

## HOUSE BILL NO. HB0195

Graduated driver's licenses-2.

Sponsored by: Representative(s) Berger and Hinckley and  
Senator(s) Boggs, Burns and Massie

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; conforming  
4 provisions; repealing void provisions; and providing for an  
5 effective date.

6

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

8

9       **Section 1.** W.S. 31-7-102(a)(xxv), 31-7-108(a),  
10 31-7-109(d) by creating a new paragraph (vii), 31-7-110(a),  
11 (f) and by creating a new subsection (g), 31-7-113(a) by  
12 creating a new subsection (xi), 31-7-117(f)(i) and (ii),  
13 31-7-126 and 31-7-304(a)(ii)(C) are amended to read:

14

15       **31-7-102. Definitions.**

16

1 (a) As used in this act:

2

3 (xxv) "License", "driver's license", "commercial  
4 driver's license", ~~or~~ "instruction permit" or "intermediate  
5 permit" means ~~any~~a license or permit secured by a person  
6 from the division, in accordance with this act which grants  
7 the privilege to drive or operate a motor vehicle on the  
8 public highways, streets and roads of this 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)~~ seventeen (17) years,  
15 except as provided in W.S. 31-7-110 and 31-7-117(c).

16

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

18

19 (d) Licensing classification plan:

20

21 (vii) Class "I2" indicates an intermediate  
22 permit issued pursuant to W.S. 31-7-110(g).

23

24 **31-7-110. Instruction and temporary driver's permits.**

1

2 (a) Any person who is at least fifteen (15) years of  
3 age may apply to the division for an instruction permit.  
4 The division, after the applicant has successfully passed  
5 all parts of the examination other than the driving test,  
6 may issue to the applicant an instruction permit which  
7 entitles the applicant while having the permit in his  
8 immediate possession to drive a specified type or class of  
9 motor vehicle for a period of one (1) year when accompanied  
10 by a person at least ~~eighteen (18)~~ twenty-one (21) years of  
11 age who holds a valid driver's license and has been  
12 licensed as a driver for the type or class of vehicle being  
13 used for at least ~~one (1) year~~ two (2) years, who is fit  
14 and capable of exercising control over the vehicle and who  
15 is occupying a seat beside the driver. This subsection ~~does~~  
16 and subsections (f) and (g) of this section do not apply to  
17 motorcycle instruction permits.

18

19 (f) Any person who is at least fourteen (14) years of  
20 age and who has applied and been approved for a restricted  
21 license under W.S. 31-7-117(c), shall apply to the division  
22 for an instruction permit. The division, after the  
23 applicant has successfully passed all parts of the  
24 examination other than the driving test, may issue to the

1 applicant an instruction permit which entitles the  
2 applicant while having the permit in his immediate  
3 possession to drive a class "C" motor vehicle for a period  
4 of sixty (60) days when accompanied by a person at least  
5 ~~eighteen (18)~~ twenty-one (21) years of age who holds a  
6 valid driver's license and has been licensed as a driver  
7 for a class "C" vehicle for at least ~~one (1) year~~ two (2)  
8 years, who is fit and capable of exercising control over  
9 the vehicle and who is occupying a seat beside the driver.

10  
11 (g) Any person, who is at least sixteen (16) years of  
12 age and has held an instruction permit pursuant to  
13 subsection (a) of this section or a similar permit from  
14 another jurisdiction and has completed practice driving of  
15 at least fifty (50) actual driving hours, including at  
16 least ten (10) hours of night driving, may apply to the  
17 division for an intermediate permit that entitles the  
18 applicant to drive a specified type or class of motor  
19 vehicle. No permit may be issued unless a parent or  
20 guardian certifies the applicant has completed the practice  
21 driving requirements. Provided that when operating a motor  
22 vehicle, a person with an intermediate permit:

23

1           (i) May not transport more than one (1)  
2 passenger under the age of twenty-one (21) who is not a  
3 member of the permittee's immediate family;

4  
5           (ii) Shall only be upon a public highway between  
6 the hours of 5:00 a.m. and 11:00 p.m. unless:

7  
8           (A) Accompanied by a licensed driver  
9 twenty-one (21) years of age or older;

10  
11           (B) Required by medical necessity as  
12 evidenced by a signed statement from medical personnel;

13  
14           (C) Driving to or from work as evidenced by  
15 a signed statement from the permittee's employer;

16  
17           (D) Driving to or from school, a school  
18 activity or a religious activity as evidenced by a signed  
19 statement of a school or religious official or a parent or  
20 guardian; or

21  
22           (E) Required due to a medical emergency.  
23

1           (iii) May apply for a driver's license no sooner  
2 than one (1) year after obtaining an intermediate permit  
3 provided his permit had not been suspended or revoked  
4 pursuant to W.S. 31-5-233, 31-5-234, 31-5-235, 31-6-108 or  
5 a similar local ordinance or a similar statute or ordinance  
6 in another jurisdiction and the permittee has not been  
7 convicted of a violation of W.S. 31-5-1402, a similar  
8 violation in any jurisdiction, a moving violation in any  
9 jurisdiction or subsection (g) of this section. Provided  
10 that:

11  
12           (A) Upon receiving competent evidence of a  
13 conviction or permit suspension or revocation for an  
14 offense specified in this subsection, the division shall  
15 notify the person holding the intermediate permit that he  
16 will not be able to apply for a driver's license until a  
17 year from the date of the conviction or until he reaches  
18 the age of seventeen (17) whichever occurs first;

19  
20           (B) A person who has been issued a license  
21 prior to receipt of evidence of the conviction or permit  
22 suspension or revocation by the division shall have the  
23 license cancelled and be required to reapply for an  
24 intermediate permit and shall not be allowed to reapply for

1 a driver's license until one (1) year from the date of  
 2 conviction or until the permittee has reached the age of  
 3 seventeen (17) whichever occurs first unless the department  
 4 determines that reapplying for a license would be futile  
 5 because the person will be seventeen (17) years of age  
 6 before the application process would be accomplished.

7

8 **31-7-113. Fees.**

9

10 (a) The following fees are imposed:

11

12 (xi) Intermediate permit..... \$15.00

13

14 **31-7-117. Restricted licenses.**

15

16 (f) A person who is at least fifteen (15) years of  
 17 age who holds a restricted class "C" license may drive  
 18 beyond the hours and radius specified in subsection (c) of  
 19 this section if the person is accompanied by a person who:

20

21 (i) Is at least ~~eighteen (18)~~ twenty-one (21)  
 22 years of age;

23

1           (ii)  Holds a valid driver's license and has been  
2 licensed ~~to drive~~ as a driver for the type or class of  
3 vehicle being used for at least ~~one (1) year~~ two (2) years;

4  
5           **31-7-126. Reporting of convictions and failure to**  
6 **appear by courts.**

7  
8 Every court having jurisdiction under any statute of this  
9 state or a municipal ordinance adopted by local authority  
10 regulating the driving of motor vehicles, shall forward to  
11 the division within ten (10) working days from the date of  
12 conviction a record of the conviction of any person in the  
13 court for a violation of any of those laws or ordinances,  
14 other than those regulating standing or parking of a motor  
15 vehicle. ~~Each court in this state shall also forward to the~~  
16 ~~division within ten (10) working days from the date of~~  
17 ~~conviction a record of the conviction of any person under~~  
18 ~~nineteen (19) years of age in the court for a violation of~~  
19 ~~any law regarding the possession, delivery, manufacture or~~  
20 ~~use of a controlled substance or alcohol.~~ The court shall  
21 also forward to the division a report of any violation by  
22 any person of a written promise to appear in court as given  
23 to the arresting officer upon the issuance of a traffic  
24 citation and any failure to appear in court at the time



1 specified by the court. Failure of a court to forward a  
2 record of conviction or violation under this section within  
3 the time specified in this section from the date of  
4 conviction or violation shall not affect the division's  
5 authority under this act.

6

7 **31-7-304. Issuance; classifications and endorsements.**

8

9 (a) Commercial driver's licenses may be issued with  
10 the following classifications and endorsements. The holder  
11 of a valid commercial driver's license may drive all  
12 vehicles in the class for which that license is issued and  
13 all lesser classes of vehicles except motorcycles and  
14 vehicles which require a separate endorsement, unless the  
15 proper endorsement appears on the license:

16

17 (ii) The following driver's license endorsements  
18 are special authorizations permitting the driver to operate  
19 certain types of motor vehicles or transport certain types  
20 of cargo if the endorsement is displayed on the driver's  
21 license:

22

23 (C) "P" authorizes the driver to operate a  
24 bus or any motor vehicle as defined in W.S.

1 31-7-102(a)(iii) used for the transportation of passengers,  
2 providing the licensed driver has attained the age of  
3 eighteen (18) years;~~7, except the "P" endorsement may be  
4 placed upon the license of a licensed driver between the  
5 ages of sixteen (16) and eighteen (18) years who has  
6 secured the approval of the school district and the  
7 permission of a parent or guardian of each child to be  
8 transported, thereby allowing the driver to transport  
9 students to and from school;~~

10  
11 **Section 2.** W.S. 31-7-108(b)(vii) is repealed.

12  
13 **Section 3.** This act shall only apply to persons  
14 applying for a license or permit who are under the age of  
15 seventeen (17) on July 1, 2004 and who do not have a valid  
16 driver's license from this state or another jurisdiction.

17  
18 **Section 4.** This act is effective July 1, 2004.

19  
20 (END)