

1 AN ACT relating to vision testing for motor vehicle operators.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 186.577 is amended to read as follows:

- 4 (1) **The following persons**~~[All persons applying for an initial operator's license or an~~  
5 ~~initial instruction permit]~~ shall submit to a test of visual acuity and visual field  
6 **performed by a vision specialist, an advanced practice registered nurse as defined**  
7 **in KRS 314.011, a physician assistant as defined in KRS 311.840, or a licensed**  
8 **physician prior to** ~~[at]~~ the time of application **or renewal:**
- 9 **(a) Persons applying for an initial operator's license;**
- 10 **(b) Persons applying for an instruction permit; or**
- 11 **(c) Persons forty (40) years of age or older at the time of operator's license**  
12 **renewal.**
- 13 (2) **All persons subject to the provisions of subsection (1) of this section shall, at the**  
14 **time of application or renewal, submit to the Circuit Court clerk, a driver vision**  
15 **testing form completed and signed by a vision specialist, an advanced practice**  
16 **registered nurse, a physician assistant, or a licensed physician.**
- 17 **(3) (a)** Persons whose visual acuity is 20/40 or better **and who meet or exceed the**  
18 **visual field standard established by the Transportation Cabinet** without  
19 corrective lenses shall not have a restriction placed on their driving privileges.
- 20 **(b)** Persons whose visual acuity is 20/40 or better with corrective lenses shall  
21 have their driving privileges restricted to mandate the use of the corrective  
22 lenses.
- 23 **(c)** If a person fails to meet a 20/40 visual acuity standard **or the visual field**  
24 **standard established by the Transportation Cabinet,** the **advanced practice**  
25 **registered nurse, physician assistant, or licensed physician who performed**  
26 **the person's vision screening shall refer the person**~~[Department of Kentucky~~  
27 ~~State Police shall refer the person]~~ to a vision specialist for examination.

1 ~~(4)~~~~(3)~~ A person referred to a vision specialist ~~[by the Department of Kentucky State~~  
2 ~~Police]~~ under subsection ~~(3)~~~~(2)~~ of this section whose visual acuity is 20/60 or  
3 better **and meets or exceeds the visual field standard established by the**  
4 **Transportation Cabinet** shall be **eligible for operator's license renewal under the**  
5 **provisions of subsection (1)(c) of this section or** eligible to test for an instruction  
6 permit or operator's license. If corrective lenses were prescribed by the vision  
7 specialist, the person's driving privileges shall be restricted to mandate the use of  
8 the corrective lenses.

9 ~~(5)~~~~(4)~~ Persons who meet the requirements of KRS 186.578 and are issued operator's  
10 licenses under KRS 186.579 shall have their driving privileges restricted to the use  
11 of a bioptic telescopic device.

12 **(6) A person seeking application or renewal under the provisions of subsection (1) of**  
13 **this section shall be deemed to meet the testing provisions outlined in subsection**  
14 **(3) of this section if the person submits a driver vision testing form completed by:**  
15 **(a) A vision specialist who performed the person's examination who attests that**  
16 **the person meets or exceeds the visual acuity standards outlined in**  
17 **subsection (3) or (4) of this section; or**  
18 **(b) An advanced practice registered nurse, physician assistant, or licensed**  
19 **physician who performed the person's vision screening who attests that the**  
20 **person meets or exceeds the visual acuity standard and visual field standard**  
21 **as outlined in subsection (3) of this section.**

22 **(7) Any person who is seeking application or renewal under the provisions of**  
23 **subsection (1) of this section and was referred to a vision specialist under the**  
24 **provisions of subsection (3) of this section shall be deemed to meet the testing**  
25 **provisions outlined in subsection (4) of this section if the person submits a driver**  
26 **vision testing form completed by a vision specialist attesting that the person meets**  
27 **or exceeds the visual acuity standard and visual field standard as outlined in**

1 subsection (4) of this section.

2 (8) A driver vision testing form completed under this section shall only be valid if the  
3 vision examination or vision screening of the person seeking application or  
4 renewal was performed less than twelve (12) months prior to the date of  
5 application or renewal.

6 (9) All driver vision testing forms completed under the provisions of subsection (6) or  
7 (7) of this section shall state whether or not the driving privileges of the person  
8 seeking application or renewal shall be restricted to mandate the use of corrective  
9 lenses.

10 (10) The Transportation Cabinet shall update the Kentucky Driver's License Renewal  
11 Application to include an attestation by the person seeking application or renewal  
12 that he or she has submitted to and passed the visual acuity and visual field tests  
13 outlined in this section.

14 (11) Any person renewing an operator's license under the provisions of KRS 186.416  
15 shall be exempt from the testing requirements outlined in subsection (1) of this  
16 section.

17 (12) The Transportation Cabinet shall promulgate administrative regulations  
18 pursuant to KRS Chapter 13A to implement the provisions of this section,  
19 including but not limited to the creation of a driver vision testing form and the  
20 establishment of a visual field standard. The Transportation Cabinet may  
21 implement a system for electronic transmission of driver vision testing forms.

22 ➔Section 2. KRS 186.480 (Effective January 1, 2019) is amended to read as  
23 follows:

24 (1) The Department of Kentucky State Police shall examine every applicant for an  
25 operator's license as identified in KRS 186.635, except as otherwise provided in this  
26 section. The examination shall be held in the county where the applicant resides  
27 unless:

- 1 (a) The applicant is granted written permission by the circuit clerk of the county  
2 in which he or she resides to take the examination in another county, and the  
3 Department of Kentucky State Police agree to arrange for the examination in  
4 the other county; or
- 5 (b) The applicant is tested using a bioptic telescopic device.
- 6 (2) The examination shall include a test of the applicant's ~~eyesight to ensure~~  
7 ~~compliance with the visual acuity standards set forth in KRS 186.577. The~~  
8 ~~examination shall also include a test of the applicant's ability to~~ read and  
9 understand highway signs regulating, warning, and directing traffic, the applicant's  
10 knowledge of traffic laws, and an actual demonstration of the applicant's ability to  
11 exercise ordinary and reasonable control in the operation of a motor vehicle. An  
12 applicant for a motorcycle operator's license shall be required to show his or her  
13 ability to operate a motorcycle, in addition to other requirements of this section. The  
14 provisions of this subsection shall not apply to an applicant who:
- 15 (a) At the time of application, holds a valid operator's license from another state,  
16 provided that state affords a reciprocal exemption to a Kentucky resident; or
- 17 (b) Is a citizen of the Commonwealth who has been serving in the United States  
18 military and has allowed his or her operator's license to expire.
- 19 (3) Any person whose intermediate license or operator's license is denied, suspended, or  
20 revoked for cause shall apply for reinstatement at the termination of the period for  
21 which the license was denied, suspended, or revoked by submitting to the  
22 examination. The provisions of this subsection shall not apply to any person whose  
23 license was suspended for failure to meet the conditions described in KRS 186.411  
24 when, within one (1) year of suspension, the driving privileges of such individuals  
25 are reinstated.
- 26 (4) An applicant shall not use an autocycle for road skills testing administered under the  
27 provisions of this section.

1           ➔Section 3. This Act takes effect January 1, 2019.