

189A.345 Prohibition against use of vehicle other than for purpose authorized by ignition interlock license -- Penalties for unlawful acts relating to ignition interlock licenses and devices.

- (1) (a) No person who is issued an ignition interlock license under KRS 189A.340 shall operate a motor vehicle or motorcycle without a functioning ignition interlock device or at any time, place, or for any purpose other than authorized under KRS 189A.340.
- (b) Any person who violates paragraph (a) of this subsection shall be guilty of a Class A misdemeanor, and shall have his or her license suspended by the Transportation Cabinet for the initial period of suspension under KRS 189A.070 for an additional six (6) months.
- (2) (a) No person who is issued an ignition interlock license under KRS 189A.340 shall request, permit, or allow another person to:
 1. Start a motor vehicle or motorcycle equipped with an ignition interlock device; or
 2. Take a subsequent breath alcohol concentration test;for the purpose of providing an operable motor vehicle or motorcycle for that person subject to the ignition interlock license to drive in violation of KRS 189A.340.
- (b) Any person who violates paragraph (a) of this subsection shall:
 1. For a first offense, be guilty of a Class B misdemeanor; and
 2. For a second or subsequent offense, be guilty of a Class A misdemeanor.
- (3) (a) No person shall start a motor vehicle or motorcycle equipped with an ignition interlock device for the purpose of providing an operable motor vehicle or motorcycle to a person subject to the prohibition established in KRS 189A.340.
- (b) Any person who violates paragraph (a) of this subsection shall:
 1. For a first offense, be guilty of a Class B misdemeanor; and
 2. For a second or subsequent offense, be guilty of a Class A misdemeanor.
- (4) (a) No person shall:
 1. Knowingly install a defective ignition interlock device on a motor vehicle or motorcycle;
 2. Tamper with an installed ignition interlock device with the intent of rendering it defective; or
 3. Alter, conceal, hide, or attempt to alter, conceal, or hide, the person's identity from the ignition interlock device's camera while providing a breath sample.
- (b) Any person who violates paragraph (a) of this subsection shall:
 1. For a first offense, be guilty of a Class B misdemeanor; and
 2. For a second or subsequent offense, be guilty of a Class A misdemeanor and be prohibited from installing ignition interlock devices or directing

others in the installation of ignition interlock devices.

- (5) (a) No person shall direct another person to install a defective ignition interlock device on a motor vehicle or motorcycle when the person giving the direction knows that the ignition interlock device is defective.
- (b) Any person who violates paragraph (a) of this subsection shall:
 - 1. For a first offense, be guilty of a Class B misdemeanor; and
 - 2. For a second or subsequent offense, be guilty of a Class A misdemeanor and be prohibited from directing others in the installation of ignition interlock devices or installing ignition interlock devices.
- (6) (a) No person shall knowingly assist a person who is issued an ignition interlock license in making a false statement in order to qualify for the employer exemption under KRS 189A.340(6).
- (b) Any person who violates paragraph (a) of this subsection, is guilty of a Class A misdemeanor and shall have his or her motor vehicle or motorcycle operator's license suspended by the Transportation Cabinet for six (6) months.

Effective: July 1, 2020

History: Amended 2019 Ky. Acts ch. 103, sec. 16, effective July 1, 2020. -- Amended 2015 Ky. Acts ch. 124, sec. 9, effective June 24, 2015. -- Amended 2014 Ky. Acts ch. 71, sec. 9, effective July 15, 2014. -- Amended 2006 Ky. Acts ch. 173, sec. 31, effective July 12, 2006. -- Amended 2002 Ky. Acts ch. 171, sec. 5, effective July 15, 2002. -- Created 2000 Ky. Acts ch. 467, sec. 28, effective October 1, 2000.