

159.051 Loss of license or permit by student for dropping out of school or for academic deficiency -- Procedures for reinstatement.

- (1) When a student who is at least fifteen (15) years of age but less than eighteen (18) years of age drops out of school or is declared to be academically deficient, the school administrator or his or her designee shall notify the superintendent of schools of the district in which the student is a resident or is enrolled. The reports shall be made at the end of each semester but may be made earlier in the semester for accumulated absences. A student shall be deemed to have dropped out of school when he or she has nine (9) or more unexcused absences in the preceding semester. Any absences due to suspension shall be unexcused absences. A student shall be deemed to be academically deficient when he or she has not received passing grades in at least four (4) courses, or the equivalent of four (4) courses, in the preceding semester. The local school board shall adopt a policy to reflect a similar standard for academic deficiency for students in alternative, special education, or part-time programs.
- (2) Within ten (10) days after receiving the notification, the superintendent shall report the student's name and Social Security number to the Transportation Cabinet. As soon as possible thereafter, the cabinet shall notify the student that his or her operator's license, intermediate license, permit, or privilege to operate a motor vehicle has been revoked or denied and shall inform the student of his or her right to a hearing before the District Court of appropriate venue to show cause as to the reasons the license, permit, or privilege should be reinstated. Within fifteen (15) days after this notice is sent, the custodial parent, legal guardian, or next friend of the student may request an ex parte hearing before the District Court. The student shall not be charged District Court filing fees. The notification shall inform the student that he or she is not required to have legal counsel.
- (3) In order for the student to have the license reinstated, the court shall be satisfied that:
 - (a) The license is needed to meet family obligations or family economic considerations which, if unsatisfied, would create an undue hardship; or
 - (b) The student is the only licensed driver in the household; or
 - (c) The student is not considered a dropout or academically deficient pursuant to this section.

If the student satisfies the court, the court shall notify the cabinet to reinstate the student's license at no cost. The student, if aggrieved by a decision of the court issued pursuant to this section, may appeal the decision within thirty (30) days to the Circuit Court of appropriate venue. A student who is being schooled at home shall be considered to be enrolled in school.

- (4) A student who has had his or her license revoked under this section may reapply for a license as early as the end of the semester during which he or she enrolls in school and successfully completes the educational requirements. A student may also reapply for a license at the end of a summer school semester which results in the student having passed at least four (4) courses, or the equivalent of four (4) courses, during the successive spring and summer semesters, and the courses meet the educational requirements for graduation. The student shall provide proof issued by

the school within the preceding sixty (60) days that he or she is enrolled and is not academically deficient.

Effective: March 25, 2025

History: Amended 2025 Ky. Acts ch. 81, sec. 5, effective March 25, 2025. -- Amended 2007 Ky. Acts ch. 36, sec. 1, effective June 26, 2007. -- Amended 1994 Ky. Acts ch. 503, sec. 1, effective July 15, 1994. -- Created 1990 Ky. Acts ch. 234, sec. 1, effective July 13, 1990.

Legislative Research Commission Note (6/26/2007). Under the authority of KRS 7.136(1), the Reviser of Statutes in codification has changed the internal numbering system of subsection (3) of this statute. The words in the text were not changed.