

186.578 Visual acuity requirements for certified driver training program -- Testing of knowledge of motor vehicle laws -- Daytime and nighttime operator's license examinations -- Out-of-state drivers establishing residence in Kentucky -- Restriction on taking of operator's license examination after three failings -- Consequence of failure to pass examination.

- (1) Applicants accepted to participate in a certified driver training program shall meet the following minimum vision requirements:
 - (a) A distance visual acuity of 20/200 or better, with corrective lenses, in the applicant's better eye;
 - (b) A visual field of at least one hundred twenty (120) degrees horizontally and eighty (80) degrees vertically in the same eye as used in paragraph (a) of this subsection;
 - (c) A distance visual acuity of 20/60 or better using a bioptic telescopic device; and
 - (d) No ocular diagnosis or prognosis that indicates a likelihood that significant deterioration of visual acuity or visual field to levels below the minimum standards outlined in this subsection will occur.
- (2) Upon acceptance into a certified driver training program, an applicant shall be given an examination to test his or her knowledge of the motor vehicle laws of the Commonwealth. This examination may be taken orally. Upon successful completion of this examination, the applicant shall be issued a temporary instruction permit, that shall be valid only when the applicant is accompanied by an employee of a certified driver training program. Temporary instruction permits issued under this section shall be valid for one (1) year from the date of issue.
- (3) An applicant who successfully completes a certified driver training program shall be reexamined by a vision specialist upon completion of the program. The examination shall certify that the applicant continues to meet the visual acuity and visual field standards set forth in subsection (1) of this section.
- (4)
 - (a) An applicant who successfully completes a certified driving training program and passes the visual reexamination required by subsection (3) of this section shall be eligible to take a comprehensive operator's license examination administered by the Department of Kentucky State Police.
 - (b) The operator's license examination shall include testing of the applicant's driving skills over a route specifically designed to test the applicant's competency using a bioptic telescopic device.
 - (c) If the applicant is a new driver, the applicant shall take a daytime and nighttime operator's license examination, which may be given on the same day.
 - (d) If the applicant is a currently licensed driver, the applicant may take either a daytime or a nighttime operator's license examination, but if the applicant chooses a daytime operator's license examination, any license granted shall be subject to a daytime restriction.
- (5)
 - (a) An applicant who is a restricted out-of-state driver establishing residence in

Kentucky shall be required to take and pass a knowledge examination before being eligible to take the operator's license examination.

- (b) An applicant who is a restricted out-of-state driver establishing residence in Kentucky shall not be required to complete a certified driver training program but shall be required to take and pass the visual examination outlined in subsection (3) of this section before taking the operator's license examination.
- (c) If an applicant moving to Kentucky from another state possesses a valid bioptic operator's license from the applicant's previous state:
 - 1. Without a daytime-only restriction, the applicant may take a daytime operator's license examination, and upon passage of the examination, be granted a license without a daytime-only restriction;
 - 2. With a daytime-only restriction and wishes to have it removed, the applicant shall take a nighttime operator's license examination, and upon passage of the examination, be granted a license without a daytime-only restriction; or
 - 3. With a daytime-only restriction and does not wish to have it removed, the applicant shall take a daytime operator's license examination, and upon passage of the examination, be granted a license with a daytime-only restriction.
- (6) If an applicant or restricted out-of-state driver fails the operator's license examination three (3) times, he or she shall not be eligible to retake the examination until successfully completing additional training from a certified driver training program and obtaining an affidavit from the program director or bioptic driving instructor recommending that the applicant or restricted out-of-state driver be allowed to retake the examination.
- (7) The Office of Vocational Rehabilitation in the Education and Labor Cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A to set standards for a certified driver training program and to otherwise carry out the provisions of this section.

Effective: July 14, 2022

History: Amended 2022 Ky. Acts ch. 116, sec. 1, effective July 14, 2022; and ch. 236, sec. 92, effective July 1, 2022. -- Amended 2019 Ky. Acts ch. 146, sec. 53, effective June 27, 2019. -- Amended 2014 Ky. Acts ch. 51, sec. 1, effective July 15, 2014. -- Amended 2007 Ky. Acts ch. 85, sec. 199, effective June 26, 2007. -- Amended 2006 Ky. Acts ch. 211, sec. 117, effective July 12, 2006. -- Created 2000 Ky. Acts ch. 396, sec. 3, effective January 1, 2001.

Legislative Research Commission Note (7/14/2022). This statute was amended by 2022 Ky. Acts chs. 116 and 236, which do not appear to be in conflict and have been codified together.