

amendments. And this is where we talk about it being unlawful for any person under the age of 21 to operate a motor vehicle, or be in actual physical control when they have a concentration of .02, basically of blood, and we go on .02 of breath to do that, they become guilty of a Class III misdemeanor, and become eligible for the administrative license revocations. The policy choice here is do you allow minors legally to drink or not? We've made a choice in the state and we've said, no, and so...in the driving area, if you can't legally have it, then why should you be able to drive. Somebody is going to stand up and say, well you can legally drink at home, that's true, that doesn't give you the privilege to go out on the road. I think we want to send that message to minors. It's more than a message, it becomes a policy choice to do that. The other thing that I want to briefly talk to you about is the administrative license revocations. What penalties do you have for administrative license revocation? The first time, administratively, you will lose it for 90 days. Currently, you lose it for 60 days. The second offense you lose it for one year. The only exceptions are that if in the criminal court you're given probation, after 30 days you can use ignition interlock. Now that's different. In the criminal court today you have to use the full 60 days before you're eligible to drive again. This, in a way, would allow some other way for you to drive in the criminal court, and you could short-circuit the administrative license revocation by using interlock. But you're still having at least 30 days of hard time. If you don't get probation and you don't get interlock, you're going to lose it for 90 days. The hearing process is going to take place in the county in which you are arrested, administratively...

SPEAKER BAACK: One minute.

SENATOR KRISTENSEN: ...that will have to take place. The Department of Motor Vehicles has hearing officers already in place. They hear administrative cases now on refusal. So there will have to be some additional hearing officers, although not a large number to do that. The committee has worked and heard a lot of testimony. There are a lot of other policy choices that could have been made. We think that this is a broad range of items. This is not going to solve every drunk driver. This is not going to prevent every death. You're still going to have victims who are going to come to the Legislature and say, look what happened to my family. You're still going to have some people who, no matter what the law is, short of warehousing