

186.412 Application of United States citizen or permanent resident for instruction permit or operator's license -- Information and documents required -- Photograph -- Scanning and forwarding of application information -- Temporary license or permit -- Birth certificate -- Oath. (Effective January 1, 2019)

- (1) As used in this section, "applicant" means a person who is a citizen or permanent resident of the United States.
- (2) An applicant shall apply for an instruction permit or operator's license in the office of the circuit clerk of the county where the applicant lives, or through alternative technology. Except as provided in KRS 186.417, the application form shall require the applicant's:
 - (a) Full legal name and signature;
 - (b) Date of birth;
 - (c) Social Security number or a letter from the Social Security Administration declining to issue a Social Security number;
 - (d) Sex;
 - (e) Present Kentucky resident address, exclusive of a post office box address alone;
 - (f) Other information necessary to permit the application of United States citizens to also serve as an application for voter registration;
 - (g) A brief physical description of the applicant;
 - (h) Proof of the applicant's Kentucky residency, including but not limited to a deed or property tax bill, utility agreement or utility bill, or rental housing agreement; and
 - (i) Other information the cabinet may require by administrative regulation promulgated under KRS Chapter 13A.
- (3) In addition to the information identified in subsection (2) of this section, a permanent resident shall present one (1) of the following documents issued by the United States Department of Homeland Security, United States Bureau of Citizenship and Immigration Services:
 - (a) An I-551 card with a photograph of the applicant; or
 - (b) A form with the photograph of the applicant or a passport with a photograph of the applicant on which the United States Department of Homeland Security, United States Bureau of Citizenship and Immigration Services, has stamped the following: "Processed for I-551. Temporary evidence of lawful admission for permanent residence. Valid until (Expiration Date). Employment authorized."
- (4) Upon application for an operator's license under this section, the circuit clerk shall capture a photograph of the applicant in accordance with the requirements of KRS 186.4102(1).
- (5) (a) Except as provided in paragraph (b) of this subsection, the circuit clerk shall electronically scan the documents required for application under this section and shall electronically forward the application, supporting documents, and the photograph of the applicant to the Transportation Cabinet. Upon completion of any required examinations under KRS

186.480, the circuit clerk shall present the applicant with a temporary operator's license or instruction permit, which shall be valid for thirty (30) days until a permanent operator's license or instruction permit is mailed to the applicant by the Transportation Cabinet.

- (b) The circuit clerk shall only electronically scan the birth certificate of an individual applying for a voluntary travel ID instruction permit or operator's license. If the applicant is not seeking such a permit or license, the circuit clerk shall not electronically scan the applicant's birth certificate.
 - (c) An applicant for an operator's license or instruction permit shall not be required to surrender the applicant's birth certificate for image capture, image storage, or image transmission to any entity, including the federal government, unless express consent is given by the applicant during the course of obtaining a voluntary travel ID license or permit.
- (6) An applicant shall swear an oath to the circuit clerk as to the truthfulness of the statements contained in the form.

Effective: January 1, 2019

History: Repealed and reenacted 2017 Ky. Acts ch. 100, sec. 2, effective January 1, 2019. -- Amended 2015 Ky. Acts ch. 126, sec. 2, effective June 24, 2015. -- Amended 2013 Ky. Acts ch. 110, sec. 1, effective June 25, 2013. -- Amended 2012 Ky. Acts ch. 11, sec. 1, effective July 12, 2012. -- Amended 2011 Ky. Acts ch. 59, sec. 5, effective June 8, 2011; and ch. 79, sec. 2, effective June 8, 2011. -- Amended 2010 Ky. Acts ch. 98, sec. 1, effective July 15, 2010; and ch. 161, sec. 32, effective July 15, 2010. -- Amended 2009 Ky. Acts ch. 46, sec. 2, effective June 25, 2009. -- Amended 2008 Ky. Acts ch. 2, sec. 1, effective July 15, 2008. -- Amended 2007 Ky. Acts ch. 85, sec. 192, effective June 26, 2007. -- Amended 2006 Ky. Acts ch. 65, sec. 4, effective July 12, 2006. -- Amended 2005 Ky. Acts ch. 55, sec. 1, effective June 20, 2005. -- Amended 2002 Ky. Acts ch. 96, sec. 1, effective July 15, 2002; ch. 261, sec. 1, effective January 1, 2003; and ch. 264, sec. 4, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 535, sec. 1, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 52, sec. 1, effective March 16, 1998; and ch. 192, sec. 1, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 185, sec. 1, effective July 15, 1996; and ch. 198, sec. 5, effective October 1, 1996. -- Amended 1994 Ky. Acts ch. 86, sec. 1, effective July 15, 1994; ch. 393, sec. 9, effective January 1, 1995; and ch. 481, sec. 1, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 455, sec. 29, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 165, sec. 1, effective July 15, 1988. -- Amended 1986 Ky. Acts ch. 142, sec. 1, effective July 15, 1986. -- Amended 1984 Ky. Acts ch. 402, sec. 2, effective July 13, 1984. -- Amended 1982 Ky. Acts ch. 236, sec. 1, effective July 15, 1982; ch. 243, sec. 1, effective July 15, 1982; and ch. 389, sec. 2, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 349, sec. 4, effective June 17, 1978; and ch. 434, sec. 2, effective June 17, 1978. -- Amended 1974 Ky. Acts ch. 15, sec. 1, effective January 1, 1975; and ch. 124, sec. 1. -- Amended 1970 Ky. Acts ch. 22, sec. 1; and ch. 103, sec. 1. -- Amended 1968 Ky. Acts ch. 63, sec. 3, effective June 13, 1968. -- Created 1958 Ky. Acts ch. 60, sec. 2.

Legislative Research Commission Note (7/15/94). This section was amended by 1994 Ky. Acts chs. 86, 393, and 481. Where these Acts are not in conflict, they have been codified together. Where Acts chs. 86 and 481 are in conflict, Acts ch. 481, which was the last enacted by the General Assembly, prevails under KRS 446.250. 1994 Ky. Acts ch. 393 amending this section is effective January 1, 1995, according to OAG 94-42.