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# COMMENTARY

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## Wrong turn: How to lose a license using bad choices

*Editor's note: This commentary is part of the Emerald's and ASUO Legal Services' ongoing efforts to assist students through education as well as representation. ASUO Legal Services' attorneys are licensed to practice in the state of Oregon. Information disseminated in this article does not constitute legal advice and does not create an attorney/client relationship. For legal advice, contact an attorney licensed in your state. You should not make legal hiring decisions based upon brochures, advertising or other promotional materials.*

Many people consider driving to be a right to which they are entitled, when in fact, it is a privilege which can be suspended or revoked by the state. Your license will be suspended in Oregon if you violate any number of laws.

The length of suspension varies with the crime of conviction. Repeated convictions can enhance the suspension length. If you drive while your license is suspended, you can be charged with a misdemeanor or felony crime of Driving While Suspended and receive fines and significant jail time.

Driving under the influence of intoxicants carries a host of different suspensions. A first conviction for DUI results in a suspension for a period of one year. For a second conviction within five years, the suspension is for three years. Under a new law which went into effect Jan. 1, 2004, a third DUI conviction can result in a permanent license suspension. This new law is currently being challenged in court. Unless or until it is ruled unconstitutional, however, the law is in effect and licenses will be permanently revoked upon a third DUI conviction.

Additionally, if you are arrested for DUII and refuse to blow in the Intoxilyzer machine, you will receive a one-year suspension. If you blow and your result is 0.08 percent blood alcohol or higher, you automatically receive a 90-day suspension.

Other driving-related offenses carry various suspensions. A first conviction for Reckless Driving, Reckless Endangering or for Hit and Run with property damage nets a 90-day suspension. The second conviction of any of these crimes results in a one-year conviction. A conviction for Hit and Run with personal injury requires a one-year suspension. Other criminal convictions which are not obviously related to driving also carry a mandatory license suspension. For example, the crimes of Menacing and Criminal Mischief connected to operating a motor vehicle result in a license suspension of 90 days for a first conviction and one year for a second such conviction. The suspension is six months for convictions of Unlawful Possession or Delivery of a Controlled Substance. Even a violation charge of possession of less than one ounce of marijuana can carry a suspension if the court is so inclined.

The suspension is one year for convictions of Unlawful Use of a Motor Vehicle, False Information to a Police Officer, Using the ID of Another, or Misdemeanor Assault.

Most suspensions allow you to obtain a hardship permit to drive to and from work, school and medical appointments. However, there is often a requirement to serve part of the suspension before obtaining the hardship permit. Hardship permits are not available if your license is revoked or suspended for Hit and Run with personal injury, Driving While Suspended or Revoked, for failure to pay child support or for most drug offenses.

Each case differs in its unique facts. To discuss how the law applies to your facts, see a lawyer immediately after your police contact. Schedule an appointment with your ASUO Legal Services lawyer by calling 346-4273.

Laura Fine is an attorney with ASUO Legal Services.

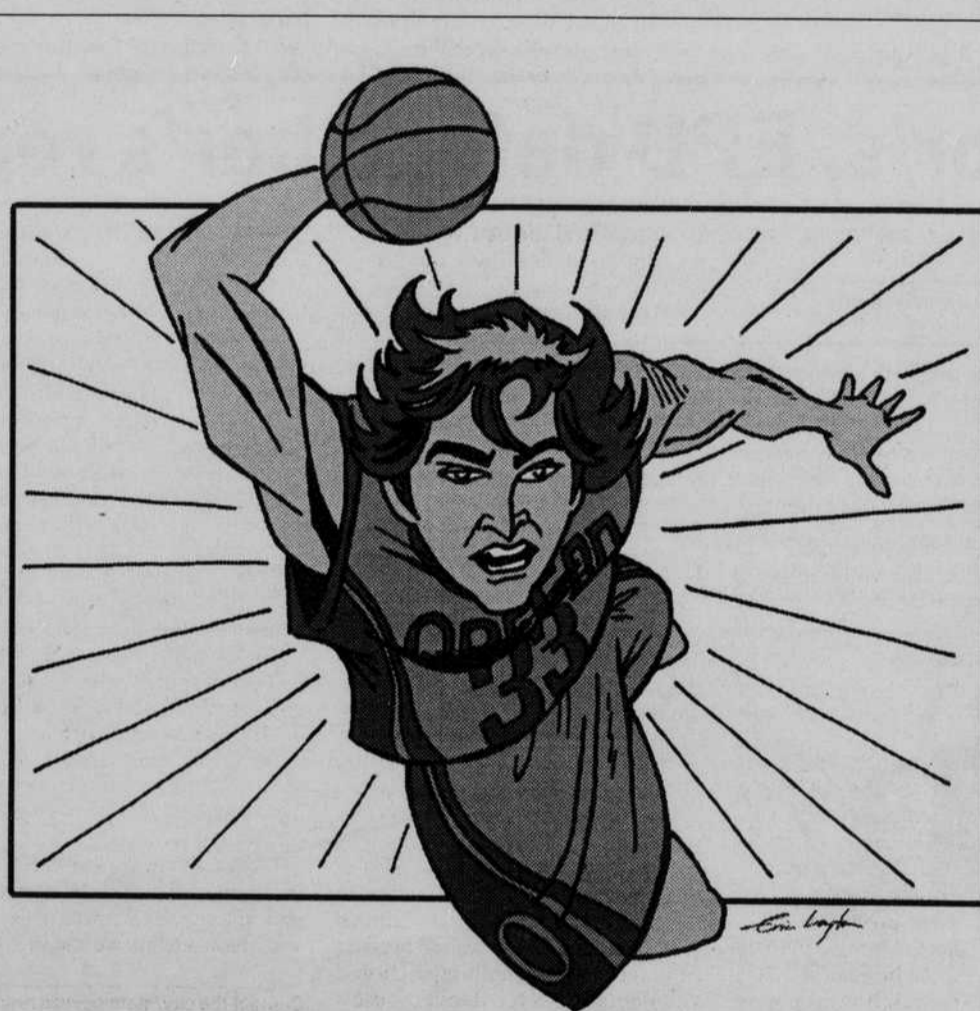
### LETTER TO THE EDITOR

#### Pitiful sidewalks near Greek houses need help

It's a joke that one of the cornerstones of Greek organizations is to uphold a "responsibility to the community" when they can't even maintain their sidewalks. As anyone who has ever walked on Alder Street or 15th Avenue knows, well, the sidewalks are some of the campus area's worst.

Why do people have to walk through wet puddles of decomposed leaves for six months outside of Lambda Chi, or walk through a mixture of mud, gravel and cracked sidewalks outside the horrible, ugly driveway at Sigma Alpha Epsilon? Even if the City of Eugene will only replace them along with new road construction, why don't these Greek houses take it upon themselves to clean up this crap?

Aaron Reddick  
 senior  
 landscape architecture



Eric Layton Illustration

## State spending outpaces growth

I have been trying to wade through the panic and get my arms around the numbers of Measure 30. I was particularly interested in Oregon's spending, adjusted for inflation and population growth.

### GUEST COMMENTARY

You would expect that the state's spending would increase as the Consumer Price Index and population increased.

Anything beyond that would be growth in excess of our economy and potentially beyond our ability to pay for that growth.

Using the 1995-97 biennium as the base, the state's spending was 18 percent

above inflation and population growth over the six years from 1995 to 2001, and 5 percent above the eight years from 1995 to 2003.

If Measure 30 passes, the 2003-05 budget will be a whopping 45 percent higher than it was 10 years ago. That's 11 percent above the growth in inflation and population since 1995!

Voting no on Measure 30 will set a budget that has increased 35 percent from 1995 but it will bring state spending back in line to only 0.3 percent above inflation and population growth.

Reference calculations, charts and a similar analysis of total statewide education spending showing that statewide spending

on education increased 26 percent over the past 8 years and exceeded inflation and population growth by 5 percent over the past 8 years are available at <http://www.Oregon30.org>.

Don't let the fear talk about cuts scare you. The money is there to provide all of the same services we have today. If larger amounts of money each year don't seem to go as far, I can only assume that it is not being spent as efficiently. We cannot continue to outspend our economy. Many in Oregon are complaining about the federal deficit — don't let that kind of spending imbalance happen here!

Dean Suhr lives in West Linn.

## No on 30 will force needed reforms

It seems like every time people talk about taxes, they use the word "fair." Recently, a letter to the editor from Janet Calvert, president of the League of Women Voters of Lane County, ("Measure 30's surcharge is progressive, fair," ODE, Jan. 23) stated that a new tax is progressive, and therefore fair. What is fair about taking more taxpayer money? I have read a lot of articles lately about the budget cuts that would take place if Measure 30 does not pass. If you look at the facts, you will realize that these are merely scare tactics.

How many of you realize that with the tax increase, the current budget grows by \$2.5 billion? Even without the proposed tax, the budget will still grow by \$1.7 billion. Defeat of this tax increase won't cut the budget; it only slows down an excessively large growth rate.

During the 1990s' economic boom, the

state's budget nearly doubled. If spending growth since 1993 had been limited to offset inflation and population growth, the 2003-05 budget would be \$8 billion less than \$37.1 billion, the current 2003-05 budget. The Legislature spent every dime of that new revenue. Now when times are slow, our Legislature has no savings, no fiscal discipline, wants new taxes, and won't listen to the people. Our tax system doesn't need fixing. The Legislature's spending practices need major reform.

The state's spending habits can be compared to purchasing a single object at a store. If you are purchasing an object for yourself, and you are using your own money, you look at the

quality and the cost of the object. If you are buying the object for someone you don't know, you probably are looking at cost and not quality. If you were spending someone else's money on an object for yourself, you would look mainly at quality, but not cost. But if you are like our government and spend someone else's money

on an object for someone you don't know, you don't pay attention to cost or quality.

Let's just pretend for a second that this "temporary" tax increase (yeah, right) is truly needed. I ran the figures and between the income tax surcharge, the property tax discount being eliminated, and the fact that this is prorated back to January 1, 2003, I will pay an estimated \$800 by the end of 2004. You must be saying to yourself, but by those figures, you are part of the wealthy upper-class. Now for the kicker, I am only 25 years old and a recent college graduate. I am married and have an average sized house. I am not rich! Don't fool yourself, this is going to cost everyone money and the fact is, we already pay enough.

There is nothing fair about taking more money from hard-working individuals, like myself. Vote no on measure 30 and force the Legislature to look at its spending habits, instead of increasing taxes in a state with an already slumping economy.

Mark Butler lives in Salem.