503 KAR 4:050. Required content and conduct of the applicant training course.

RELATES TO: KRS 237.110, 237.124
STATUTORY AUTHORITY: KRS 237.124
NECESSITY, FUNCTION, AND CONFORMITY: KRS 237.124 requires the department to promulgate administrative regulations concerning the operation of a program for the training of applicants for a concealed deadly weapons license. This administrative regulation establishes that program.

Section 1. An applicant training course shall be:
(1) The standardized training course furnished by the department; and
(2) Taught by a certified firearms instructor.

Section 2. Applicant Training Course Content. (1) Classroom instruction. An applicant training course shall include at least six (6) hours, but not more than eight (8) hours, of classroom instruction, covering the following topics:
(a) Handgun safety in the classroom, at home, on the firing range or while carrying the firearm;
(b) The basic principles of marksmanship;
(c) Care and cleaning of handguns; and
(d) By means of a videotape produced by the department:
1. The requirements for obtaining a concealed deadly weapons license in Kentucky;
2. Sections of KRS Chapters 237 and 527 relating to firearms; and
3. Sections of KRS Chapter 503 relating to the justifiable use of force.
(2) Live firing exercises. An applicant training course shall include live firing exercises of sufficient duration for an applicant to fire a handgun:
(a) From a safe position;
(b) Without receiving any assistance in holding, aiming, or firing from the instructor or any other person;
(c) Twenty (20) rounds observed by the instructor. The instructor shall observe the applicant for each round fired, including those fired after the applicant has hit the silhouette portion of the target as required by KRS 237.110(4)(i)(3); and
(d) At a distance from a B-21 silhouette target, or an equivalent as approved by the department, of seven (7) yards.
(3) If range firing is conducted at a facility or range that requires a training instructor or range officer to clear or directly supervise and assist in the clearing of all firearm jams or malfunctions, the clearing of a firearm jam or malfunction by a certified firearms instructor or facility range officer in accordance with that policy shall not constitute prohibited assistance to a student for the purposes of subsection (2)(b) of this section.

Section 3. The classroom portion of the course shall be taught, at the certified firearms instructor's discretion, in one (1) six (6) hour block or divided into segments of not less than one (1) hour each.

Section 4. (1) An applicant training course shall not be open to persons who are less than twenty-one (21) years of age.
(2) An applicant training course student shall complete:
(a) An "Applicant Request for Training for License to Carry Concealed Deadly Weapons", Form #126-A, which shall include a statement acknowledging receipt of copies of pertinent sections of KRS Chapters 237, 527, and 503; and

(b) A "Release of Liability, Agreement to Waive Claims, Express Assumption of Risks, and Indemnity Agreement," Form #126-B.

Section 5. A certified firearms instructor shall not discuss the videotape or KRS Chapters 237, 503, or 527 with students, either individually or as a class.

Section 6. (1) At the conclusion of the classroom portion of an applicant training course, a certified firearms instructor shall:
(a) Distribute a standard course examination to the students;
(b) Not leave the room in which the examination is being held while the examination is in progress, unless another certified firearms instructor is physically present in the room to supervise the examination; and
(c) Collect examination booklets and answer sheets from each student at the end of the examination period.
(2) At the conclusion of the classroom portion of an applicant training course, a certified firearms instructor may:
(a) Grade the applicant's examination; and
(b) Provide the applicant with his or her score.

Section 7. Except for an instructor, a person shall not:
(1) Make a copy of the applicant training course examination, in whole or in part;
(2) Possess an applicant training course examination, or questions from an examination, unless authorized by the department; or
(3) Divulge the contents of applicant training course examination questions to another person.

Section 8. (1) A student shall use a safe, functional handgun and factory-loaded ammunition.
(a) An instructor or instructor trainer may choose to provide a safe, functional handgun at the request of the student for use during the class.
(b) An instructor or an instructor trainer shall not advertise that students will be furnished a handgun for use in the class.
(c) A handgun shall not be furnished unless special circumstances dictate the need to do so and the student requests it.
(d) An instructor or instructor trainer shall not charge a fee for furnishing a handgun, but may recover the actual cost of ammunition that is provided at the request of the student.
(2) Prior to conducting range firing, a certified firearms instructor shall:
(a) Inspect each applicant's firearm; and
(b) Not allow the firing of a handgun that the instructor has reason to believe is not in sound mechanical condition or otherwise may pose a safety hazard.

Section 9. A passing grade shall not be given on range work to an applicant who:
(1) Does not follow the orders of a certified firearms instructor;
(2) In the judgment of a certified firearms instructor, handles a firearm in a manner that poses a danger to the applicant or to others; or
(3) Fails to hit the silhouette portion of a target with a majority of the twenty (20) rounds without assistance in holding, aiming, or firing the firearm from the instructor or another person.

Section 10. In accordance with the requirements of KRS 237.110(22)(g), if the department believes that an instructor has not complied with the requirements for teaching a certified firearms instructor or applicant class, it shall send a "VF-1 Verification Form" to each student who has been

listed by the instructor as having successfully completed the class taught by that instructor.

Section 11. (1) The "Applicant Request for Training for License to Carry Concealed Deadly Weapons" and course fee required by KRS 237.122 shall be sent to the department at the same time as the class roster required by KRS 237.110(22)(d).

(2) A certified firearms instructor may use a "CCDW Training Class Roster Form," CCDW #5, to comply with the class roster requirements of KRS 237.110(22)(d).

Section 12. An applicant training course shall not have more than:

(1) Forty (40) students in the classroom portion; or

(2) Five (5) students per range officer engaged in range firing. Students in a waiting area at a range facility who are not actively engaged in loading, unloading or firing handguns shall not be considered to be engaged in range firing for the purposes of this subsection.

Section 13. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Applicant Request for Training for License to Carry Concealed Deadly Weapons", Form #126-A, (07/12/06 edition), Department of Criminal Justice Training;

(b) "Release of Liability, Agreement to Waive Claims, Express Assumption of Risks, and Indemnity Agreement," Form #126-B, (07/12/06 edition), Department of Criminal Justice Training;

(c) VF-1 "Verification Form", (6/02 edition), Department of Criminal Justice Training; and

(d) CCDW #5 "CCDW Training Class Roster Form", (July 15, 2006 edition), Department of Criminal Justice Training.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at Department of Criminal Justice Training, Funderburk Building, Kit Carson Drive, Richmond, Kentucky 40475-3137, Monday through Friday, 8 a.m. to 4:30 p.m. (23 Ky.R. 1288; Am. 1589; eff. 9-17-96; 29 Ky.R. 1873, 2279; eff. 3-19-03; 33 Ky.R. 535; 1079; eff. 11-3-06.)