

**330.060 Issuance of license -- Conditions -- Examination, fee, exception -- Service of process.**

- (1) Every applicant for licensure shall be at least eighteen (18) years of age, show proof of a high school diploma or equivalent, and, within the preceding five (5) years, shall not have committed any act that constitutes grounds for license suspension or revocation under this chapter.
  - (a) The board may waive the high school diploma or equivalent requirement for an apprentice, licensed prior to 1985, applying for an auctioneer license.
  - (b) Any license issued pursuant to this chapter shall be granted only to a person found to be of good repute, trustworthy, and competent to transact the business for which the license was granted in a manner requisite to safeguarding the interest of the public.
  - (c) Effective July 1, 2010, an applicant for an apprentice auctioneer license shall have successfully completed at least eighty (80) hours of approved classroom instruction from a board-approved auction education provider.
  - (d) The board may waive the eighty (80) hours of approved classroom instruction requirement if the applicant demonstrates sufficient previous auction experience and competency by affidavit or other evidence as required by the board.
- (2) The board is authorized to require information from every applicant to determine the applicant's honesty and truthfulness.
- (3) Every applicant shall successfully complete an examination, conducted by the board or its authorized representative. Every application for examination shall be submitted on board-prepared forms, and each applicant shall furnish pertinent background data as outlined on the forms.
  - (a) To defray the cost of administration of the examination, the board shall require each applicant to remit an examination fee established by administrative regulations promulgated by the board in accordance with KRS Chapter 13A.
  - (b) Examination fees shall be nonrefundable.
  - (c) If the applicant is unable to attend the scheduled exam, the examination fee shall be deferred to the next scheduled administration of the examination.
  - (d) Upon successful completion of the examination, the applicant shall apply for initial licensure within forty-five (45) days of receiving notice of successfully completing the examination.
  - (e) The examination shall be of the scope and wording sufficient in the judgment of the board to establish the competency of the applicant to act as an auctioneer or other licensee regulated by the board.
- (4) If a license has been revoked, suspended, or is allowed to expire without renewal, the board may require the applicant to pass the written examination or complete some form of board-approved auction education before a license may be issued.

- (5) If a license has not been renewed within six (6) months of the expiration date, the board shall require a person to successfully complete the written examination before a license is issued.
- (6) In addition, every nonresident applicant shall file an irrevocable consent that actions may be commenced against the applicant in any court of competent jurisdiction in the Commonwealth of Kentucky, by the service of any summons, process, or pleadings authorized by law on the authorized representative of the board. The consent shall stipulate and agree that the service of any summons, process, or pleadings on the authorized representative shall be taken and held in all courts to be as valid and binding as if actual service had been made upon the applicant in Kentucky. In case any summons, process, or pleadings are served upon the authorized representative of the board, it shall be by duplicate copies, one (1) of which shall be retained in the office of the board, and the other immediately forwarded by certified mail, return receipt requested, to the last known business address of the applicant against whom the summons, process, or pleadings are directed.

**Effective:** June 25, 2009

**History:** Amended 2009 Ky. Acts ch. 70, sec. 6, effective June 25, 2009. -- Amended 1998 Ky. Acts ch. 285, sec. 3, effective July 15, 1998. -- Amended 1992 Ky. Acts ch. 344, sec. 5, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 170, sec. 4, effective July 13, 1990. -- Amended 1984 Ky. Acts ch. 407, sec. 3, effective July 13, 1984. -- Amended 1982 Ky. Acts ch. 79, sec. 3, effective July 15, 1983. -- Created 1962 Ky. Acts ch. 151, sec. 6.