

March 7, 1975

Do you understand that if somebody drives on a license that has been suspended because of a certain number of points and that person is caught driving and the license is suspended, the charge will not be brought of driving on a suspended license but another one, and I am not going to tell you what it is. If I don't tell you what it is, you might do a little research to determine whether this is true or not, but it is true because the bill is before the Judiciary Committee to deal with this kind of situation where a judge or prosecutor does not want this person to be punished for driving on a suspended license. So right now they pick and choose certain people who are driving on suspended licenses and they do not bring that charge against them. So depending on who you are right now, you can have your license suspended and continue to drive and not be punished for that offense, even when you are caught in that situation. The point system should be abolished. Period. Vote for this bill, though.

PRESIDENT: Senator Warner.

SENATOR WARNER: Mr. President, I would like to support Senator Kremer's amendment which, I guess, it has been some time since we've talked about it. It seems to me that, I voted against putting the bill out as it was drafted, and for the reason that it seemed to me, as has already been stated, that it placed the responsibility for not sending them in...or the effect of it was not properly directed and should have been to the court system but the amendment Senator Kremer offers, it seems to me, clarifies that a great deal and directs the court system to be responsible or the individual court for the failure to promptly submit these point systems or the assessed points to the Motor Vehicles Department and this is where it ought to be and I would hope that the body would adopt Senator Kremer's amendment because it will, in my opinion, at least improve the process by which points are assessed. Now, if you want to abolish the whole point system, that's a whole other ball game but if we are going to have it, let's have it so it is as workable as possible and this bill with the Kremer amendment will make it more workable.

PRESIDENT: Senator Kremer.

SENATOR KREMER: Well, just to make a little explanation here. We've been talking about the bill. We ought to be talking about the amendment and just to briefly explain again what the amendment does. The way the original bill came out, it said that if a court was delinquent and failed to get these abstracts into the Department, then the violator would be free from the assessment of any points but, as I said before, we are not dealing with the violator. Senator Luedtke very clearly brought out, we ought to be reprimanding the court and this is what the amendment does. It does throw the light of day upon them and he is made a part of the record. It is going to be in the Court Administrator's office and anyone can look at that record and then, if a judge or a court continues to be delinquent, something ought to be done about it but I repeat, we are not dealing with the violator here. We are dealing with the court and that's why the amendment.

PRESIDENT: You have spoken twice, Senator Duis. Sorry. Are