

222.203 Arrest -- Citation -- Jail -- Bail -- Pretrial release.

- (1) A peace officer may make an arrest for a violation of KRS 222.202.
- (2) Any peace officer who arrests a person for violation of KRS 222.202 shall take him to jail. A peace officer may issue a citation and may take the person to a facility authorized by county or city ordinance agreeing to care for the person. If the person is jailed, at the jail it shall be determined if the person has committed a previous offense under KRS 222.202.
- (3) A citation shall be issued to such person showing thereon the date of such person's appearance in court and whether the offense is prepayable or not.
- (4) Unless it has been determined that the defendant has had two (2) prior convictions for violation of KRS 222.202 within the previous twelve (12) months, the citation shall be marked as prepayable.
- (5) If it is determined that this is a third or subsequent offense, then the provisions of KRS Chapter 431 with regard to bail and pretrial release shall apply.

Effective: July 13, 1990

History: Amended 1990 Ky. Acts ch. 229, sec. 1, effective July 13, 1990. -- Created 1986 Ky. Acts ch. 336, sec. 4, effective July 1, 1986.