

There's been a 6 to 30 percent estimated reduction in the 29 states that have it, and they estimated that if the other 21 of us had this same, that it would have saved 347 more lives. So it is working in the other states. And I think Senator Kristensen brought it out very well as to what...what has happened with ALR and the fact that it is constitutional in the other states. And I would urge your adoption of this amendment. Thank you.

SPEAKER BAACK: Thank you, Senator Beyer. Senator Lindsay.

SENATOR LINDSAY: I'd like to ask Senator Kristensen some questions, if he's still around.

SPEAKER BAACK: Senator Kristensen, would you respond, please.

SENATOR KRISTENSEN: Yes.

SENATOR LINDSAY: If we could look at 3915, first what is the standard, or what is the standard of proof, I guess, in a decision under the administrative license revocation? Is it beyond a reasonable doubt?

SENATOR KRISTENSEN: Do you have a specific section in the statute that you are questioning, or do you find that to be silent and want to know what I think the standard is?

SENATOR LINDSAY: Kind of generally, I'm not...I'm not...I can't find a section that says whether, first of all, who has to prove the existence of these issues. Let me point to a section, at least to get to that point. Page 21, all of page 21, 22, 23, actually a little bit before that, it refers to the director shall conduct the hearing, goes down to line 19, page 21, at the hearing the issues under dispute shall be limited to...Refers, in Section 7, the director shall adopt and promulgate rules and regs. And it talks about that the director, basically, look down to the bottom of page 23, lines 23 and 24, if the director finds that the impounded operators license should be revoked, the director shall revoke the license. But it doesn't say anywhere what the standard is. It's silent on (inaudible).

SENATOR KRISTENSEN: I assume that it's the...and I believe it's the standard of all administrative agencies and that's the preponderance standard that they would use, except when the issue talks about there is some probable cause standards in