



**ORDER UPON CONVICTION AUTHORIZING
APPLICATION FOR IGNITION INTERLOCK
LICENSE & DEVICE**

Case No. _____
Court _____
County _____
Division _____

COMMONWEALTH OF KENTUCKY

PLAINTIFF

VS.

DEFENDANT

Address: _____

Having reviewed the record and other relevant information, the Court finds:

1. The Defendant's privilege to operate a motor vehicle is currently subject to revocation for the following reason:
 - Revocation upon conviction for a first offense with aggravating circumstances or second or subsequent offense pursuant to KRS 189A.010(1)(a),(b),(e), or (f) and the Defendant is currently enrolled in and actively participating or completed in alcohol or substance abuse treatment.
 - Revocation upon conviction for operating a motor vehicle on a revoked or suspended license pursuant to KRS 189A.090 (Operating motor vehicle while license is revoked or suspended for driving under the influence). In the interest of public safety, good cause has been shown to permit the Defendant to apply for an ignition interlock license following the required period of incarceration.
2. The Defendant was previously issued an ignition interlock license by the Transportation Cabinet in lieu of suspension of the Defendant's license pretrial pursuant to KRS 189A.200.

OR

- The Defendant has submitted a motion for authorization to apply for an ignition interlock device and has provided proof of insurance to the court.

Having made the above findings, the Court hereby ORDERS:

3. The ignition interlock license previously issued by the Transportation Cabinet shall remain in effect for the period indicated in section 5 of this order. The Defendant shall operate only motor vehicles/motorcycles equipped with a functioning IID.

OR

- Defendant shall apply to the Transportation Cabinet for an ignition interlock license by completing the Transportation Cabinet's application form. The defendant shall pay the nonrefundable fee to the Transportation Cabinet with the application.

(a) If the Transportation Cabinet indicates he/she is eligible, the Defendant shall have a functioning IID installed on the following vehicle(s)/motorcycle(s) by a provider approved pursuant to regulation promulgated by the Cabinet: *(List make, Model, Year and VIN number)*

(b) Defendant shall NOT operate a motor vehicle or motorcycle unless and until the Transportation Cabinet issues an ignition interlock license and a functioning IID is installed on the designated vehicles/motorcycles.

(c) Defendant shall provide proof to the Transportation Cabinet of the installation of an IID by filing a certificate of installation for the designated vehicles(s). Upon filing of this proof, the Transportation Cabinet shall issue an ignition interlock license to the Defendant.

(d) Following the issuance of an ignition interlock license, the Defendant shall operate only motor vehicles/ motorcycles equipped with a functioning IID.

- 4. The Defendant is responsible for the reasonable cost of leasing or purchasing, installing, servicing and monitoring the device.

OR

Having reviewed the Affidavit of Indigency form AOC-495.8 and/or other attested information provided by the Defendant, the Court finds that the Defendant is indigent. Based on the sliding scale established by the Administrative Procedures of the Court of Justice, Part XVI, the provider is hereby ordered to accept _____% of the total amount as payment in full for the leasing or purchasing, installing, servicing and monitoring of the device.

- 5. **PERIOD OF INTERLOCK USAGE:** Any ignition interlock license issued to the Defendant by the Transportation Cabinet shall be in effect for the following period:

License revocation period: _____

Mandatory ignition interlock period: _____

TOTAL Ignition Interlock license period: _____

<p>Suspension/Revocation Periods – KRS 189A.070</p> <p>1st Offense – 30 to 120 days</p> <p>2nd Offense – 12 – 18 months</p> <p>3rd Offense - 24 – 36 months</p> <p>4th or Subsequent Offense – 60 months</p>	<p>Ignition Interlock Periods - KRS 189A.340</p> <p>A mandatory period of ignition interlock is required at the conclusion of the license revocation for the following offenses:</p> <p>1st Offense Aggravating Circumstances – 6 months</p> <p>2nd Offense – 12 months</p> <p>3rd or Subsequent Offense – 30 months</p>
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- 6. Defendant is GRANTED a **WORK EXCEPTION**. After thirty (30) days for a first offense with aggravating circumstances or twelve (12) months for a second or subsequent offense of the issuance of an ignition interlock license, the Defendant IS permitted to operate an employer-provided motor vehicle or motorcycle which is not equipped with a functioning IID at the direction of the employer during working hours. Defendant shall carry a copy of this court order showing he/she has been granted a work exception at all times during operation of an employer vehicle.
- 7. Within the first thirty (30) days of installation of an IID, and every sixty days thereafter, the person shall have the device serviced pursuant to administrative regulations promulgated by the Transportation Cabinet.

THE COURT ALSO DIRECTS:

- (a) Transportation Cabinet records shall reflect required use of functioning IID(s) and any work exception; AND
- (b) Transportation Cabinet shall attach or imprint a notation on the driver’s license of the Defendant named in this Order reflecting the required use of the IID(s); AND
- (c) Transportation Cabinet records shall reflect any day-for-day credit for interlock device usage from any previous pretrial license suspension.

WHEREFORE, Defendant’s request for authorization to apply for an ignition interlock device is GRANTED.

_____, 2_____.
Date

Judge