

165A.475 Application to operate CDL driver training school -- Investigation by Department of Kentucky State Police -- Application to act as instructor -- Fees -- Determination of whether to issue license.

- (1) Any person seeking a license to operate, conduct, maintain, or establish a CDL driver training school shall apply to the commission on forms prepared and furnished by the commission. The application shall include the following information:
 - (a) The title or name of the school, the names of the owners of the school, and, if the owner is to be a corporation, the names and addresses of the officers of the corporation;
 - (b) Except for corporations, a statement that the owners of the CDL driver training school are each twenty-one (21) years of age or over, are residents of this state, and have been for at least one (1) year next preceding the application for the CDL driver training school license;
 - (c) A description of the established place of business together with the hours during which the CDL driver training school is conducted and a description of the equipment and facilities used in CDL driver training;
 - (d) Evidence of liability insurance coverage of the CDL driver training school, the instructor, and students of the CDL driver training school while operating driver training school equipment. The insurance shall have minimum limits of not less than twenty-five thousand dollars (\$25,000) for bodily injury or death of one (1) person in any one (1) accident and subject to the limit for any one (1) person, fifty thousand dollars (\$50,000) for bodily injury or death of two (2) or more persons in any one (1) accident and ten thousand dollars (\$10,000) for damage to the property of others in any one (1) accident. Evidence of insurance coverage shall also provide that the insurance coverage shall not be canceled except after ten (10) days prior notice in writing by the carrier to the commission. Upon request by an applicant, the commission shall review an application and provide a letter to the applicant that a proposed CDL driver training school has met all preliminary requirements for approval, except the provisions of this paragraph. The letter may be used by the applicant to help secure the liability insurance coverage needed under this paragraph to obtain a license to operate a school. A letter provided under this paragraph shall not be construed as approval to perform CDL driver's training or to operate a school.
- (2) Each original application for a license to operate a CDL driver training school and each application for renewal of a license to operate a CDL driver training school shall be accompanied by the payment of a fee of two hundred dollars (\$200) to the commission and written proof that the applicant has complied with the criminal history background check required by KRS 165A.465. The application fee charged under this subsection shall not be refundable if, based upon the background check, the commission denies the person the right to be issued a license under this chapter.
- (3) The commission shall pay the Department of Kentucky State Police to inspect and investigate CDL driver training schools under the requirements of subsection (4) of this section. The payment shall be an amount not greater

than the actual cost of conducting the inspection and investigation.

- (4) Upon receipt of an application for a license to operate a CDL driver training school, the commission shall request the Department of Kentucky State Police to investigate the person's program and verify the information contained in the application. The Department of Kentucky State Police shall contact the applicant and make an appointment to inspect the school's facilities. At the time of inspection, the Department of Kentucky State Police shall verify that the school meets the standards promulgated as administrative regulations under KRS Chapter 13A for license as a CDL driver training school. Upon request, the standards shall be furnished to the school by the commission prior to the visit. If the standards are met, the school shall be licensed to offer instruction on how to operate a commercial motor vehicle including classifications, endorsements, and restrictions.
- (5) Any person seeking a license to act as a CDL driver training instructor shall apply to the commission on forms prepared and furnished by the commission setting forth that the applicant is twenty-one (21) years of age or older; is a high school graduate or has the equivalent of a high school education, or has equivalent experience; and holds a current and valid operator's license.
- (6) Each original application for a license as a CDL driver training instructor and each application for renewal of a license as a CDL driver training instructor shall be accompanied by the payment of a fee of twenty dollars (\$20) to the commission and written proof that the applicant has complied with the criminal history background check required by KRS 165A.465. The application fee charged under this subsection shall not be refundable if, based upon the background check, the commission denies the person the right to be issued a license under this chapter.
- (7) In making the determination whether to issue a license under this section, the commission shall consider but shall not be limited to the following:
 - (a) If the applicant has been convicted of a crime as defined in KRS 335B.010;
 - (b) The age of the applicant at the time any criminal conviction was entered;
 - (c) The length of time that has elapsed since the applicant's last criminal conviction;
 - (d) The relationship of any crime convicted to the ability of the applicant to operate a CDL driver training school or to act as a CDL driver training instructor; and
 - (e) The provisions of KRS Chapter 335B.

Effective: June 29, 2017

History: Amended 2017 Ky. Acts ch. 158, sec. 35, effective June 29, 2017. -- Amended 2012 Ky. Acts ch. 76, sec. 15, effective July 12, 2012. -- Amended 2007 Ky. Acts ch. 85, sec. 178, effective June 26, 2007. -- Repealed, reenacted, renumbered, and amended 2002 Ky. Acts ch. 280, sec. 6, effective April 9, 2002. -- Amended 2000 Ky. Acts ch. 513, sec. 1, effective July 14, 2000. -- Amended 1974 Ky. Acts ch. 74, Art. V, sec. 24(2). -- Created 1966 Ky. Acts ch. 63, sec. 4.

Formerly codified as KRS 332.030.