

SENATOR KRISTENSEN: Well,...and they don't use the rational basis test, Senator Wickersham, for differences in classification. They merely look at the classification that you have, if it has some rational relationship to the evil you're seeking. Obviously the evil here is that speed is inherently dangerous on the interstate. And as you go higher those speeds become even more dangerous because it's at a moment's notice. To dodge something at a higher speed is more difficult and more dangerous to do than at a lower speed. That justifies the difference in classifications of speed.

SENATOR WICKERSHAM: Okay. And in part, I suppose, you're hoping that because the committee provision mirrors the waiver schedule now, that that has a rational basis, or it wouldn't have been adopted by the court?

SENATOR KRISTENSEN: Well, I would assume that the court always does things rationally. And if...

SENATOR WICKERSHAM: Okay.

SENATOR KRISTENSEN: ...if their goose is good, our gander is just as well.

SENATOR WICKERSHAM: Okay. So now if we accept Senator Chambers'...

SPEAKER WITHEM: One minute.

SENATOR WICKERSHAM: If we accept Senator Chambers' amendment, we would be deviating...sorry to use that word, Senator, deviating from the waiver schedule currently promulgated by the court, or does Senator Chambers' amendment conform to the current waiver schedule?

SENATOR KRISTENSEN: Senator Chambers, and I'm going to put words in your mouth. But I don't...you don't follow the current waiver schedule, I don't think, exactly. I don't think so. I've got it here, Senator Wickersham,...

SENATOR WICKERSHAM: Okay.

SENATOR KRISTENSEN: ...I'm going to look it up.