

circuit the loss of your license in certain cases. Ignition interlock is another option to help use with some probationers. Our fifth change is the removal of urine test as a way for testing for alcohol. Our state Supreme Court, two years ago, threw that out. We struck that, but this just removes the language. You can still use a urine test to test for the presence of drugs. Our fifth change also includes a presumption that was requested by many county attorneys. Usual drunk driving case, you're stopped out on the road, you are arrested, you're brought in, and then you're given a test. A period of time may elapse between your arrest and the time you're given the test. We state in here that it's a presumption, not an absolute, but a rebuttable presumption that if the test is taken within 90 minutes that's the test result that was presumed to be there at the time of the arrest. Is it practical to take a test at the time of arrest? Well, no. I mean you can't physically take them out, there's always going to be some period of time that occurs between the time you're observed driving, there's some field sobriety, some probable cause taken, and you're brought in. But this presumption, again, there are many people that would like to see the presumption go to three hours. The committee chose 90 minutes as a period of time to do that. Most law enforcement officials find that 90 minutes is sufficient for this presumption. It would be an aid in prosecutions. Our sixth change is another policy change, and this policy change is in the area of minors. We create a zero tolerance for minors operating motor vehicles. The law is worded as .02. You can't have an absolute zero-zero because there is some small traces of alcohol that would provide for some defenses, so we pick .02. What this is basically a policy that says if you are a minor you should not be drinking anyway, let alone operating a motor vehicle. This would make them guilty of a Class III felony, and they would also be subject to administrative revocation procedures, and I'm going to talk about in a little bit. It would make it also a lesser included offense with drunk driving, that way you can't be convicted of both crimes, you're either going to be guilty of zero tolerance, or you're going to be guilty of driving while intoxicated. Our seventh change deals in an area of qualified technicians. Right now who can draw blood, it's called a qualified technician. In the statutes and in the state we have no definition of what a qualified technician is. Qualified technicians have been debated in courts, there have been cases...

SPEAKER BAACK: One minute.