

**351.122 Reciprocity for miners certified in other states -- Requirements -- Reciprocal disciplinary action.**

- (1) In lieu of an examination prescribed by law or regulation, the board may enter into a reciprocal agreement with another state regarding the certification of miners. The board may, pursuant to a reciprocal agreement, issue to any person holding a certificate issued by another state a certificate permitting him or her to perform similar tasks in the Commonwealth if:
  - (a) The board finds that the requirements for certification in the other state are substantially equivalent to those of Kentucky;
  - (b) The person passes only the applicable part of the examination with regard to Kentucky law which is uniquely different from the other state;
  - (c) The person has submitted proof, in accordance with KRS 351.182, that he or she is drug and alcohol free;
  - (d) The person's retraining is sufficient to meet Kentucky requirements; and
  - (e) The person's certification in Kentucky or in any other state has not been suspended, revoked, or probated.
- (2) Upon receipt of notice from a reciprocal state of a disciplinary action relating to any of the certifications or licenses issued to a miner who also holds corresponding licenses or certifications issued by the Office of Mine Safety and Licensing, the commissioner shall impose analogous sanctions against the miner's Kentucky licenses or certifications. These sanctions shall terminate upon proof of compliance with the orders from the reciprocal state.

**Effective:** July 12, 2012

**History:** Amended 2012 Ky. Acts ch. 89, sec. 3, effective July 12, 2012. -- Created 2007 Ky. Acts ch. 41, sec. 1, effective June 26, 2007.