

SENATOR KRISTENSEN: ...that we have tried to delineate who that is. The qualified technicians are now people who are trained and employed by physicians, or RN's, or facilities that are licensed to do so. The other major change is in ALR, this is where you'll probably see most of the debate today, and this is the Administrative License Revocations, where at the time you are stopped if you test over .10 or you refuse your license will be taken, at that time you will receive a temporary 30 day permit, you are then allowed to administratively challenge that. There is some relatively short period of times. The policy choice here is a prompt administrative, not criminal, administrative punishment. We have put in a bypass, so if you are not charged or found not guilty, that would suspend the administrative proceedings.

SPEAKER BAACK: Senator Kristensen, your time is up, but your light is the first one on, so why don't you go ahead and continue to finish explaining those.

SENATOR KRISTENSEN: Thank you, Mr. Speaker. An additional change that we have is also in the area of serious bodily injury. Right now, if you kill someone while intoxicated, you're guilty of motor vehicle homicide. What happens if that person lives? The penalty is substantially less, it's a much lower grade misdemeanor than if someone dies. What we propose to do and offer for your consideration is to make this a Class IV felony, saying that if you cause serious bodily injury, serious bodily injury is discussed and defined elsewhere in our statutes, that you have the same penalty. Now it doesn't say you're going to get the same punishment, but you have the same range of possible punishments to do that. I'd like to go back and briefly now, on my own time, talk about ALR. Senator Beyer will discuss this with you in detail. He's put a tremendous amount of time and effort into administrative license revocations. At the time of your stop, if you refuse, or if you test over .10, as usual procedure, your license will be taken and you will be given a petition, and you will be told that you have 10 days to file this petition with the Department of Motor Vehicles. These ten days are very crucial because this is when you're going to have to make some decisions, do I want to fight this. If you don't fight it, after your 30 day period of time has lapsed, your license is revoked. Now your criminal case may still be going on. Now if you're in the criminal case later and you lose your license in county court, you'll get credit for the