

281A.165 Waiver of driving skills test for military personnel.

- (1) The cabinet may waive the driving skills test for an applicant on active or reserve military service, or who is a member of the National Guard, or within one (1) year of separation of service, who:
 - (a) Is currently licensed;
 - (b) Has experience driving a vehicle in the military that would require a commercial driver's license to operate as a civilian;
 - (c) Has a good driving record; and
 - (d) Certifies and provides verification that, during the two (2) year period immediately prior to applying for a commercial driver's license, the applicant:
 1. Drove a motor vehicle in the military that was representative of the commercial driver's license class and endorsement for which he or she is applying;
 2. Has not had his or her operator's license or commercial driver's license suspended, revoked, or canceled, or been disqualified from operating a commercial motor vehicle;
 3. Has not been convicted of any of the disqualifying offenses in 49 C.F.R. sec. 383.51(b) while operating a commercial motor vehicle, or of any offense in a noncommercial vehicle that would be disqualifying under 49 C.F.R. sec. 383.51(b) if committed in a commercial motor vehicle;
 4. Has not been convicted of more than one (1) serious traffic violation, as defined in 49 C.F.R. sec. 383.5, while operating any type of motor vehicle;
 5. Has not been convicted of any violation of military, state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with a traffic accident, and has no record of being at fault in an accident while driving a vehicle in the military that would require a commercial driver's license to operate as a civilian;
 6. Has not been convicted of any motor vehicle traffic violation that resulted in an accident; and
 7. Is or was regularly employed in a position in the Armed Forces of the United States requiring operation of a commercial motor vehicle of the group the applicant seeks to drive, and provides evidence of that employment in accordance with subsection (5) of this section.
- (2) The skills test waiver process described in subsection (1) of this section shall be completed, and the commercial driver's license issued, within one (1) year of separation of service.
- (3) Military personnel who obtain the skills test waiver under this section shall be required to take the knowledge test pursuant to KRS 281A.130.
- (4) Military personnel who obtain the skills test waiver under this section shall be required to pay the application fee as prescribed by KRS 281A.150, but shall not be charged the skills-testing fee as prescribed by KRS 281A.160.

- (5) The cabinet shall promulgate administrative regulations under KRS Chapter 13A that establish an application form for waiver of the skills test by military personnel. As part of the application process, the applicant shall be required to provide:
- (a) A copy of the applicant's DD-214 form showing the applicant's military occupational specialty; or
 - (b) A signed statement by the applicant's commanding officer or transportation officer, on a form provided by the cabinet, attesting to the fact that the applicant meets the requirements of this section.

Effective: July 14, 2018

History: Amended 2018 Ky. Acts ch. 135, sec. 3, effective July 14, 2018. -- Created 2011 Ky. Acts ch. 20, sec. 1, effective June 8, 2011.