

189A.104 Alcohol or substance testing subject to refusal or enhancement of penalties under KRS Chapter 189A.

- (1) The only alcohol or substance testing that is subject to refusal or enhancement of penalties provided for in this chapter is:
 - (a) Breath analysis testing by an instrument installed, tested, and maintained by the Commonwealth for that specific purpose at a police station or detention facility;
 - (b) Blood or urine testing at the request of the officer at a police station, detention facility, or medical facility; or
 - (c) Combination of tests required in paragraphs (a) or (b) of this subsection.
- (2) The results of any breath analysis by an instrument other than one specified in subsection (1) of this section shall be inadmissible in court.

Effective: April 6, 2022

History: Amended 2022 Ky. Acts ch. 83, sec. 3, effective April 6, 2022. -- Created 2000 Ky. Acts ch. 467, sec. 30, effective October 1, 2000.