

**186.417 Issuance of operator's license or personal identification card to released felon -- Documentation required -- Processing and issuance -- Administrative regulations governing operator's licenses for eligible current inmates.**

- (1) The Transportation Cabinet shall issue to any felony offender, if the felony offender is eligible, released from the Kentucky Department of Corrections or a Federal Bureau of Prisons facility located in Kentucky on home incarceration, parole, completed service of sentence, shock probation, or pardon, a personal identification card or, if the felony offender is eligible, an operator's license. An offender who wishes to obtain a personal identification card or operator's license shall provide proper documentation to comply with the provisions of this section.
- (2) Proper documentation under subsection (1) of this section shall consist of:
  - (a) The offender's certificate of birth;
  - (b) A copy of the offender's resident record card and parole certificate or notice of discharge;
  - (c) A photograph of the offender, printed on plastic card or paper; and
  - (d) A release letter that shall contain the offender's:
    1. Full legal name, subject to the information available to the Kentucky Department of Corrections or a Federal Bureau of Prisons facility located in Kentucky;
    2. Discharge/release date;
    3. Signature;
    4. Social Security number;
    5. Date of birth;
    6. Present Kentucky address where he or she resides; and
    7. Physical description.
- (3) The Transportation Cabinet shall issue to any felony offender, if the felony offender is eligible, probated or conditionally discharged by the court and under the supervision of the Division of Probation and Parole or the United States Probation Office, a personal identification card or, if the felony offender is eligible, an operator's license. An offender who wishes to obtain a personal identification card or operator's license shall provide proper documentation to comply with the provisions of this section.
- (4) Proper documentation under subsection (3) of this section shall consist of:
  - (a) The offender's certificate of birth;
  - (b) The offender's sentencing order;
  - (c) A photograph of the offender, printed on plastic card or paper; and
  - (d) A notarized release letter, signed by the supervising officer verifying the offender's status on supervision, that shall contain the offender's:
    1. Full legal name, subject to the information available to the Division of Probation and Parole or the United States Probation Office;
    2. Signature;

3. Social Security number;
  4. Date of birth;
  5. Present Kentucky address where he or she resides; and
  6. Physical description.
- (5) The offender shall present the documentation identified in subsection (2) or (4) of this section to the cabinet within thirty (30) calendar days from the date of the release letter and shall be responsible for paying the fee for the personal identification card or operator's license pursuant to KRS 186.531.
- (6) The Transportation Cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A to establish procedures for current inmates in state and federal prisons, who are deemed eligible by prison officials, to be issued operator's licenses to engage in work release activities or reentry initiatives. The administrative regulations shall address, at a minimum:
- (a) The information required for application, which shall include all information in paragraph (b) of this subsection which is germane to a current inmate. For purposes of this paragraph, the facility in which the inmate is housed shall be considered the inmate's residence;
  - (b) Required documentation from the Department of Corrections or the Federal Bureau of Prisons that the inmate meets the security criteria to be eligible for work outside of the facility;
  - (c) Procedures for license issuance; and
  - (d) Restrictions on use of the license, including a requirement that the inmate shall surrender the license to prison officials when the inmate is not engaged in work outside the facility.
- (7) The cabinet shall process applications for operator's licenses and personal identification cards under this section in the same manner as in KRS 186.412 and 186.4122.
- (8) The Transportation Cabinet may enter into an agreement with the Kentucky Department of Corrections, the United States Probation Office, or the Federal Bureau of Prisons to use a mobile unit to begin the issuance process in this section.

**Effective:** March 27, 2020

**History:** Amended 2020 Ky. Acts ch. 51, sec. 9, effective March 27, 2020. -- Amended 2018 Ky. Acts ch. 74, sec. 1, effective January 1, 2019. -- Created 2017 Ky. Acts ch. 100, sec. 7, effective January 1, 2019.