

punished more severely than if you exceed the speed limit on a state road by five miles an hour where you do create more hazard. So the whole thing is backwards and it's saying that for the exact same conduct, if you commit it on the interstate you're going to be punished more harshly than if you commit it on a state road which may run parallel to the interstate. Both of them are roads. The punishment supposedly has something to do with enforcing safe driving, I imagine. So you're going to put the harshest punishment where the least hazard to the public exists. I think in its present form with the penalty structure the bill is unconstitutional. That's what I believe. And I want to see the speed limit increased, but before I would let my name be on a bill where these harsh punishments exist, I'll pull the bill off the agenda and we don't have to worry about raising the speed limit at all because I know how I'm going to drive on the interstate. We don't have this skewed system of penalties. They're the same whatever the road is you're driving on, except within the city and we all understand that there will be different rates of speed based on it being a residential area, a school zone, a business zone and so forth. But the bill does not mean so much to me that I will let my name be on a bill that, in my opinion, is unconstitutional. I read the other day where the Governor said his only job is to look at the policy. Maybe so, but mine goes deeper. Ever since the federal government mandated, under threat of losing federal funds, that the states impose a speed limit of 55 miles an hour I've fought against that and I have the articles and the bills to prove it. Every time there was an opportunity to raise it some, I was right on that. So I do think that the speed limit ought to be what the roads were built to accommodate, but I have another principle too. My name means something to me and I'm able to analyze what it is that we're doing. The Supreme Court has said that traffic violations are in the nature of crimes, so the same standards that are applied in judging criminal conduct and the punishments will be applied in looking at these traffic violations and, as a matter of fact, it was in a traffic violation that the Supreme Court ruled that if a person is acquitted in the lower court there cannot be a second trial because that's double jeopardy, and since this, in effect,...

PRESIDENT ROBAK: One minute.

SENATOR CHAMBERS: ...is a crime, it can't be done. It's like saying if a pocket is picked on O Street then the punishment is