

LEGAL SERVICES

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MEMORANDUM

November 4, 2014

SUBJECT: Administrative revocation of a driver's license
(Work Order No. 29-LS0087\A)

TO: Representative Tammie Wilson
Attn: Barbara Barnes

FROM: Hilary V. Martin
Legislative Counsel

Enclosed is the bill draft you requested, which removes the ability of the Department of Administration to revoke a driver's license or commercial driver's license for an adult after a result of a chemical test that shows that a person's blood contains a certain level of alcohol (.08 under current law) or for a refusal to submit to that chemical test. A person who submits to the chemical test and whose blood meets the alcohol threshold would not have their license revoked unless the person is ultimately convicted of driving under the influence.

It is possible that removing this administrative revocation authority after there has been a result of a chemical test that meets a certain threshold could have an impact on federal funding to the state. You may wish to talk to the Department of Transportation and Public Facilities about this issue.

If I may be of further assistance, please advise.

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Enclosure