

SENATOR CHAMBERS: Okay, so we can get past "probably" to a "yes" or "no" answer, if the standard says waivers can be granted only for medical reasons, would being a delivery person who is not going to exit the vehicle be a medical reason?

SENATOR MOREHEAD: I don't believe so.

SENATOR CHAMBERS: So it really takes it out of compliance...

SENATOR MOREHEAD: Yes, sir.

SENATOR CHAMBERS: ...and I know it. Thank you very much. She was filibustering my time. Members of the Legislature, this shows again that Senator Morehead and those who support this bill are in the very position I have said. They have to make political concessions and bargains to try to get the support to pass a very bad bill. Senator Hefner has some people in his district that he does not want to have to come under this bill, but he doesn't care about the constituents of Senator Chizek or Senator Hall or Senator Nelson or Senator Chambers or any of the rest of us, just that very small number and they are not even enough to put him in...keep him in office or to take him out. But he is so concerned about them, he wants them exempted. Who is going to interpret what it means to make frequent delivery stops? I like this kind of language. It is a net that may not catch anything or it may catch everything. If I am a cop and I interpret "frequent" one way and somebody else interprets it another way, I will nail Senator Hefner. The other guy will let him go. So you are placing total discretion for the enforcement of a law up to an officer who may interpret the word any one of a thousand different ways based on how he or she feels. So if the person is going to resist the ticket in court and the judge says to the officer, make your case, he says, your honor, the only way somebody can avoid being brought in under this law is if they are not making frequent stops and these other things. He doesn't have a doctor's certificate. So the judge says, well, okay now, defendant, what have you got to say for yourself? The defendant says, your honor, I think I do make frequent stops. So then the state having to prove its case beyond a reasonable doubt is going to say, what? If you make three stops in a mile, that is frequent. If you make four stops in a mile, if you make twelve stops per mile, or