

STATEMENT OF EMERGENCY

601 KAR 11:035E

This emergency amendment to an existing administrative regulation is being promulgated to comply with KRS 281A.165, to establish and clarify the application process for military personnel to apply for a commercial driver's license. This emergency amendment will allow qualified military applicants to complete a military certification for the written and skills test exemption, TC Form 94-167. This emergency amendment is being promulgated so that the Kentucky Transportation Cabinet may address the imminent needs of Kentucky's service members who qualify for the exemptions set forth by KRS 281A.165, especially with the consideration that the service members only have one year beyond their separation date to qualify for those exemptions, and to formally acknowledge that many of our nation's active-duty service members and veterans have formally completed military driver's programs and have experience driving a vehicle in the military that would require a commercial driver's license to operate as a civilian. This emergency amendment will expedite this process by acknowledging the "Even Exchange Program" as defined in 49 CFR 383.77. This will allow qualified applicants to become part of the Commonwealth's Commercial Driver's License (CDL) program without unnecessary costs and delay.

This emergency amendment to an existing administrative regulation will be replaced by an ordinary administrative regulation pursuant to KRS Chapter 13A. The companion ordinary administrative regulation is identical to this emergency administrative regulation.



ANDY BESHEAR
Governor



REBECCA GOODMAN
Secretary, Transportation Cabinet

1 TRANSPORTATION CABINET

2 Department of Vehicle Regulation

3 Division of Driver Licensing

4 (Emergency Amendment)

5 601 KAR 11:035E. Waiver of written knowledge and skills test for military personnel.

6 RELATES TO: KRS 281A, 49 C.F.R. 383

7 STATUTORY AUTHORITY: KRS 281A.165

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 281A.165 requires the Transportation
9 Cabinet to promulgate an administrative regulation to establish an application form for military
10 personnel applying for a commercial driver's license and requesting the waiver of a written
11 knowledge and skills test. This administrative regulation establishes an application form and the
12 procedures for submitting the form to the cabinet.

13 Section 1. Waiver Form.

14 (1) An applicant for a commercial driver's license who meets the criteria established in KRS
15 281A.165 may apply for a written knowledge and skills test exemption. If the applicant applies,
16 the applicant shall complete a Military Certification for Written Knowledge and Skills Test
17 Exemption, TC Form 94-167.

(2) A completed application form shall be submitted to the Transportation Cabinet, Department of Vehicle Regulation, 200 Mero Street, Frankfort, Kentucky 40622.

Section 2. Notification.

(1) Within thirty (30) days of submission to the cabinet, an applicant shall be notified by mail of the approval or disapproval.

(2) An applicant shall take the notification of an approved application form to any KYTC Driver License Regional Office [~~the circuit clerk's office for his or her county of residence~~].

Section 3. Incorporation by Reference.

(1) "Military Certification for Written and Skills Test Exemption", TC Form 94-167, September 2026 [~~August 2011~~], is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Vehicle Regulation, 200 Mero Street, Frankfort, Kentucky 40622. This material may also be obtained by accessing the cabinet's Web site at <http://transportation.ky.gov/>.

APPROVED BY TRANSPORTATION CABINET:

Signed by:

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Rebecca Goodman
Secretary
Kentucky Transportation Cabinet

9/28/2026

Date

DocuSigned by:

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Matthew Cole
Commissioner
Department of Vehicle Regulation
Kentucky Transportation Cabinet

9/28/2026

Date