

January 3, 1974

drivers license and come back. I say don't leave that drivers license, keep it in your pocket. Don't give them any drivers license unless there is a court order to do it. So I think this is bad legislation.

PRESIDENT: Senator Duis, Senator Kime, then Senator Fellman.

SENATOR DUIS: Senator Luedtke, I'm not trying to pick at it here but when I read this bill and I can only go by what it says and it says "Any person, that is any person, who is arrested with a violation of a traffic law, and that is charged with it of this state or a traffic ordinance of any local authority shall deposit". In other words that doesn't give them any other go around the ball. There is nothing here except that he shall deposit here. There is no determination by anybody. He has got to deposit this.

SENATOR LUEDTKE: Well we have a new system. Something has happened between the time that this bill was drafted though. We have a different system of operation now. I refer to the court or to this came through the order of court for a uniform traffic citation system which the patrol is using and I am sure that your local police officers are using.

SENATOR DUIS: You would be amazed with some local police officers.

SENATOR LUEDTKE: Well I hope that you would advise them of this if they don't know about it but the thing is that there is a uniform system in operation. It might be well if we... I really don't believe that this law is as necessary today as it was when it was first prepared because of this. However I think that if this is another tool that could be utilized in the event that you have a situation where there is some real grave doubt as to whether this person is going to appear.

SENATOR DUIS: Well could we just

(end belt #10)

(start belt #11)

do this to amend the word or the bill to change the word shall to may. May deposit or deposit a cash amount in the amount of the projected fine.

SENATOR LUEDTKE: Well they can already do that so...

SENATOR DUIS: No, this doesn't give them the right.

SENATOR LUEDTKE: Well they can already do that by going to court. Once they go to court then you don't change anything.

SENATOR DUIS: Well what you are saying here is that the gentleman or the lady who is on the road is arrested. That man charges them out there with a violation. He takes their license with them. Right out there on the road. This says that he shall do it. He doesn't have any other alternative than to do it.

SENATOR LUEDTKE: That is the way the law is written now.

SENATOR DUIS: But can't we have it that they can do something different than this?