

HOUSE BILL NO. HB0143

Graduated driver's permits-minors.

Sponsored by: Representative(s) Tipton and Watt and
Senator(s) Anderson, J.

A BILL

for

1 AN ACT relating to motor vehicles; providing for graduated
2 driver's permits for certain minors; specifying conditions;
3 specifying exceptions; amending definitions; providing for
4 conforming provisions; and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 31-7-102(a)(xxv), 31-7-108(a),
9 31-7-109(d)(iv), 31-7-110(a), (f) and by creating new
10 subsections (g) through (m), 31-7-117(c)(intro) and
11 (f)(intro) and 31-7-126 are amended to read:

12

13 **31-7-102. Definitions.**

14

15 (a) As used in this act:

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1 (xxv) "License", "driver's license", "commercial
 2 driver's license", ~~or~~ "instruction permit", "instruction
 3 permit one", "instruction permit two" or "hardship
 4 instruction permit" means ~~any~~a license or permit secured
 5 by a person from the division, in accordance with this act
 6 which grants the privilege to drive or operate a motor
 7 vehicle on the public highways, streets and roads of this
 8 state;

9
 10 **31-7-108. Persons not to be licensed; investigation**
 11 **by the division.**

12
 13 (a) No driver's license shall be issued to any person
 14 who is under the age of ~~sixteen (16)~~ eighteen (18) years,
 15 except as provided in W.S. 31-7-110 and 31-7-117(c).

16
 17 **31-7-109. Classes of licenses.**

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 19 (d) Licensing classification plan:

20
 21 (iv) Class "I", ~~indicates an~~ "IH" (hardship
 22 instruction permit), "I1" (instruction permit one) and "I2"
 23 (instruction permit two) indicate instruction ~~permit~~

1 permits issued pursuant to W.S. 31-7-110(a), ~~and~~(b), (f),
2 (g), (h) and (m);

3

4 **31-7-110. Instruction and temporary driver's permits.**

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6 (a) Any person who is at least fifteen (15) years of
7 age may apply to the division for an instruction permit
8 one. The division, after the applicant has successfully
9 passed all parts of the examination other than the driving
10 test, may issue to the applicant an instruction permit one
11 which entitles the applicant while having the permit in his
12 immediate possession to drive a specified type or class of
13 motor vehicle for a period of one (1) year when accompanied
14 by a person at least ~~eighteen (18)~~ twenty-one (21) years of
15 age who has been licensed as a driver for the type or class
16 of vehicle being used for at least ~~one (1) year~~ three (3)
17 years, who is presently licensed, who is fit and capable of
18 exercising control over the vehicle and who is occupying a
19 seat beside the driver. This subsection ~~does~~ and subsection
20 (g) of this section do not apply to motorcycle instruction
21 permits.

22

23 (f) Any person who is at least fourteen (14) years of
24 age and who has applied and been approved for a restricted

1 license under W.S. 31-7-117(c), shall apply to the division
2 for ~~an~~ a hardship instruction permit. The division, after
3 the applicant has successfully passed all parts of the
4 examination other than the driving test, may issue to the
5 applicant ~~an~~ a hardship instruction permit which entitles
6 the applicant while having the permit in his immediate
7 possession to drive a class "C" motor vehicle for a period
8 of sixty (60) days when accompanied by a person at least
9 ~~eighteen (18)~~ twenty-one (21) years of age who has been
10 licensed as a driver for a class "C" vehicle for at least
11 ~~one (1) year~~ three (3) years, who is presently licensed,
12 who is fit and capable of exercising control over the
13 vehicle and who is occupying a seat beside the driver.

14

15 (g) Any person who is at least sixteen (16) years of
16 age and who pursuant to an instruction permit one has
17 completed practice driving of at least fifty (50) actual
18 driving hours, including at least ten (10) hours of night
19 driving, or substantially equivalent practice driving in
20 another jurisdiction may apply to the division for an
21 instruction permit two. The applicant's parent or guardian
22 shall certify that the applicant has completed the practice
23 driving requirement. The division, may issue to the
24 applicant an instruction permit two which entitles the

1 applicant to drive a specified type or class of motor
2 vehicle, provided that when operating a motor vehicle, a
3 person with an instruction permit two:

4
5 (i) May be accompanied by not more than one (1)
6 passenger under the age of twenty-one (21) who is not a
7 member of the permittee's immediate family except as
8 provided for by W.S. 31-7-304(a)(ii)(C);

9
10 (ii) Shall only be upon the public highways
11 between the hours of 5:00 a.m. and 11:00 p.m. unless:

12
13 (A) Accompanied by a licensed driver
14 twenty-one (21) years of age or older;

15
16 (B) Required by medical necessity as
17 evidenced by a signed statement from medical personnel;

18
19 (C) Driving to or from work as evidenced by
20 a signed statement from the permittee's employer;

21
22 (D) Driving to or from school or a
23 religious activity as evidenced by a signed statement of a
24 school or religious official or a parent or guardian; or

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(E) Required due to a medical emergency.

(h) A person with an instruction permit two may apply for a driver's license no sooner than one (1) year after obtaining an instruction permit two provided he has not been convicted or has his license suspended under W.S. 31-5-234, 31-5-1402, 31-6-108, a similar local ordinance or a similar statute or ordinance in another jurisdiction or been convicted of a moving violation in any jurisdiction.

(j) Upon receiving satisfactory evidence of a conviction or license suspension pursuant to subsection (h) of this section the division shall notify the person holding the instruction permit two that he will not be able to apply for a driver's license until the earlier of a year from the date of the conviction or until he reaches the age of eighteen (18).

(k) A person with an instruction permit two may contest the extension of an instruction permit two by producing documents to the division showing that he is not the person convicted or that the conviction is not from a crime listed in, or similar to a crime listed in,

1 subsection (h) of this section and requesting a record
2 review. No hearing or appeal under the Wyoming
3 Administrative Procedure Act shall be allowed for a
4 decision to extend a permit under subsection (j) of this
5 section.

6
7 (m) A person who is at least seventeen (17) years of
8 age who has moved from another jurisdiction, upon
9 application, shall be issued an instruction permit two if
10 he has been convicted of an offense listed in subsection
11 (h) of this section in the last year.

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13 **31-7-117. Restricted licenses.**

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15 (c) The division may issue a restricted class "C" or
16 "M" license to a person who is between the ages of fourteen
17 (14) and ~~sixteen (16)~~ eighteen (18) years upon receipt of
18 application, payment of the proper fees, an affidavit of
19 extreme inconvenience signed by the parent or guardian
20 having custody of the applicant and a finding by the
21 highway patrol that extreme inconvenience actually exists.
22 The applicant shall successfully pass the examination
23 required by W.S. 31-7-114. The licensee may drive a vehicle
24 only between the hours of 5:00 a.m. and 8:00 p.m., within a

1 fifty (50) mile radius of his domicile and only at the
2 direction of his parent or guardian. If any person while
3 licensed under this subsection, receives a citation for a
4 moving violation, the division, upon receipt of the notice
5 of conviction, shall suspend the license and any other
6 license or permit evidencing that person's privilege to
7 operate a motor vehicle. For purposes of this subsection
8 "extreme inconvenience" includes the following
9 circumstances:

10
11 (f) A person who is at least fifteen (15) years of
12 age who holds a restricted class "C" license may drive
13 beyond the hours and radius specified in subsection (c) of
14 this section ~~if the person is accompanied by a person who:~~
15 pursuant to the restrictions in W.S. 31-7-110(a). A person
16 who is at least sixteen (16) years of age who holds a
17 restricted class "C" license may drive beyond the hours and
18 radius specified in subsection (c) of this section pursuant
19 to the restrictions in W.S. 31-7-110(g).

20
21 **31-7-126. Reporting of convictions and failure to**
22 **appear by courts.**

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1 Every court having jurisdiction under any statute of this
2 state or a municipal ordinance adopted by local authority
3 regulating the driving of motor vehicles, shall forward to
4 the division within ten (10) working days from the date of
5 conviction a record of the conviction of any person in the
6 court for a violation of any of those laws or ordinances,
7 other than those regulating standing or parking of a motor
8 vehicle. Each court in this state shall also forward to the
9 division within ten (10) working days from the date of
10 conviction a record of the conviction of any person under
11 ~~nineteen (19)~~ eighteen (18) years of age in the court for a
12 violation of ~~any law regarding the possession, delivery,~~
13 ~~manufacture or use of a controlled substance or alcohol~~
14 W.S. 31-5-234, 31-5-1402 or 31-6-108 or similar local
15 ordinance. The court shall also forward to the division a
16 report of any violation by any person of a written promise
17 to appear in court as given to the arresting officer upon
18 the issuance of a traffic citation and any failure to
19 appear in court at the time specified by the court. Failure
20 of a court to forward a record of conviction or violation
21 under this section within the time specified in this
22 section from the date of conviction or violation shall not
23 affect the division's authority under this act.

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