

the people so brought into such contact have nothing in their intent, nothing in their conduct which would otherwise violate the law. There has been nothing given during the discussion which causes a teetotaler such as myself to agree with this bill as it is drafted. The drinking and the driving, the having consumed a certain amount of alcohol within a certain period of time and then driving is what produces the problem, not having an unopened container as an unopened...having an open container as "open container" is defined in this bill. As Senator Vickers and others have mentioned, the term "accessible" is subject to many interpretations and you leave it up to a police officer exercising total unrestricted discretion to determine whether or not a container is accessible to a driver while the car or vehicle is being operated.

SPEAKER NICHOL: One minute.

SENATOR CHAMBERS: Whenever you have laws that place their enforcement in the first instance totally in the discretion of the officer with no real guidelines, you open the way for an abuse of police authority. I think the bill is overbroad. I think with the terminology it is vague that people who are reasonable in good faith can disagree as to the meaning of some of these terms and as to the meaning and intent of the law itself. So since having containers of the kind described in this bill have not been shown in the past or during this discussion to be the cause of problems associated with drunk driving, I am in support of Senator Vickers' motion to indefinitely postpone.

SPEAKER NICHOL: Senator Chambers was closing. The question is the advancement of the bill.

SENATOR CHAMBERS: No, it's not.

SPEAKER NICHOL: The question is to indefinitely postpone the bill, which is a little different. All those in favor of indefinitely postponing the bill vote aye, opposed nay. A simple majority wins. Have you all voted that care to? Senator Vickers.

SENATOR VICKERS: Well, we might as well have a call of the house, Mr. President.

SPEAKER NICHOL: The question is, shall the house go under