

Kentucky DUI / DWI Regulations

DUI / DWI Statute	<u>§189A.010, et seq.</u>
Criteria for DUI / DWI	BAC ≥ 0.02 if under 21 years old BAC ≥ 0.04 while operating a commercial motor vehicle BAC ≥ 0.08 for all non-commercial drivers aged 21 years or older BAC ≥ 0.18 enhanced penalties
Penalties for 1 st offense	<ul style="list-style-type: none"> ✧ Charged as a class B misdemeanor ✧ 2 days - 30 days in jail ✧ 30 - 120 days suspend license ✧ \$200 - \$500 in fines ✧ Community service ✧ 6 month installation of ignition interlock device
"Look back" period	5 years
Penalties for repeat offender	<p>Second Conviction (within 5 years):</p> <ul style="list-style-type: none"> ✧ Charged as class A misdemeanor ✧ 12 - 18 months suspend license ✧ \$350 - \$500 in fines ✧ 7 days - 6 months in jail ✧ 10 days - 6 months community service ✧ 1 year installation of ignition interlock device <p>Third Conviction (within 5 years):</p> <ul style="list-style-type: none"> ✧ Charged as class A misdemeanor ✧ 2 - 3 years suspend license ✧ \$500 - \$1,000 in fines ✧ 30 days - 1 year in jail ✧ 10 days - 1 year community service ✧ 30 month installation of an ignition interlock device <p>Fourth and Subsequent Convictions:</p> <ul style="list-style-type: none"> ✧ Charged as class D felony <p>Penalties for Refusal:</p> <ul style="list-style-type: none"> ✧ Driver's license revocation until court case is decided ✧ Possible 120-day suspension for first refusal ✧ Doubling of minimum jail sentence if convicted of DUI
License suspensions	<p>1st offense: 30 – 120 days</p> <p>2nd offense: 12 – 18 months</p> <p>3rd offense: 24 – 36 months</p> <p>4th offense: 60 months</p>
Ignition interlocks	At the conclusion of an offender's license revocation period, the court may require that person to operate only motor vehicles equipped with ignition interlock devices

*National Motorists Association
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	<p>(with the exception of an employer's vehicles).</p> <p>This requirement lasts for the following periods following license revocation: first offense – 6 months; second offense (within 5 years) – 12 months; third or subsequent offense (within 5 years) – 30 months.</p> <p>Second or subsequent offenders must wait at least 1 year from the start of the license revocation period before applying to the court for permission to use an ignition interlock device. This requirement may be used as an alternative to impounding the license plates of a second or subsequent drunk-driving offender.</p> <p>The court may grant hardship driving privileges for the purpose of employment, education, medical care, alcohol/substance abuse education programs or other court ordered counseling programs. This privilege may be conditioned on the offender operating motor vehicles equipped with ignition interlock devices.</p> <p>Exemptions: Employer</p>
Vehicle impoundment	Impoundment
Open Container laws:	Open container must not be accessible to driver or passengers, but does not apply to passengers of hired vehicles, motor homes, or house trailers.

Source

<http://transportation.ky.gov/Driver-Licensing/Pages/DUI-Laws-in-Kentucky.aspx>

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