

period of time that you lost your license administratively. So, you can't piggyback those together. It applies for a much prompter punishment in a swifter manner. If you have your license on your person at the time, you'll surrender it. What happens if you have a blood test and you don't have test results immediately available? As soon as the blood tests are back, those are sent to the Department of Motor Vehicles. The Department of Motor Vehicles will then mail you a letter telling you that your license will be revoked within 30 days of mailing of the notice. You then have 10 days, from the time you receive that notice, to file your petition, if you choose to challenge the administrative hearing. At the hearing what can you challenge? You can challenge the probable cause to stop, you can challenge the validity of your arrest, you can challenge whether you were advised or not of what would happen to you if you refused or if you tested over .10, and you can challenge the fact of whether you tested over .10 or not. The administrative hearing has seven days in which to make the decision. They must hold the hearing within 20 days after they get notice of the procedure. Does it go quickly? Yes, it does. That is the purpose and intent of an administrative hearing. And you say, well now hold it, isn't some of this a little harsh? That's right, it is. Is it unfair? No, I don't think it is. Is it constitutional? Yes, it's been challenged. The reason it's not unconstitutional, goes back to what we talked about with Senator Cudaback's bill the other day, the difference between a right and a privilege. We do place in here some due process rights, the right to have an appeal, the right to challenge some of these things. If you don't like the decision of the administrative hearing, you also have the right to appeal that, of course, as any other administrative decision to go.

SPEAKER BAACK: One minute.

SENATOR KRISTENSEN: The major parts of this bill cover a wide range of things. What's the policy? The policy is, in the State of Nebraska, to reexamine and look at our drunk driving statutes, help us with enforcement, help us with prosecution, and in an effort, hopefully, the statistics will go down because the message of not drinking and driving will get across. The other policy that we looked at was making the law apply to private property, except that is not open for public use. The intent here is that it's got to be open to the public access, and we refer to specific areas and specific cases. It doesn't have to be open to everybody all the time. And through the