

IMPLIED CONSENT WARNING

Name of Department _____

Defendant's Name _____ Date _____

I will be requesting that you submit to a test of your breath, blood, or urine, or any combination of these tests. If you refuse to submit to any test which I request, your refusal may be used against you in court as evidence of your violation of KRS 189A.010 (DUI), and will result in the suspension of your driver's license by the court at the time of your arraignment. If you refuse to submit to the tests and are subsequently convicted of KRS 189A.010, for a second or greater offense within a ten (10) year period, your refusal will be considered an aggravating circumstance and you will be subject to a mandatory minimum jail sentence which is twice as long as the mandatory minimum jail sentence imposed if you submit to the tests. Also, if you refuse to submit to the tests and you are convicted of violating KRS 189A.010 (DUI), your license will be suspended by the Transportation Cabinet.

If you take the test or tests, the results of any test taken may be used against you in court as evidence of violating KRS 189A.010 (DUI). If you take the test or tests, you have the right to have a test or tests of your blood performed by a person of your choosing described in KRS 189A.103 (a physician, registered nurse, phlebotomist, medical technician, or medical technologist not otherwise prohibited by law) within a reasonable time of your arrest and at your expense.

Although your license will be suspended, you may be eligible immediately for an ignition interlock license allowing you to drive during the period of suspension and, if you are convicted of violating KRS 189A.010 (DUI), you will receive a credit toward any other ignition interlock requirement arising from this arrest.

During the period immediately preceding the administration of any test, you will be afforded an opportunity of at least ten (10) minutes but not more than fifteen (15) minutes to attempt to contact and communicate with an attorney. Do you wish to attempt to contact an attorney at this time? Yes ____ No ____

Defendant's Signature _____

Officer's Signature _____