

217B.060 Licenses -- Classification -- Application requirements -- Expiration.

- (1) The department may classify licenses to be issued under this chapter. The classifications may include but not be limited to ornamental or agricultural pesticide applicators, or right-of-way pesticide applicators. Separate classifications may be specified as to ground, aerial, or manual methods used by any licensee to apply pesticides. Each classification shall be subject to separate testing procedures and requirements.
- (2) Application for a license shall be made in writing to the department on a designated form obtained from the department. Each application for a license shall contain information regarding the applicant's qualifications and proposed operations, and license classification or classifications the applicant is applying for, and shall include the following:
 - (a) The full name of the person applying for the license;
 - (b) If the applicant is a receiver, trustee, firm, partnership, association, corporation, or other organized group of persons whether or not incorporated, the full name of the receiver or trustee, the full name of each member of the firm or partnership, or the names of the officers of the association, corporation, or group;
 - (c) The principal business address of the applicant in the state and elsewhere;
 - (d) The name and address of a person, who may be the Secretary of State, whose domicile is in the state, and who is authorized to receive and accept services of summons and legal notice of all kinds for the applicant;
 - (e) The model, make, horsepower, and size of any equipment used by the applicant to apply pesticides; and
 - (f) Any other necessary information prescribed by the department.
- (3) The department shall require an applicant for a license to show upon examination that the applicant possesses adequate knowledge concerning the proper use and application of pesticides in the classifications he or she has applied for. The applicant shall also demonstrate a knowledge of the proper use of and calibration of the various equipment that he or she may have applied for a license to operate, including any pressurized, hand-sized devices. The examination shall require a working knowledge of:
 - (a) The proper use of the equipment;
 - (b) The hazards that may be involved in applying pesticides, including:
 1. The effect of drift of the pesticides on adjacent and nearby lands and other nontarget organisms;
 2. The proper meteorological conditions for the application of pesticides and the precautions to be taken;
 3. The effect of the pesticides on plants or animals in the area, including the possibility of damage to plants or animals or the possibility of illegal pesticide residues resulting on them;
 4. The effect of the application of pesticides to wildlife in the area, including aquatic life;
 5. The identity and classification of pesticides used and the effects of

- their application in particular circumstances; and
6. The likelihood of contamination of water or injury to persons, plants, livestock, pollinating insects, and vegetation;
- (c) Calculating the concentration of pesticides to be used in particular circumstances;
 - (d) Identification of pests to be controlled by common name only and the damages caused by the pests;
 - (e) Protective clothing and respiratory equipment required during the handling and application of pesticides;
 - (f) General precautions to be followed in the disposal of containers as well as the cleaning and decontamination of the equipment that the applicant proposes to use; and
 - (g) Applicable state and federal pesticide laws and regulations.
- (4) If the department finds the applicant qualified to apply pesticides in the classifications he or she has applied for, if the applicant files the bond or insurance required under KRS 217B.130, and if the applicant applying for a license to engage in aerial application of pesticides has met all of the requirements of the Federal Aviation Agency and the Transportation Cabinet to operate the equipment described in the application, the department shall issue a pesticide applicator license limited to the classifications for which he or she is qualified, which shall expire at the end of the calendar year of issue unless it has been revoked or suspended prior to that by the department for cause, or the financial security required under KRS 217B.130 is not dated to expire at an earlier date, in which case the license shall be dated to expire upon the expiration date of the financial security.

Effective: July 14, 2000

History: Amended 2000 Ky. Acts ch. 172, sec. 3, effective July 14, 2000. -- Amended 1974 Ky. Acts ch. 148, sec. 5. -- Created 1972 Ky. Acts ch. 130, sec. 6.