operator's license shall not be granted to:

- 1 (1) Any person who is not a resident of Kentucky;
- 2 (2) Any person under the age of sixteen (16);
- 3 (3) Any person under the age of eighteen (18) who holds a valid Kentucky instruction
4 permit issued pursuant to KRS 186.450, but who has not graduated from high
5 school or who is not enrolled and successfully participating in school or who is not
6 being schooled at home, except those persons who satisfy the District Court of
7 appropriate venue pursuant to KRS 159.051(3) that revocation of their license
8 would create an undue hardship. Persons under the age of eighteen (18) shall
9 present proof of complying with the requirements of KRS 159.051;
- 10 (4) Any person whose operator's license has been suspended, during the period of
11 suspension, subject to the limitations of KRS 186.442;
- 12 (5) Any person whose operator's license has been revoked, nor to any nonresident
13 whose privilege of exemption under KRS 186.430 has been refused or discontinued,
14 until the expiration of the period for which the license was revoked, or for which the
15 privilege was refused or discontinued;
- 16 (6) Any applicant adjudged incompetent by judicial decree;
- 17 (7) Any person who in the opinion of the Department of Kentucky State Police, after
18 examination, is unable to exercise reasonable and ordinary control over a motor
19 vehicle upon the highways;
- 20 (8) Any person who is unable to understand highway warnings or direction signs in the
21 English language;
- 22 (9) Any person required by KRS 186.480 to take an examination who has not
23 successfully passed the examination;
- 24 (10) Any person required by KRS Chapter 187 to deposit proof of financial
25 responsibility, who has not deposited that proof;
- 26 (11) Any person who has not filed a correct and complete application attested to in the
27 presence of a person authorized to administer oaths;

1 (12) Any person who cannot meet the requirements set forth in KRS 186.411(1) or (3);
2 or

3 (13) Any person whose operator's license has been suspended or revoked under the
4 provisions of KRS Chapter 186, 187, or 189A **who has not paid the reinstatement**
5 **fee required under Section 20 of this Act**~~[until the person has forwarded to the~~
6 ~~cabinet a reinstatement fee of fifteen dollars (\$15). The fee shall be paid by certified~~
7 ~~check or money order payable to the State Treasurer who shall deposit five dollars~~
8 ~~(\$5) of the fee in a trust and agency fund to be used in defraying the costs and~~
9 ~~expenses of administering a driver improvement program for problem drivers. Ten~~
10 ~~dollars (\$10) of the fee shall be deposited by the State Treasurer into the Circuit~~
11 ~~Court clerk salary account established in KRS 27A.052. The provisions of this~~
12 ~~subsection shall not apply to any person whose license was suspended for failure to~~
13 ~~meet the conditions set out in KRS 186.411 when, within one (1) year of~~
14 ~~suspension, the driving privileges of the individuals are reinstated or to any student~~
15 ~~who has had his or her license revoked pursuant to KRS 159.051].~~

16 ➔Section 14. KRS 186.442 is amended to read as follows:

17 (1) The Transportation Cabinet shall, before issuing or renewing a Kentucky operator's
18 license, verify through the National Drivers Register that the person applying for an
19 initial or renewal Kentucky operator's license does not currently have his or her
20 operator's license or driving privilege suspended or revoked in another licensing
21 jurisdiction.

22 (2) If the person's operator's license or driving privilege is currently suspended or
23 revoked in another licensing jurisdiction for a traffic offense where the conviction
24 for the offense is less than five (5) years old, the Transportation Cabinet shall not
25 issue the person an initial or renewal Kentucky operator's license until the person
26 resolves the matter in the other licensing jurisdiction and complies with the
27 provisions of this chapter.

- 1 (3) A person whose operator's license has been suspended or revoked in another
2 licensing jurisdiction, or the holder of a Kentucky operator's license whose driving
3 privileges have been suspended in another licensing jurisdiction, may be issued a
4 Kentucky license, or may renew a Kentucky license if:
- 5 (a) The conviction causing the suspension or revocation is more than five (5)
6 years old;
- 7 (b) The conviction is for a traffic offense other than a felony traffic offense or a
8 habitual violator offense; and
- 9 (c) The person has been a resident of the Commonwealth for at least five (5)
10 years prior to the date of application for issuance or renewal.
- 11 (4) (a) A person applying for an operator's license under subsection (3) of this section
12 shall submit an application to the cabinet~~[circuit clerk in the person's county~~
13 ~~of residence]~~, who shall electronically scan the application and supporting
14 documents, along with a photograph of the applicant captured in accordance
15 with KRS 186.4102(1), into the cabinet database.
- 16 (b) The cabinet~~[circuit clerk]~~ shall review the person's documentation, including
17 the person's photograph, in the cabinet database. If the documentation is
18 verified as accurate, and if the person successfully completes any
19 examinations required under KRS 186.480 and pays the reinstatement fee
20 required under Section 20 of this Act~~[KRS 186.440]~~, the cabinet~~[circuit~~
21 ~~clerk]~~ shall present the applicant with a temporary operator's license, which
22 shall be valid for thirty (30) days, until a permanent operator's license is
23 mailed to the applicant by the Transportation Cabinet.
- 24 (5) A person issued a Kentucky operator's license in accordance with subsection (3) of
25 this section shall be issued an operator's license marked "Valid in Kentucky Only"
26 and shall sign a statement that the person understands that he or she may be subject
27 to arrest and detention if stopped by a law enforcement officer in another state while

1 operating a motor vehicle on this restricted license.

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

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

8 ➔Section 15. KRS 186.444 is amended to read as follows:

9 (1) The Transportation Cabinet shall promulgate administrative regulations to establish
10 a medical review board. The purpose of the medical review board shall be to receive
11 cases relating to the ability of an applicant or holder of a motor vehicle operator's
12 license to drive due to physical or mental disability which may affect or limit a
13 person's ability to safely operate a motor vehicle.

14 (2) The secretary shall appoint any number of physicians licensed in the
15 Commonwealth to the medical review board. Not less than three (3) members shall
16 be present in order to conduct an informal hearing. Each member shall receive two
17 hundred dollars (\$200) per day for attending meetings of the board and shall be
18 reimbursed for necessary expenses incurred in attending meetings.

19 (3) The cabinet shall promulgate administrative regulations regarding the procedures of
20 the medical review board in conducting informal hearings.

21 (4) The cabinet shall not promulgate administrative regulations for the purpose of
22 creating tests or other criteria that might limit a person's ability to obtain or retain an
23 operator's license because that person~~[he]~~ may be considered too old to drive.

24 (5) Any person aggrieved by a decision made as a result of an informal hearing
25 conducted under authority of KRS 186.411 and this section may appeal, and upon
26 appeal an administrative hearing shall be conducted in accordance with KRS
27 Chapter 13B.

1 ➔Section 16. KRS 186.450 is amended to read as follows:

2 (1) A person who is at least sixteen (16) years of age may apply for an instruction
3 permit to operate a motor vehicle. A person who possesses a valid intermediate
4 motor vehicle operator's license issued under KRS 186.452 or a person who is at
5 least eighteen (18) years of age may apply for an instruction permit to operate a
6 motorcycle. A holder of either a motor vehicle or motorcycle instruction permit may
7 also operate a moped under that permit. A person applying for an instruction permit
8 under this section shall make application to the Transportation Cabinet~~[in the~~
9 ~~office of the circuit clerk in the county where the person lives]~~. A person applying
10 for an instruction permit shall be required to comply with the following:

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

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

19 1. The applicant's parent, legal guardian, grandparent, adult sibling, aunt,
20 or uncle if the parental rights have not been terminated in accordance
21 with KRS Chapter 625;

22 2. The foster parent with whom the applicant resides;

23 3. Another person who is at least age eighteen (18) and is willing to
24 assume responsibility for the applicant pursuant to KRS 186.590; or

25 4. The applicant, without another person, upon verification by the Cabinet
26 for Health and Family Services in accordance with KRS 605.102 that
27 shall include proof of financial responsibility in accordance with KRS

1 186.590(2); and

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

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

7 (3) (a) An instruction permit to operate a motor vehicle shall be valid for three (3)
8 years and may be renewed. An instruction permit to operate a motorcycle shall
9 be valid for one (1) year and may be renewed one (1) time.

10 (b) Except as provided in KRS 186.415, a person who has attained the age of
11 sixteen (16) years and is under the age of eighteen (18) years shall have the
12 instruction permit a minimum of one hundred eighty (180) days before
13 applying for an intermediate license and shall have an intermediate license for
14 a minimum of one hundred eighty (180) days before applying for an operator's
15 license.

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

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

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

- 1 (f) In accordance with KRS 15A.352(5), a person whose motorcycle instruction
2 permit has expired may apply to the cabinet~~[circuit clerk]~~ to receive a
3 motorcycle operator's license or endorsement if the person presents proof of
4 successful completion of a motorcycle safety education course approved by
5 the Justice and Public Safety Cabinet under KRS 15A.350 to 15A.366.
- 6 (4) (a) A person shall have the instruction permit in his possession at all times when
7 operating a motor vehicle, motorcycle, or moped upon the highway.
- 8 (b) When operating a motor vehicle, a motor vehicle instruction permit holder
9 shall be accompanied by a person with a valid operator's license who is at
10 least twenty-one (21) years of age occupying the seat beside the operator at all
11 times.
- 12 (c) The requirements of paragraph (b) of this subsection shall not apply to a motor
13 vehicle instruction permit holder being supervised on a multiple-vehicle
14 driving range by a driver training instructor affiliated with a driver training
15 school licensed under KRS Chapter 332 or a public or nonpublic secondary
16 school.
- 17 (5) A person with an instruction permit who is under the age of eighteen (18) shall not
18 operate a motor vehicle, motorcycle, or moped between the hours of 12 midnight
19 and 6 a.m. unless the person can demonstrate good cause for driving, including but
20 not limited to emergencies, involvement in school-related activities, or involvement
21 in work-related activities.
- 22 (6) Except when accompanied by a driver training instructor affiliated with a driver
23 training school licensed under KRS Chapter 332 or a public or nonpublic secondary
24 school, a person with an instruction permit who is under the age of eighteen (18)
25 years shall not operate a motor vehicle at any time when accompanied by more than
26 one (1) unrelated person who is under the age of twenty (20) years. A peace officer
27 shall not stop or seize a person nor issue a uniform citation for a violation of this

1 subsection if the officer has no other cause to stop or seize the person other than a
2 violation of this subsection. This subsection shall not apply to any operator of a
3 vehicle registered under the provisions of KRS 186.050(4) who is engaged in
4 agricultural activities.

5 (7) A violation under subsection (4), (5), or (6) of this section, a conviction for a
6 moving violation under KRS Chapter 189 for which points are assessed by the
7 cabinet, or a conviction for a violation of KRS 189A.010(1) shall add an additional
8 minimum of one hundred eighty (180) days from the date of the violation before a
9 person who is under the age of eighteen (18) years may apply for an intermediate
10 license to operate a motor vehicle, motorcycle, or moped.

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

14 ~~[(9) An applicant for relicensing after revocation shall pay the clerk a fee of twenty five~~
15 ~~dollars (\$25). The twenty five dollar (\$25) fee shall not apply to any person whose~~
16 ~~license was suspended for failure to meet the conditions described in KRS 186.411~~
17 ~~when, within one (1) year of suspension, the driving privileges of such individuals~~
18 ~~are reinstated and persons reinstated pursuant to KRS 159.051.]~~

19 ➔Section 17. KRS 186.480 is amended to read as follows:

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

24 (a) The applicant is granted written permission by the **Transportation**
25 **Cabinet**~~[circuit clerk of the county in which he or she resides]~~ to take the
26 examination in another county, and the Department of Kentucky State Police
27 agree to arrange for the examination in the other county; or

1 (b) The applicant is tested using a bioptic telescopic device.

2 (2) The examination shall include a test of the applicant's eyesight to ensure compliance
3 with the visual acuity standards set forth in KRS 186.577. The examination shall
4 also include a test of the applicant's ability to read and understand highway signs
5 regulating, warning, and directing traffic, the applicant's knowledge of traffic laws,
6 and an actual demonstration of the applicant's ability to exercise ordinary and
7 reasonable control in the operation of a motor vehicle. An applicant for a
8 motorcycle operator's license shall be required to show his or her ability to operate a
9 motorcycle, in addition to other requirements of this section. The provisions of this
10 subsection shall not apply to an applicant who:

11 (a) At the time of application, holds a valid operator's license from another state,
12 provided that state affords a reciprocal exemption to a Kentucky resident; or

13 (b) Is a citizen of the Commonwealth who has been serving in the United States
14 military and has allowed his or her operator's license to expire.

15 (3) Any person whose intermediate license or operator's license is denied, suspended, or
16 revoked for cause shall apply for reinstatement at the termination of the period for
17 which the license was denied, suspended, or revoked by submitting to the
18 examination. The provisions of this subsection shall not apply to any person whose
19 license was suspended for failure to meet the conditions described in KRS 186.411
20 when, within one (1) year of suspension, the driving privileges of such individuals
21 are reinstated.

22 (4) An applicant shall not use an autocycle for road skills testing administered under the
23 provisions of this section.

24 ➔Section 18. KRS 186.490 is amended to read as follows:

25 **(1) The circuit clerk of each county shall continue to issue standard identity**
26 **documents until the cabinet determines that a cabinet regional office can assume**
27 **those duties. All circuit clerk issuing offices shall be closed by June 30, 2022.**

1 **(2)** The circuit clerk of each county *that operates an office that issues standard*
 2 *identity credentials* shall:

3 ~~(a)(1)~~ Comply with all rules and regulations issued by the cabinet under KRS
 4 186.400 relating to his or her duties;

5 ~~(b)(2)~~ Act for the cabinet for the purpose of issuing temporary operator's
 6 licenses, instruction permits, and personal identification cards;

7 ~~(c)(3)~~ Administer the oath required by KRS 186.412 and 186.4122 to the
 8 applicant without fee;

9 ~~(d)(4)~~ Report and remit monthly to the state all moneys collected during the
 10 preceding month and remit a copy of all applications taken by him during the
 11 same period to the Transportation Cabinet. Upon failure of any clerk to report
 12 and remit therefor more than seven (7) days after the due date, he shall pay, in
 13 addition to the amount due, a penalty of ten percent (10%) of the amount due.
 14 Penalties collected under this section shall be paid into the State Treasury as a
 15 part of the revenue collected under KRS 186.531; and

16 ~~(e)(5)~~ Keep adequate records of all moneys collected and remitted to the state.

17 ➔Section 19. KRS 186.520 is amended to read as follows:

18 (1) A person whose license has been legitimately lost or destroyed, shall apply to the
 19 *Transportation Cabinet*~~[circuit clerk in the county in which the most recent~~
 20 ~~permanent license was obtained]~~ in order to make application for a duplicate
 21 license. The person shall furnish satisfactory proof by affidavit substantiating the
 22 loss or destruction when applying for a duplicate license.

23 (2) The fee for a duplicate license shall be according to the schedule set forth in KRS
 24 186.531.

25 ➔Section 20. KRS 186.531 is amended to read as follows:

26 (1) As used in this section:

27 (a) "AOC Fund" means the circuit court clerk salary account created in KRS

- 1 27A.052;
- 2 (b) "GF" means the general fund;
- 3 (c) "IP" means instruction permit;
- 4 (d) "License Fund" or "LF" means the KYTC photo license account created in
- 5 KRS 174.056;
- 6 (e) "MC" means motorcycle;
- 7 (f) "MC Fund" or "MCF" means the motorcycle safety education program fund
- 8 established in KRS 15A.358;
- 9 (g) "OL" means operator's license; and
- 10 (h) "PIDC" means personal identification card.
- 11 (2) The fees imposed for voluntary travel ID operator's licenses, instruction permits,
- 12 and personal identification cards shall be as follows. The fees received shall be
- 13 distributed as shown in the table. The fees shown, unless otherwise noted, are for an
- 14 eight (8) year period:

<u>Card Type</u>	<u>Fee</u>	<u>LF</u>	<u>GF</u>	<u>MCF</u>		
<u>OL (initial/renewal)</u>	<u>\$48</u>	<u>\$48</u>	<u>\$0</u>	<u>\$0</u>		
<u>OL (Under 21) (Up to 4 years)</u>	<u>\$18</u>	<u>\$18</u>	<u>\$0</u>	<u>\$0</u>		
<u>Any OL, MC, or combination</u>						
<u>(duplicate/corrected)</u>	<u>\$15</u>	<u>\$13.25</u>	<u>\$1.75</u>	<u>\$0</u>		
<u>Motor vehicle IP (3 years)</u>	<u>\$18</u>	<u>\$16</u>	<u>\$2</u>	<u>\$0</u>		
<u>Motorcycle IP (1 year)</u>	<u>\$18</u>	<u>\$13</u>	<u>\$1</u>	<u>\$4</u>		
<u>Motorcycle OL (initial/renewal)</u>	<u>\$48</u>	<u>\$38</u>	<u>\$0</u>	<u>\$10</u>		
<u>Combination vehicle/MC OL</u>						
<u>(initial/renewal)</u>	<u>\$58</u>	<u>\$48</u>	<u>\$0</u>	<u>\$10</u>		
<u>PIDC (initial/renewal)</u>	<u>\$28</u>	<u>\$25</u>	<u>\$3</u>	<u>\$0</u>		
<u>PIDC (duplicate/corrected)</u>	<u>\$15</u>	<u>\$13.50</u>	<u>\$1.50</u>	<u>\$0</u>		
[Card	Fee	Road	License	AOC	GF	MC

	Fund	Fund	Fund	Fund	Fund	Fund
1 Type						
2 OL						
3 (initial/renewal)	\$48	\$31	\$7	\$10	\$0	\$0
4 OL (Under 21)						
5 (Up to 4 years)	\$18	\$8.50	\$5	\$4.50	\$0	\$0
6 Any OL, MC OL						
7 or combination						
8 (duplicate /corrected)	\$15	\$5.25	\$4	\$4	\$1.75	\$0
9 Motor vehicle IP						
10 (3 years)	\$18	\$6	\$5	\$5	\$2	\$0
11 Motorcycle IP						
12 (1 year)	\$18	\$6	\$5	\$2	\$1	\$4
13 Motorcycle OL						
14 (initial/renewal)	\$48	\$19.50	\$9	\$9.50	\$0	\$10
15 Combination						
16 vehicle/MC OL						
17 (initial/renewal)	\$58	\$28	\$7	\$13	\$0	\$10
18 PIDC						
19 (initial/renewal)	\$28	\$11	\$8	\$6	\$3	\$0
20 PIDC						
21 (duplicate/corrected)	\$15	\$6	\$4	\$3.50	\$1.50	\$0

(3) The fees imposed for standard operator's licenses, instruction permits, and personal identification cards shall be as follows: [-]

(a) If the identity document is issued through a circuit clerk's office, the fees received shall be distributed as shown in the table. The fees shown, unless otherwise noted, are for an eight (8) year period:

Card	Fee	Road	License	AOC	GF	MC
------	-----	------	---------	-----	----	----

			Fund	Fund	Fund		Fund
1	Type						
2	OL						
3	(initial/renewal)	\$43	\$28	\$7	\$8	\$0	\$0
4	OL (Under 21)						
5	(Up to 4 years)	\$15	\$7.50	\$4	\$3.50	\$0	\$0
6	Any OL, MC OL						
7	or combination						
8	(duplicate /corrected)	\$15	\$5.25	\$4	\$4	\$1.75	\$0
9	Motor vehicle IP						
10	(3 years)	\$15	\$5	\$4	\$4	\$2	\$0
11	Motorcycle IP						
12	(1 year)	\$15	\$5	\$4	\$1	\$1	\$4
13	Motorcycle OL						
14	(initial/renewal)	\$43	\$17.50	\$8	\$7.50	\$0	\$10
15	Combination						
16	vehicle/MC OL						
17	(initial/renewal)	\$53	\$25	\$7	\$11	\$0	\$10
18	PIDC						
19	(initial/renewal)	\$23	\$8	\$8	\$4	\$3	\$0
20	PIDC						
21	(duplicate/corrected)	\$15	\$6	\$4	\$3.50	\$1.50	\$0
22	PIDC						
23	(no fixed address)						
24	KRS 186.4122(5) and						
25	186.4123(5)	\$10	\$0	\$5	\$5	\$0	\$0

26 **(b) If the identity document is issued through a Transportation Cabinet office,**
27 **the fees received shall be distributed as shown in the table. The fees shown,**

1 unless otherwise noted, are for an eight (8) year period:

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

16 (4) The fee for a second or subsequent duplicate personal identification card for a
 17 person who does not have a fixed, permanent address, as allowed under KRS
 18 186.4122(5) and 186.4123(5), shall be the same as for a duplicate regular personal
 19 identification card.

20 (5) The fee for a four (4) year original or renewal license issued pursuant to KRS
 21 186.4101 shall be fifty percent (50%) of the amount shown in subsections (2) and
 22 (3) of this section. The distribution of fees shown in subsections (2) and (3) of this
 23 section shall also be reduced by fifty percent (50%) for licenses that are issued for
 24 four (4) years.

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

- 1 (7) (a) An applicant for an original or renewal operator's license, commercial driver's
 2 license, motorcycle operator's license, or personal identification card shall be
 3 requested by the cabinet~~[clerk]~~ to make a donation to promote an organ donor
 4 program.
- 5 ~~(b) [A donation under this subsection shall be two dollars (\$2) for any license or~~
 6 ~~card with an eight (8) year term, and one dollar (\$1) for any license or card~~
 7 ~~with a term of less than eight (8) years.~~
- 8 ~~(c)]~~ The donation under this subsection shall be added to the regular fee for an
 9 original or renewal motor vehicle operator's license, commercial driver's
 10 license, motorcycle operator's license, or personal identification card. One (1)
 11 donation may be made per issuance or renewal of a license or any
 12 combination thereof.
- 13 ~~(c)]~~ ~~(d)]~~ The fee shall be paid to the cabinet~~[circuit clerk]~~ and shall be forwarded
 14 by the cabinet~~[clerk]~~ on a monthly basis to the Kentucky Circuit Court Clerks'
 15 Trust for Life, and such moneys are hereby appropriated to be used
 16 exclusively for the purpose of promoting an organ donor program. A donation
 17 under this subsection shall be voluntary and may be refused by the applicant at
 18 the time of issuance or renewal.
- 19 (8) In addition to the fees outlined in this section, the following individuals, upon
 20 application for an initial or renewal operator's license, instruction permit, or
 21 personal identification card, shall pay an additional application fee of thirty dollars
 22 (\$30), which shall be deposited in the photo license account~~[road fund]~~:
- 23 (a) An applicant who is not a United States citizen or permanent resident and who
 24 applies under KRS 186.4121 or 186.4123; or
- 25 (b) An applicant who is applying for a instruction permit, operator's license, or
 26 personal identification card without a photo under KRS 186.4102(9).
- 27 **(9) (a) Except for individuals exempted under paragraph (c) of this subsection, an**

1 applicant for relicensing after revocation or suspension shall pay a
 2 reinstatement fee of forty dollars (\$40).

3 **(b) The reinstatement fee under this subsection shall be distributed by the State**
 4 **Treasurer as follows:**

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

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

10 **(c) This subsection shall not apply to:**

11 **1. Any person whose license was suspended for failure to meet the**
 12 **conditions set out in Section 5 of this Act when, within one (1) year of**
 13 **suspension, the driving privileges of the individual are reinstated; or**

14 **2. A student who has had his or her license revoked pursuant to KRS**
 15 **159.051.**

16 ➔Section 21. KRS 186.535 is amended to read as follows:

17 (1) From the portion of the fee for each eight (8) year original or renewal operator's
 18 license which is assigned to the photo license account~~road fund~~ under KRS
 19 186.531, two dollars (\$2) shall be credited to a special account within the road fund,
 20 and shall be used exclusively by the Transportation Cabinet for the purpose of
 21 expanding the state driver education program, and two dollars (\$2) shall be paid to
 22 the fiscal court of the county where the driver's license is issued to be used by the
 23 fiscal court for county road purposes. The distribution of fees under this subsection
 24 shall be reduced by fifty percent (50%) for licenses issued for a four (4) year term in
 25 accordance with KRS 186.4101.

26 (2) From the fee for each annual registration of a motorcycle pursuant to KRS 186.050,
 27 four dollars (\$4) shall be credited to a special account within the road fund and shall

1 be used exclusively for the purpose of the motorcycle safety education program
2 fund pursuant to KRS 186.050.

3 ➔Section 22. KRS 186.540 is amended to read as follows:

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

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

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

19 ➔Section 23. KRS 186.574 is amended to read as follows:

20 (1) The Transportation Cabinet shall establish a state traffic school for new drivers and
21 for traffic offenders. The school shall be composed of uniform education and
22 training elements designed to create a lasting influence on new drivers and a
23 corrective influence on traffic offenders. District Courts may in lieu of assessing
24 penalties for traffic offenses, other than for KRS 189A.010, sentence offenders to
25 state traffic school and no other.~~[The Transportation Cabinet shall enroll a person
26 in state traffic school who fails to complete a driver's education course pursuant to
27 KRS 186.410(5).]~~

- 1 (2) If a District Court stipulates in its judgment of conviction that a person attend state
2 traffic school, the court shall indicate this in the space provided on the abstract of
3 conviction filed with the Transportation Cabinet. Upon receipt of an abstract, the
4 Transportation Cabinet, or its representative, shall schedule the person to attend
5 state traffic school. Failure of the person to attend and satisfactorily complete state
6 traffic school in compliance with the court order, may be punished as contempt of
7 the sentencing court. The Transportation Cabinet shall not assess points against a
8 person who satisfactorily completes state traffic school. However, if the person
9 referred to state traffic school holds or is required to hold a commercial driver's
10 license, the underlying offense shall appear on the person's driving history record.
- 11 (3) The Transportation Cabinet shall supervise, operate, and administer state traffic
12 school, and shall promulgate administrative regulations pursuant to KRS Chapter
13 13A governing facilities, equipment, courses of instruction, instructors, and records
14 of the program. In the event a person sentenced under subsection (1) of this section
15 does not attend or satisfactorily complete state traffic school, the Transportation
16 Cabinet may deny that person a license or suspend the license of that person until he
17 reschedules attendance or completes state traffic school, at which time a denial or
18 suspension shall be rescinded.
- 19 (4) Persons participating in the state traffic school as provided in this section shall pay a
20 fee of fifteen dollars (\$15) to defray the cost of operating the school, except that if
21 enrollment in state traffic school is to satisfy the requirement of KRS 186.410(4)(c),
22 a fee shall not be assessed. Any funds collected pursuant to KRS 186.535(1) that are
23 dedicated to the photo license account~~road fund~~ for use in the state driver
24 education program may be used for the purposes of state traffic school.
- 25 (5) The following procedures shall govern persons attending state traffic school
26 pursuant to this section:
- 27 (a) A person convicted of any violation of traffic codes set forth in KRS Chapters

1 177, 186, or 189, and who is otherwise eligible, may in the sole discretion of
2 the trial judge, be sentenced to attend state traffic school. Upon payment of the
3 fee required by subsection (4) of this section, and upon successful completion
4 of state traffic school, the sentence to state traffic school shall be the person's
5 penalty in lieu of any other penalty, except for the payment of court costs;

6 (b) Except as provided in KRS 189.990(28), a person shall not be eligible to
7 attend state traffic school who has been cited for a violation of KRS Chapters
8 177, 186, or 189 that has a penalty of mandatory revocation or suspension of
9 an offender's driver's license;

10 (c) Except as provided in KRS 189.990(28), a person shall not be eligible to
11 attend state traffic school for any violation if, at the time of the violation, the
12 person did not have a valid driver's license or the person's driver's license was
13 suspended or revoked by the cabinet;

14 (d) Except as provided in KRS 189.990(28), a person shall not be eligible to
15 attend state traffic school more than once in any one (1) year period, unless
16 the person wants to attend state traffic school to comply with the driver
17 education requirements of KRS 186.410; and

18 (e) The cabinet shall notify the sentencing court regarding any person who was
19 sentenced to attend state traffic school who was ineligible to attend state
20 traffic school. A court notified by the cabinet pursuant to this paragraph shall
21 return the person's case to an active calendar for a hearing on the matter. The
22 court shall issue a summons for the person to appear and the person shall
23 demonstrate to the court why an alternative sentence should not be imposed.

24 (6) (a) Except as provided in paragraph (b) of this subsection, a county attorney may
25 operate a traffic safety program for traffic offenders prior to the adjudication
26 of the offense.

27 (b) Offenders alleged to have violated KRS 189A.010 or 304.39-080, offenders

1 holding a commercial driver's license under KRS Chapter 281A, or offenders
2 coming within the provisions of subsection (5)(b) or (c) of this section shall be
3 excluded from participation in a county attorney-operated program.

4 (c) A county attorney that operates a traffic safety program:

- 5 1. May charge a reasonable fee to program participants, which shall only
6 be used for payment of county attorney office operating expenses; and
- 7 2. Shall, by October 1 of each year, report to the Prosecutors Advisory
8 Council the fee charged for the county attorney-operated traffic safety
9 program and the total number of traffic offenders diverted into the
10 county attorney-operated traffic safety program for the preceding fiscal
11 year categorized by traffic offense.

12 (d) Each participant in a county attorney-operated traffic safety program shall, in
13 addition to the fee payable to the county attorney, pay a twenty-five dollar
14 (\$25) fee to the court clerk, which shall be paid into a trust and agency
15 account with the Administrative Office of the Courts and is to be used by the
16 circuit clerks to hire additional deputy clerks and to enhance deputy clerk
17 salaries.

18 (e) Each participant in a county attorney-operated traffic safety program shall, in
19 addition to the fee payable to the county attorney and the fee required by
20 paragraph (d) of this subsection, pay a thirty dollar (\$30) fee to the county
21 attorney in lieu of court costs. On a monthly basis, the county attorney shall
22 forward the fees collected pursuant to this paragraph to the Finance and
23 Administration Cabinet to be distributed as follows:

- 24 1. Ten and eight-tenths percent (10.8%) to the spinal cord and head injury
25 research trust fund created in KRS 211.504;
- 26 2. Nine and one-tenth percent (9.1%) to the traumatic brain injury trust
27 fund created in KRS 211.476;

- 1 3. Five and eight-tenths percent (5.8%) to the special trust and agency
2 account set forth in KRS 42.320(2)(f) for the Department of Public
3 Advocacy;
- 4 4. Five and seven-tenths percent (5.7%) to the crime victims compensation
5 fund created in KRS 49.480;
- 6 5. One and two-tenths percent (1.2%) to the Justice and Public Safety
7 Cabinet to defray the costs of conducting record checks on prospective
8 firearms purchasers pursuant to the Brady Handgun Violence Prevention
9 Act and for the collection, testing, and storing of DNA samples;
- 10 6. Sixteen and eight-tenths percent (16.8%) to the county sheriff in the
11 county from which the fee was received;
- 12 7. Nine and one-tenth percent (9.1%) to the county treasurer in the county
13 from which the fee was received to be used by the fiscal court for the
14 purposes of defraying the costs of operation of the county jail and the
15 transportation of prisoners;
- 16 8. Thirty-three and two-tenths percent (33.2%) to local governments in
17 accordance with the formula set forth in KRS 24A.176(5); and
- 18 9. Eight and three-tenths percent (8.3%) to the Cabinet for Health and
19 Family Services for the implementation and operation of a telephonic
20 behavioral health jail triage system as provided in KRS 210.365 and
21 441.048.

22 ➔Section 24. KRS 186.579 is amended to read as follows:

- 23 (1) The Transportation Cabinet shall issue, to an applicant who successfully passes the
24 operator's license examination outlined in KRS 186.578(4), an operator's license
25 with the following restrictions:
 - 26 (a) Required use of a bioptic telescopic device;
 - 27 (b) Restricted to daytime driving upon the recommendation of a vision specialist;

1 and

2 (c) Restricted to vehicles with left and right outside mirrors.

3 (2) A restriction to daytime driving in accordance with subsection (1) of this section
4 shall be removed if the licensed driver:

5 (a) Obtains a recommendation from a vision specialist;

6 (b) Successfully completes additional evaluation and training specifically
7 designed for night driving from a certified driver training program; and

8 (c) Passes a comprehensive night driving examination.

9 (3) An operator's license issued under KRS 186.578 and 186.579 shall be effective for
10 one (1) year and shall expire on the last day of the birth month of the license holder.

11 The license holder shall undergo a comprehensive visual examination by a vision
12 specialist before a license can be renewed. If the vision specialist certifies that the
13 conditions causing the visual impairment are stable, then the cabinet~~[circuit clerk]~~
14 shall issue a renewal license. If the conditions causing the visual impairment are
15 unstable or deteriorating, the license holder may be required to undergo additional
16 testing as required by the department before a renewal license may be issued.

17 ➔Section 25. KRS 186.580 is amended to read as follows:

18 ~~[(1) If the circuit clerk refuses to issue a license or a motorcycle operator's license to an
19 applicant, the applicant may appeal to the cabinet.~~

20 ~~(2) If any person is aggrieved by any final order of the cabinet relating to the denial,
21 revocation, suspension, or cancellation of an operator's license or motorcycle operator's
22 license other than orders of revocation or suspension when the facts render revocation or
23 suspension mandatory, he may file a petition for judicial review in the Circuit Court of
24 the county in which he resides, or in the Franklin Circuit Court in accordance with KRS
25 Chapter 13B.~~

26 ➔Section 26. KRS 186.010 is amended to read as follows:

27 As used in this chapter, unless otherwise indicated:

- 1 (1) "Cabinet," as used in KRS 186.400 to 186.640, means the Transportation Cabinet;
2 except as specifically designated, "cabinet," as used in KRS 186.020 to 186.270,
3 means the Transportation Cabinet only with respect to motor vehicles, other than
4 commercial vehicles; "cabinet," as used in KRS 186.020 to 186.270, means the
5 Department of Vehicle Regulation when used with respect to commercial vehicles;
- 6 (2) "Highway" means every way or place of whatever nature when any part of it is open
7 to the use of the public, as a matter of right, license, or privilege, for the purpose of
8 vehicular traffic;
- 9 (3) "Manufacturer" means any person engaged in manufacturing motor vehicles who
10 will, under normal conditions during the year, manufacture or assemble at least ten
11 (10) new motor vehicles;
- 12 (4) "Motor vehicle" means in KRS 186.020 to 186.260, all vehicles, as defined in
13 paragraph (a) of subsection (8) of this section, which are propelled otherwise than
14 by muscular power. As used in KRS 186.400 to 186.640, it means all vehicles, as
15 defined in paragraph (b) of subsection (8) of this section, which are self-propelled.
16 "Motor vehicle" shall not include a moped as defined in this section, but for
17 registration purposes shall include low-speed vehicles and military surplus vehicles
18 as defined in this section and vehicles operating under KRS 189.283;
- 19 (5) "Moped" means either a motorized bicycle whose frame design may include one (1)
20 or more horizontal crossbars supporting a fuel tank so long as it also has pedals, or a
21 motorized bicycle with a step-through type frame which may or may not have
22 pedals rated no more than two (2) brake horsepower, a cylinder capacity not
23 exceeding fifty (50) cubic centimeters, an automatic transmission not requiring
24 clutching or shifting by the operator after the drive system is engaged, and capable
25 of a maximum speed of not more than thirty (30) miles per hour;
- 26 (6) "Operator" means any person in actual control of a motor vehicle upon a highway;
- 27 (7) (a) "Owner" means a person who holds the legal title of a vehicle or a person who

1 pursuant to a bona fide sale has received physical possession of the vehicle
2 subject to any applicable security interest.

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

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

18 (8) (a) "Vehicle," as used in KRS 186.020 to 186.260, includes all agencies for the
19 transportation of persons or property over or upon the public highways of this
20 Commonwealth and all vehicles passing over or upon said highways, except
21 electric low-speed scooters, road rollers, road graders, farm tractors, vehicles
22 on which power shovels are mounted, such other construction equipment
23 customarily used only on the site of construction and which is not practical for
24 the transportation of persons or property upon the highways, such vehicles as
25 travel exclusively upon rails, and such vehicles as are propelled by electric
26 power obtained from overhead wires while being operated within any
27 municipality or where said vehicles do not travel more than five (5) miles

1 beyond the city limit of any municipality.

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

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

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

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

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

22 (13) "Special status individual" means:

23 (a) "Asylee" means any person lawfully present in the United States who
24 possesses an I-94 card issued by the United States Department of Justice,
25 Immigration and Naturalization Service, on which it states "asylum status
26 granted indefinitely pursuant to Section 208 of the Immigration & Nationality
27 Act";

- 1 (b) "K-1 status" means the status of any person lawfully present in the United
2 States who has been granted permission by the United States Department of
3 Justice, Immigration and Naturalization Service to enter the United States for
4 the purpose of marrying a United States citizen within ninety (90) days from
5 the date of that entry;
- 6 (c) "Refugee" means any person lawfully present in the United States who
7 possesses an I-94 card issued by the United States Department of Justice,
8 Immigration and Naturalization Service, on which it states "admitted as a
9 refugee pursuant to Section 207 of the Immigration & Nationality Act"; and
- 10 (d) "Paroled in the Public Interest" means any person lawfully present in the
11 United States who possesses an I-94 card issued by the United States
12 Department of Justice, Immigration and Naturalization Service, on which it
13 states "paroled pursuant to Section 212 of the Immigration & Nationality Act
14 for an indefinite period of time";
- 15 (14) "Instruction permit" includes both motor vehicle instruction permits and motorcycle
16 instruction permits;
- 17 (15) "Motorcycle" means any motor driven vehicle that has a maximum speed that
18 exceeds fifty (50) miles per hour, has a seat or saddle for the use of the operator,
19 and is designed to travel on not more than three (3) wheels in contact with the
20 ground, including vehicles on which the operator and passengers ride in an enclosed
21 cab. Only for purposes of registration, "motorcycle" shall include a motor scooter,
22 an alternative-speed motorcycle, and an auticycle as defined in this section, but
23 shall not include a tractor or a moped as defined in this section;
- 24 (16) "Low-speed vehicle" means a motor vehicle that:
- 25 (a) Is self-propelled using an electric motor, combustion-driven motor, or a
26 combination thereof;
- 27 (b) Is four (4) wheeled; and

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

- 1 (a) Is not operated using continuous tracks;
- 2 (b) Was originally manufactured for and sold directly to the Armed Forces of the
3 United States; and
- 4 (c) Was originally manufactured under the federally mandated requirements set
5 forth in 49 C.F.R. sec. 571.7;
- 6 (21) "Livestock" means cattle, sheep, swine, goats, horses, alpacas, llamas, buffaloes,
7 and any other animals of the bovine, ovine, porcine, caprine, equine, or camelid
8 species;
- 9 (22) "Identity document" means an instruction permit, operator's license, or personal
10 identification card issued under KRS 186.4102, 186.412, 186.4121, 186.4122, and
11 186.4123 or a commercial driver's license issued under KRS Chapter 281A;
- 12 (23) "Travel ID," as it refers to an identity document, means a document that complies
13 with Pub. L. No. 109-13, Title II;~~and~~
- 14 (24) "Motor scooter" means a low-speed motorcycle that is:
- 15 (a) Equipped with wheels greater than sixteen (16) inches in diameter;
- 16 (b) Equipped with an engine greater than fifty (50) cubic centimeters;
- 17 (c) Designed to operate at a speed not to exceed fifty (50) miles per hour;
- 18 (d) Equipped with brake horsepower of two (2) or greater; and
- 19 (e) Equipped with a step-through frame or a platform for the operator's feet; **and**
- 20 **(25) "Alternative technology," as used in KRS 186.400 to 186.640, means methods**
21 **used by the cabinet to facilitate the issuance of operator's licenses and personal**
22 **identification cards outside of the normal in-person application at a cabinet**
23 **office, including but not limited to a cabinet mobile unit or online services..**
- 24 ➔Section 27. KRS 189A.340 (Effective July 1, 2020) is amended to read as
25 follows:
- 26 (1) (a) If a person's license is suspended pursuant to this chapter and the initial
27 suspension was for a violation of KRS 189A.010(1)(a), (b), (e), or (f), the sole

1 license the person shall be eligible for is an ignition interlock license pursuant
2 to this section.

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

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

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

- 13 1. An ignition interlock device provider to have a functioning ignition
14 interlock device installed in his or her motor vehicle or motorcycle; and
- 15 2. The ***Transportation Cabinet***~~[circuit clerk's office in the person's county
16 of residence]~~ to obtain an ignition interlock license;

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

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

- 23 (a) Submit an application for an ignition interlock license;
- 24 (b) Provide proof of motor vehicle insurance;
- 25 (c) Provide an ignition interlock certificate of installation issued by an ignition
26 interlock device provider; and
- 27 (d) Provide any other information required by administrative regulations

1 promulgated by the Transportation Cabinet under KRS 189A.350.

2 (4) An ignition interlock license shall restrict the person to operating only a motor
3 vehicle or motorcycle equipped with a functioning ignition interlock device, unless
4 the person qualifies for an employer exemption under subsection (6) of this section.

5 This restriction shall remain in place for:

6 (a) If a person's license was suspended pretrial pursuant to KRS 189A.200, the
7 required suspension period under KRS 189A.200(6);

8 (b) If a person's license was suspended pursuant to KRS 189A.070 or 189A.107:

9 1. The required suspension period under KRS 189A.070(1); and

10 2. a. If the maximum suspension period under KRS 189A.070(1)(a) has
11 not yet been met, until the Transportation Cabinet has received a
12 declaration from the person's ignition interlock device provider, in
13 a form provided or approved by the cabinet, certifying that none of
14 the violations outlined in subdivision b. of this subparagraph has
15 occurred:

16 i. For a first offense within a ten (10) year period of KRS
17 189A.010(1)(a), (b), (c), (d), or (e) or for any offense of KRS
18 189A.010(1)(f), in the ninety (90) consecutive days; and

19 ii. For all subsequent offenses within a ten (10) year period of
20 KRS 189A.010(1)(a), (b), (c), (d), or (e), one hundred twenty
21 (120) consecutive days;

22 prior to the date of releasing the ignition interlock device
23 restriction.

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

26 i. Failure to take any random breath alcohol concentration test
27 unless a review of the digital image confirms that the motor

- 1 vehicle or motorcycle was not occupied by a driver at the
2 time of the missed test;
- 3 ii. Failure to pass any random retest with a breath alcohol
4 concentration of 0.02 or lower unless a subsequent test
5 performed within ten (10) minutes registers a breath alcohol
6 concentration lower than 0.02, and the digital image
7 confirms the same person provided both samples;
- 8 iii. Failure of the person, or his or her designee, to appear at the
9 ignition interlock device provider when required for
10 maintenance, repair, calibration, monitoring, inspection, or
11 replacement of the device;
- 12 iv. Failure of the person to pay fees established pursuant to
13 subsection (7) of this section;
- 14 v. Tampering with an installed ignition interlock device with
15 the intent of rendering it defective; or
- 16 vi. Altering, concealing, hiding, or attempting to alter, conceal,
17 or hide, the person's identity from the ignition interlock
18 device's camera while providing a breath sample;
- 19 (c) If a person's license was suspended pursuant to KRS 189A.090, for the
20 required suspension period under KRS 189A.090(2); or
- 21 (d) If a person's license suspension was extended pursuant to KRS 189A.345, the
22 required suspension period under KRS 189A.345(1).
- 23 (5) (a) The time period a person:
- 24 1. Holds a valid ignition interlock license pursuant to this section; or
25 2. Receives alcohol or substance abuse treatment in an inpatient residential
26 facility;
- 27 shall apply on a day-for-day basis toward satisfying the suspension periods

1 detailed in subsection (4) of this section.

2 (b) Except as provided in paragraph (c) of this subsection, the Transportation
3 Cabinet shall give the person a day-for-day credit for any time period the
4 person:

- 5 1. Held a valid ignition interlock license; or
- 6 2. Received alcohol or substance abuse treatment in an inpatient residential
7 facility.

8 (c) A person shall not receive day-for-day credit for days the person utilized the
9 employer exemption in accordance with subsection (6) of this section and
10 drove an employer's motor vehicle or motorcycle not equipped with a
11 functioning ignition interlock device.

12 (6) (a) A person with an ignition interlock license may operate a motor vehicle or
13 motorcycle not equipped with a functioning ignition interlock device if:

- 14 1. The person is required to operate an employer's motor vehicle or
15 motorcycle in the course and scope of employment; and
- 16 2. The business entity that owns the motor vehicle or motorcycle is not
17 owned or controlled by the person.

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

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

- 24 1. An installation fee for an alternative fuel vehicle or a vehicle with a push
25 button starter not to exceed one hundred thirty dollars (\$130), an
26 installation fee for all other vehicles not to exceed one hundred dollars
27 (\$100);

- 1 2. A monthly fee not to exceed one hundred dollars (\$100);
- 2 3. A removal fee not to exceed thirty dollars (\$30);
- 3 4. A reset fee not to exceed fifty dollars (\$50); or
- 4 5. A missed appointment fee not to exceed thirty-five dollars (\$35).

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

11 (c) Any person who has an income:

- 12 1. At or below two hundred percent (200%) but above one hundred fifty
13 percent (150%) of the federal poverty guidelines, shall pay only seventy-
14 five percent (75%) of fees established pursuant to paragraph (a) of this
15 subsection;
- 16 2. At or below one hundred fifty percent (150%) but above one hundred
17 percent (100%) of the federal poverty guidelines, shall pay only fifty
18 percent (50%) of fees established pursuant to paragraph (a) of this
19 subsection; or
- 20 3. At or below one hundred percent (100%) of the federal poverty
21 guidelines, shall pay only twenty-five percent (25%) of fees established
22 pursuant to paragraph (a) of this subsection;

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

27 (d) Neither the Commonwealth, the Transportation Cabinet, nor any unit of state

1 or local government shall be responsible for payment of any costs associated
2 with an ignition interlock device.

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

8 ➔Section 28. KRS 281A.090 is amended to read as follows:

9 (1) Except when driving under a commercial driver's instruction permit and
10 accompanied by the holder of commercial driver's license valid for the vehicle being
11 driven, no person shall drive a commercial motor vehicle on the highways of this
12 state unless the person holds a valid commercial driver's license with applicable
13 endorsements valid for the vehicle he or she is driving.

14 (2) No person shall drive a commercial motor vehicle on the highways of this state
15 while his or her driving privilege for a commercial or noncommercial motor vehicle
16 is suspended, revoked, or canceled, or while he or she is subject to a
17 disqualification, or in violation of an out-of-service order.

18 (3) The licensee shall have in his or her immediate possession at all times when
19 operating a motor vehicle his or her commercial driver's license, and shall display
20 the license upon demand to the Transportation Cabinet~~[a circuit clerk]~~, a license
21 examiner, a peace officer, a State Police officer, or an inspector or officer of the
22 Department of Vehicle Regulation. It shall be a defense to a violator of this
23 subsection if the person so charged produces in court a commercial driver's license,
24 issued to him or her before his or her arrest or violation and which was valid at that
25 time.

26 ➔Section 29. KRS 281A.130 is amended to read as follows:

27 (1) A person shall not be issued a commercial driver's license unless that person:

- 1 (a) Is a resident of this state;
- 2 (b) Holds a valid operator's license;
- 3 (c) Has complied with the provisions of KRS 281A.300;
- 4 (d) Except as provided in KRS 281A.165, has passed the knowledge and skills
- 5 tests for driving a commercial motor vehicle which comply with minimum
- 6 federal standards established by federal regulation enumerated in Title 49,
- 7 Code of Federal Regulations, Part 383, as adopted by the cabinet; and
- 8 (e) Has satisfied all other safety requirements including those requirements
- 9 imposed by state law or federal regulation. The tests shall be prescribed and
- 10 conducted as set forth in KRS 281A.160.
- 11 (2) A commercial driver's license, or commercial driver's instruction permit shall not be
- 12 issued to a person while the person is subject to a disqualification from driving a
- 13 commercial motor vehicle, or while the person's driver's license or driving privilege
- 14 is suspended, revoked, or canceled in any state or jurisdiction.
- 15 (3) A commercial driver's license shall not be issued to a person who has a commercial
- 16 driver's license issued by any other state unless the person first surrenders all such
- 17 licenses, which shall be returned to the issuing jurisdiction for cancellation.
- 18 (4) To ensure that an applicant for a commercial driver's license or instruction permit
- 19 complies with the requirements of subsections (2) and (3) of this section, the
- 20 Transportation Cabinet~~[circuit clerk]~~ shall verify through the commercial driver's
- 21 license information system and national driver register that the person applying for a
- 22 Kentucky CDL does not currently have his or her operator's license or driving
- 23 privilege suspended or revoked in another licensing jurisdiction. If the person's
- 24 operator's license or driving privilege is currently suspended or revoked in another
- 25 licensing jurisdiction, the Transportation Cabinet~~[circuit clerk]~~ shall not issue the
- 26 person a Kentucky CDL until the person resolves the matter in the other licensing
- 27 jurisdiction and complies with the provisions of this chapter and KRS Chapter 186.

1 ➔Section 30. KRS 281A.140 is amended to read as follows:

- 2 (1) The application for a commercial driver's license or commercial driver's instruction
3 permit shall include the following information:
- 4 (a) The full legal name, including nicknames, and present Kentucky resident
5 address of the applicant. If the applicant's mailing address is different from the
6 resident address, the mailing address shall also be included. If the applicant is
7 not a resident, the application shall include the person's resident address in the
8 person's state of domicile and the address of the Kentucky driver training
9 school where the applicant is currently enrolled;
 - 10 (b) A physical description of the applicant including sex, height, weight, eye
11 color, and race;
 - 12 (c) The applicant's date of birth;
 - 13 (d) The applicant's Social Security number;
 - 14 (e) The applicant's signature;
 - 15 (f) Certifications including those required by Title 49, Code of Federal
16 Regulations, secs. 383.71, 383.73, and 384.206, as adopted by the cabinet;
 - 17 (g) A consent to release driving record information;
 - 18 (h) A valid Class D operator's license issued pursuant to KRS 186.4102 and
19 186.412;
 - 20 (i) A birth certificate if the applicant does not hold a valid operator's license at
21 the time of application;
 - 22 (j) The name of every jurisdiction in which the applicant has previously been
23 licensed to drive any type of motor vehicle during the ten (10) year period
24 immediately preceding the date of the application; and
 - 25 (k) Any other information required by the cabinet.
- 26 (2) The cabinet or state police may require any other information needed in order to
27 process the application.

- 1 (3) When the holder of a commercial driver's license changes his or her name or
2 residence, the information shall be reported to the cabinet within ten (10) days. The
3 holder of a Class A, B, or C license shall make an application for a duplicate license
4 within thirty (30) days of changing his name or address.
- 5 (4) Any person whose commercial driver's license has been legitimately lost or
6 destroyed shall make an application for a duplicate:
- 7 (a) A person applying for the first duplicate within the time period for which the
8 original license was issued, shall apply to the Transportation Cabinet~~in the~~
9 ~~office of the circuit clerk in the county where the person resides~~. The person
10 shall provide the cabinet~~clerk~~ with proof of the person's identity and a
11 notarized affidavit with a raised seal explaining in detail the loss or
12 destruction of the original license.
- 13 (b) A person applying for a second or subsequent duplicate within the time period
14 for which the original license was issued, shall apply to the Transportation
15 Cabinet in Frankfort or a Transportation Cabinet field office. The person shall
16 provide the cabinet with proof of the person's identity and a notarized affidavit
17 explaining in detail the loss or destruction of the previous duplicate issued.
18 The Transportation Cabinet shall, within thirty (30) days of receipt of the
19 application, review the person's proof of identity and affidavit and determine
20 if the person will be issued a duplicate.
- 21 (5) A person who is a resident of this state shall not drive a commercial motor vehicle
22 under the authority of a commercial driver's license issued by another jurisdiction.
- 23 (6) Any person who knowingly falsifies information or certifications required to obtain
24 a commercial driver's license, a commercial driver's license permit, or a duplicate
25 commercial driver's license subsequent to an administrative hearing conducted in
26 accordance with KRS 186.570, shall be subject to suspension, revocation, or
27 cancellation of his commercial driver's license for a period of at least sixty (60)

1 consecutive days.

2 ➔Section 31. KRS 281A.150 is amended to read as follows:

3 (1) Every person seeking a commercial driver's license or a commercial driver's
4 instruction permit shall first apply in person to the cabinet~~[circuit clerk of the~~
5 ~~county in which the applicant resides or in the county where the person is enrolled~~
6 ~~in a driver training school if the applicant is not a resident]~~. The application shall be
7 in the form prescribed by KRS 281A.140 as provided by the cabinet. Except as
8 provided in KRS 281A.160(6), each time a person applies for a commercial driver's
9 license, an instruction permit, or seeks to upgrade or change his or her commercial
10 driver's license, the person shall be required to:

11 (a) Update the application; and

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

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

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

19 (b) Thirty-five dollars (\$35) for each application for a commercial driver's
20 instruction permit;

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

23 (d) Forty dollars (\$40) for each application for a duplicate if it is the first
24 duplicate applied for within the time period for which the original license was
25 issued. Sixty dollars (\$60) for a second or subsequent duplicate applied for
26 within the time period for which the original license was issued. The fees
27 required for a duplicate shall be in addition to fees charged under subsection

- 1 (2)(c) of this section.
- 2 (3) In addition to the fees for an operator's license KRS 186.531, the cabinet shall set
3 fees by administrative regulation, pursuant to KRS Chapter 13A, for the following
4 commercial driver's licenses that shall not exceed:
- 5 (a) Forty-five dollars (\$45) for each initial or renewal of a commercial driver's
6 license;
- 7 (b) Sixty dollars (\$60) for each transfer of a commercial driver's license; and
- 8 (c) Thirty dollars (\$30) for each initial or renewal of a commercial driver's license
9 with an "S" endorsement.
- 10 (4) All fees remitted to the cabinet~~clerk~~ shall be nonrefundable regardless of whether
11 the applicant completes the requirements for a commercial driver's license or is
12 tested.
- 13 (5) All fees collected for the issuance of a commercial driver's license or a commercial
14 driver's instruction permit shall be deposited into trust and agency accounts to be
15 used exclusively for the administration and implementation of this chapter, except
16 as prescribed in subsection (6) of this section. The accounts shall not lapse but shall
17 be continuing from year to year.
- 18 (6) All fees collected pursuant to this section, shall be allocated between the
19 Transportation Cabinet and Department of Kentucky State Police, except a fifty cent
20 (\$0.50) issuance fee shall be allocated to the general fund from issuance of a
21 commercial driver's license permit. A three dollar (\$3) issuance fee shall be
22 allocated to the general fund from issuance of a commercial driver's license.
- 23 (7) Any applicant who seeks reinstatement of his or her commercial driving privilege
24 after a suspension, withdrawal, revocation, or disqualification shall pay a
25 reinstatement fee of fifty dollars (\$50) in addition to those fees required by
26 subsection (2) of this section and shall satisfy the requirements of KRS 281A.160.
27 This fee shall not be required if his or her commercial driving privilege was

1 withdrawn only as a result of the withdrawal of his or her privilege to drive a
2 noncommercial motor vehicle.

3 ➔Section 32. KRS 281A.300 is amended to read as follows:

4 (1) Any person initially applying for, or initially renewing, a Kentucky CDL instruction
5 permit or operator's license, shall be required to undergo a state and national
6 criminal history background check of state and federal wanted or "hot file" records
7 conducted by the State Police. All initial and renewal application forms for a
8 Kentucky CDL instruction permit or operator's license shall conspicuously state the
9 following: "STATE LAW REQUIRES A STATE AND NATIONAL CRIMINAL
10 HISTORY BACKGROUND CHECK AS A CONDITION OF APPLYING FOR A
11 KENTUCKY CDL. ANY PERSON WHO REFUSES TO SUBMIT TO A
12 CRIMINAL HISTORY BACKGROUND CHECK SHALL NOT BE ELIGIBLE
13 TO APPLY FOR, OR BE ISSUED, A KENTUCKY CDL."

14 (2) The results of the state and national criminal history background checks shall be
15 sent to the cabinet for review within seventy-two (72) hours. An applicant for a
16 CDL instruction permit may enroll in a commercial driver training program under
17 the Kentucky Community and Technical College System or a proprietary school
18 licensed under KRS Chapter 165A, and may be issued a CDL instruction permit
19 upon enrollment, however the status of the applicant retaining the CDL instruction
20 permit shall not be determined until the results of the background checks are made
21 available to the cabinet. The cabinet shall inform an~~the~~ applicant~~and the circuit~~
22 ~~clerk of persons who~~, based upon the criminal history background check, of the
23 applicant's eligibility~~are either eligible or ineligible~~ to be issued a CDL
24 instruction permit or CDL. The cabinet shall promulgate administrative regulations
25 under KRS Chapter 13A to specify conditions that will cause a person to be denied
26 a CDL instruction permit or CDL based upon the person's criminal history
27 background check.

1 (3) Any fee charged by the State Police to conduct a criminal history background check
2 shall be paid by the applicant and shall not be refundable. Any fee charged to
3 conduct a criminal history background check shall be an amount not greater than the
4 actual cost of processing the request and conducting the search.

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

8 ➔Section 33. KRS 281A.320 is amended to read as follows:

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

20 ➔Section 34. KRS 116.0452 is amended to read as follows:

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

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

27 (b) In the case of registration by mail, if the valid voter registration form of the

1 applicant is legibly postmarked before the registration books are closed;

2 (c) In the case of registration with a voter registration agency, if the valid voter
3 registration form of the applicant is accepted at the voter registration agency
4 before the registration books are closed; and

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

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

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

12 (a) Upon request of the voter;

13 (b) As provided by KRS 116.113, upon notice of death, declaration of
14 incompetency, or conviction of a felony; or

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

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

24 ➔Section 35. KRS 116.0455 is amended to read as follows:

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

1 registration application.

2 (b) An application for voter registration submitted under paragraph (a) of this
3 subsection shall be considered as updating any previous voter registration by
4 the applicant.

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

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

10 (b) The voter registration application portion of an application for a motor vehicle
11 driver's license shall comply with the requirements of Section 5 of Public Law
12 103-31, the National Voter Registration Act of 1993.

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

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

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

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

1 ➔Section 36. KRS 116.085 is amended to read as follows:

- 2 (1) When a voter changes his place of residence to another location within the county,
3 the clerk shall, upon application of the voter in person, by mail, or through the
4 Transportation Cabinet~~[a circuit clerk]~~, transfer the voter's registration record to
5 the proper precinct.
- 6 (2) When a registered voter changes his place of residence from one (1) precinct to
7 another within the same county before the registration books are closed and fails to
8 transfer his registration with the county clerk prior to the date the registration books
9 are closed, the voter shall be permitted to update the voting records and to vote in
10 the present election at the appropriate precinct for the current address upon
11 affirmation of his current address and signing the precinct list as set forth in KRS
12 117.225. Before being permitted to vote, the voter shall also confirm his identity as
13 required in KRS 117.227 and complete the affidavit which is required to be
14 completed by a voter whose right to vote has been challenged. The subscribed oaths
15 shall be delivered to the county clerk and investigated in accordance with KRS
16 117.245.
- 17 (3) When a registered voter changes his place of residence from one (1) precinct to
18 another precinct within the same county after the registration books close, the voter
19 shall be permitted to vote in the present election at the appropriate precinct for the
20 current address upon affirmation of his current address and signing the precinct list
21 as set forth in KRS 117.225. Before being permitted to vote, the voter shall confirm
22 his identity as required by KRS 117.227 and complete the affidavit which is
23 required to be completed by a voter whose right to vote is challenged. The
24 subscribed oaths shall be delivered to the county clerk and investigated in
25 accordance with KRS 117.245.
- 26 (4) When the boundaries of a precinct are changed by law, placing a registered voter in
27 a new or different precinct, the clerk shall automatically transfer the voter's

1 registration record to the proper precinct and mail the voter a notice of the change.

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

6 ➔Section 37. KRS 27A.052 is amended to read as follows:

7 (1) The Circuit Court clerk salary account is created as a trust and agency account in the
8 State Treasury to be administered by the Administrative Office of the Courts. The
9 account shall consist of the portion of fees directed to the account under KRS~~§~~
10 ~~186.440 and~~ 186.531 and any other proceeds from grants, contributions,
11 appropriations, or other moneys made available for the purposes of the account.

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

15 (3) Any interest earnings of the account shall become a part of the account and shall not
16 lapse.

17 (4) Moneys in the account shall be used for the purposes of hiring additional deputy
18 circuit clerks and providing salary adjustments to deputy circuit clerks and are
19 hereby appropriated for these purposes.

20 ➔Section 38. Whereas, the Commonwealth faces an October 2020 deadline for
21 issuance of identity documents used for federal identification purposes, an emergency is
22 declared to exist, and this Act takes effect upon its passage and approval by the Governor
23 or upon its otherwise becoming a law.