

36.450 Automatic extension of license, permit, or certification held by members of Armed Forces deployed overseas -- Inapplicability to operator's and driver's licenses and motor vehicle registrations.

- (1) Except as provided for in subsection (5) of this section, notwithstanding any other provision of law, a license, permit, or certification held by a member of the United States Armed Forces, including a member of the Kentucky National Guard or Reserve on federal active duty, that expires while that member is deployed overseas shall be extended until ninety (90) days after the end of the deployment.
- (2) The hiring, licensing, permitting, or certifying authority shall renew a license, permit, or certification extended under subsection (1) of this section until the next date that the license, permit, or certification expires or for the period that the license, permit, or certification is normally issued, at no cost to the member, if that member:
 - (a) Requests renewal of the license, permit, or certification within ninety (90) days after the end of overseas deployment;
 - (b) Provides the hiring, licensing, permitting, or certifying authority with a copy of the member's official orders ending the overseas deployment; and
 - (c) Meets all the requirements necessary for the renewal of the license, permit, or certification, except that the member need not meet the requirements, if any, that relate to continuing education or training.
- (3)
 - (a) The possession by a member specified in subsection (1) of this section of a license, permit, or certification, together with orders for overseas deployment, shall constitute a de facto extension of the license, permit, or certification until its expiration pursuant to subsection (1) of this section or until the license, permit, or certificate is renewed by the hiring, licensing, permitting, or certifying authority, whichever occurs later.
 - (b) The possession of a license, permit, or certification, together with orders for overseas deployment, shall constitute, during the period specified in paragraph (a) of this subsection, a defense to any charge for possession of an expired license, permit, or certification by the member specified in subsection (1) of this section.
- (4) In order to avoid confusion regarding the status of a license, permit, or certification, a service member specified in subsection (1) of this section may provide the hiring, licensing, permitting, or certifying authority a copy of the service member's overseas deployment orders. Upon receipt of the service member's overseas deployment orders, the receiving agency shall indicate the license as extended as provided in this section in the agency's records. Failure of a service member to provide overseas deployment information to the hiring, licensing, permitting, or certifying authority shall have no effect on the automatic extension of the license, permit, or certification or its renewal as provided in this section. No hiring, licensing, permitting, or certifying agency shall take any adverse action with regard to the renewal of the license, permit, or certification of a service member who has

been the subject of an overseas deployment and who has not notified the agency of the overseas deployment.

- (5) This section shall not apply to a motor vehicle or motorcycle operator's license issued under KRS Chapter 186, a motor vehicle registration issued under KRS Chapter 186, or a commercial driver's license issued under KRS Chapter 281A.

Effective: July 15, 2008

History: Amended 2008 Ky. Acts ch. 2, sec. 2, effective July 15, 2008. -- Created 2005 Ky. Acts ch. 49, sec. 1, effective June 20, 2005.