

AOC-495.4 Doc. Code: PAI  
Rev. 7-15  
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Commonwealth of Kentucky  
Court of Justice www.courts.ky.gov  
KRS 189A.107; 189A.200;  
189A.340; 189A.420



**PRETRIAL APPLICATION FOR  
AUTHORIZATION TO APPLY FOR AN IGNITION  
INTERLOCK LICENSE AND DEVICE**

Case No. \_\_\_\_\_  
Court \_\_\_\_\_  
County \_\_\_\_\_  
Division \_\_\_\_\_

COMMONWEALTH OF KENTUCKY  
VS.

PLAINTIFF

DEFENDANT

Address: \_\_\_\_\_

**Comes the above-named Defendant, and requests authorization to apply to the Transportation Cabinet for the issuance of an ignition interlock license and permission to operate a motor vehicle/motorcycle equipped with a functioning ignition interlock device (IID):**

1. My privilege to operate a motor vehicle in the Commonwealth of Kentucky is subject to **suspension pending trial** pursuant to KRS 189A.200.
2. I hereby acknowledge that by making this application, I have waived my right to judicial review of the license suspension in KRS 189A.200(2) pursuant to KRS 189A.107(1).
3. I am requesting authorization to apply to the Transportation Cabinet for the issuance of an ignition interlock license. I understand that I must meet the Cabinet's eligibility requirements in order to receive an ignition interlock license.
4. I am requesting permission to install IID(s) on the following vehicle/motorcycle(s): *(List the make, model, year, and VIN number if known)*  
\_\_\_\_\_  
\_\_\_\_\_
5. I understand that, unless I am indigent, I will be responsible for the reasonable cost for leasing, buying, installing, servicing, and monitoring the IID and that I must comply with all regulations of the Transportation Cabinet regarding the license and device.
6. I understand that I will not be permitted to operate any motor vehicle/motorcycle unless and until the ignition interlock license is issued by the Transportation Cabinet upon proof of the installation of an IID.
7. I understand that if I receive an ignition interlock license, I will only be permitted to operate a motor vehicle or motorcycle equipped with a functioning IID.
8.  *(check if applicable)* I am requesting a **WORK EXCEPTION** from the IID requirement. I am required to operate an employer-owned motor vehicle/motorcycle in the course and scope of my employment with *(name of employer)* \_\_\_\_\_. I ask the Court to allow me to operate an employer-provided motor vehicle/motorcycle that is not equipped with IID during regular work hours for the purposes of my job. My employer has been notified of the prohibition.
9. **Submitted to the Court with this Application are:** (a) Proof of motor vehicle insurance; **and** (b) If requesting a work exception, my employer has completed the **NOTARIZED** statement on **page 2** of this form.

Date: \_\_\_\_\_, 2 \_\_\_\_\_

\_\_\_\_\_  
**Defendant's Signature**

Date: \_\_\_\_\_, 2 \_\_\_\_\_

\_\_\_\_\_  
**Defendant's Attorney (if any)**

**Distribution:** White - Court File Yellow - Defendant Pink - County Attorney

**Directions to Employer:** This statement must be **completed and notarized** as part of the Applicant's request to install an IID and obtain a work exception.

**Employer's Statement**

- (1) \_\_\_\_\_ is an employee of this company.  
*Applicant's Name*
- (2) A requirement of his/her employment, is the operation of an employer-provided motor vehicle or motorcycle.
- (3) We are aware of the employee's license suspension or revocation of the ability to operate a motor vehicle due to a charge or conviction for driving under the influence.
- (4) We are aware of the employee's request to the court that he/she be allowed to install an IID on a vehicle(s) registered to him/her, either jointly or individually.
- (5) We are aware of the employee's request for a **work exception**. If granted by the Court, we understand that the employee will be permitted to operate an employer-provided motor vehicle or motorcycle which is not equipped with an IID **for work purposes only and only during work hours**.
- (6) We understand that even if a work exception is granted by the Court, the defendant is restricted from using an employer's nonignition interlock equipped vehicle until the expiration of thirty (30) days from the date of issuance of an ignition interlock license for a first offense or twelve (12) months from the date of issuance of an ignition interlock license for a second or subsequent offense in violation of KRS 189A.010.

\_\_\_\_\_  
Signature of Employer

\_\_\_\_\_  
Title

\_\_\_\_\_  
Company Name

State of: _____
County of: _____
Subscribed and sworn to before me this _____ day of _____, 2_____.
My commission expires: _____
_____ Notary Public

**INSTRUCTIONS TO DEFENDANT:**

If the Court authorizes you to apply for an ignition interlock license, you must complete the Transportation Cabinet's application form and submit it to the Transportation Cabinet. There is a nonrefundable fee for the application. The Cabinet may refuse approval of an ignition interlock license should your driving history reveal a current withdrawal, denial, suspension, cancellation, or revocation of driving privilege in any state/licensing jurisdiction. You can request a copy of your driver history from the DOT prior to submitting your application and nonrefundable fee to find out if you have a pending restriction of your driving privilege.

If the Cabinet indicates you are eligible for a license, you must then choose an approved IID provider and have a functioning IID installed on the vehicle(s) and/or motorcycle(s) you designated. A certificate of installation of an IID must be provided to the Transportation Cabinet prior to the issuance of an ignition interlock license.

If you are indigent, you may complete AOC-495.8, Affidavit of Indigency and Request for Reduced Costs.

IF YOU ARE COMPLETING THIS FORM ON A COMPUTER, SUBMIT THREE (3) SIGNED COPIES OF THE APPLICATION [PLUS PROOF OF INSURANCE] TO THE CIRCUIT CLERK. If you received this application from the circuit clerk, submit only the completed three-page carbon back [plus the proof of insurance] to the Circuit Clerk.