

Kristensen, very briefly, as briefly as you can, because I want to ask you a question, but I want to base it on what you say. Under what circumstances can an officer revoke a persons' drivers license under this, excuse me, administrative revocation?

SENATOR KRISTENSEN: To be technically correct, the officer cannot revoke the license. That's got to be done by the director, point one. Two purposes for that revocation occurring, you can refuse to take the test, by consent sort of thing, you just refuse to take the test, ALR takes place. If you exceed the .10 standard, through a chemical test, that also then invokes that procedure.

SENATOR CHAMBERS: Let me rephrase the question. Can the officer take the license, the drivers license of the person on the spot?

SENATOR KRISTENSEN: The amendment provides for the taking of it, and then an issuance of a temporary permit for 30 days.

SENATOR CHAMBERS: Now I don't want to get to the and then. The officer can take the license on the spot, is that correct?

SENATOR KRISTENSEN: Yes.

SENATOR CHAMBERS: If the person refuses to relinquish the license what happens to that person?

SENATOR KRISTENSEN: Oh, I suppose you could be convicted of, or charged with refusing to obey a lawful order.

SENATOR CHAMBERS: Will the person be placed under arrest for a refusal to deliver the drivers license?

SENATOR KRISTENSEN: Not automatically, no.

SENATOR CHAMBERS: Then if the person refused to relinquish it, the officer would issue a ticket for failure to relinquish the license or to obey an officer and then be allowed to drive off while retaining his or her license, right?

SENATOR KRISTENSEN: Well, I've got to make sure that, not always would they get a ticket. I mean they could go to the county attorney and get a complaint filed days later, and so on.