

189A.340 Ignition interlock devices and licenses. (Effective until July 1, 2020)

- (1) (a) Except as provided in KRS 189A.420(4), at the time that the court revokes a person's license under any provision of KRS 189A.070, for an offense in violation of KRS 189A.010(1)(a), (b), (e), or (f), the court shall also order that, at the conclusion of the license revocation, any license the person shall be issued shall restrict the person to operating only a motor vehicle or motorcycle equipped with a functioning ignition interlock device.
 - (b) The ignition interlock periods shall be as follows:
 1. The first time in a ten (10) year period, a functioning ignition interlock device shall be installed for a period of six (6) months, if at the time of offense, any of the aggravating circumstances listed under KRS 189A.010(11) were present while the person was operating or in physical control of a motor vehicle.
 2. The second time in a ten (10) year period, a functioning ignition interlock device shall be installed for a period of twelve (12) months.
 3. The third or subsequent time in a ten (10) year period, a functioning ignition interlock device shall be installed for a period of thirty (30) months.
 - (c) In determining the ten (10) year period under paragraph (b) of this subsection, the period shall be measured from the dates on which the offenses occurred for which the judgments of conviction were entered, resulting in the license revocations described in KRS 189A.070.
- (2) Nothing in this section limits:
- (a) The person's right to apply for an ignition interlock license during any period of suspension or revocation arising from the same incident;
 - (b) The cabinet's authority to issue an ignition interlock license during any period of suspension or revocation arising from the same incident if the person meets all application requirements and is otherwise eligible for such license; or
 - (c) The person from receiving credit on a day-for-day basis toward any ignition interlock requirement in paragraph (a) of this subsection for any period the person held a valid ignition interlock license during any period of suspension or revocation arising from the same incident. A person prohibited from operating any motor vehicle or motorcycle without a functioning ignition interlock device under paragraph (a) of subsection (1) of this section shall receive any court-determined credit on a day-for-day basis toward any such ignition interlock requirement for any period the person holds a valid ignition interlock license during any period of suspension or revocation arising from the same incident.

Effective: April 9, 2016

History: Amended 2016 Ky. Acts ch. 85, sec. 7, effective April 9, 2016. -- Amended 2015 Ky. Acts ch. 124, sec. 8, effective June 24, 2015. -- Amended 2002 Ky. Acts ch. 171, sec. 4, effective July 15, 2002. -- Created 2000 Ky. Acts ch. 467, sec. 27, effective October 1, 2000.

Legislative Research Commission Note (4/9/2016). 2016 Ky. Acts ch. 85, sec. 10 provided that that Act shall be known as the Brianna Taylor Act. This statute was amended in Section 7 of that Act.

Legislative Research Commission Note (6/24/2015). During codification, the Reviser of Statutes has changed the numbering of subsection (1) of this statute from the way it appeared in 2015 Ky. Acts ch. 124, sec. 8. None of the text of the subsection was changed.

Legislative Research Commission Note (6/24/2015). During codification, the Reviser of Statutes has corrected a manifest clerical or typographical error in subsection (1) of this statute from the way it appeared in 2015 Ky. Acts ch. 124, sec. 8 by changing a citation to "KRS 189A.010(a), (b), (e), or (f)" to read "KRS 189A.010(1)(a), (b), (e), or (f)." None of the text of the subsection was changed.