

189A.250 Judicial review of pretrial suspension for causing an accident resulting in death or serious physical injury to another person. (Effective July 1, 2020)

In any judicial review of a pretrial suspension imposed under KRS 189A.200(1)(c), if the court determines by a preponderance of the evidence that:

- (1) The person was charged and arrested by a peace officer with violation of KRS 189A.010;
- (2) The officer had reasonable grounds to believe that the person was operating or in physical control of a motor vehicle in violation of KRS 189A.010;
- (3) There is probable cause to believe that the person committed the violation of KRS 189A.010(1) as charged; and
- (4) There is probable cause to believe that the person was involved in an accident that resulted in death or serious physical injury as defined in KRS 500.080 to a person other than the defendant;

then the court shall continue the suspension of the person's operator's license or privilege to operate a motor vehicle during the pendency of the proceedings, but in no event for a period longer than the license suspension period applicable to the person under KRS 189A.070 and 189A.107.

Effective: July 1, 2020

History: Amended 2019 Ky. Acts ch. 103, sec. 14, effective July 1, 2020. -- Amended 2015 Ky. Acts ch. 124, sec. 14, effective June 24, 2015. -- Created 2000 Ky. Acts ch. 467, sec. 15, effective October 1, 2000.