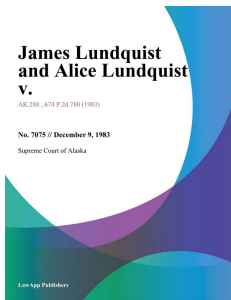


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Author: Supreme Court of Alaska

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COMPTON, Justice. OPINION Under AS 28.35.032, the Department of Public Safety (the Department) must suspend or revoke the driver's license of a person who is believed to be operating a motor vehicle while intoxicated and who refuses to submit to a chemical analysis of his breath. 1 The issue in this appeal is whether AS 28.35.032 creates a duty by the Department toward the public which, if breached, can form the basis of a cause of action for negligence against the Department. The superior court granted summary judgment in favor of the Department and dismissed the Lundquists' claim against it. We affirm. I. FACTUAL AND PROCEDURAL BACKGROUND

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