

SENATE FILE NO. SF0014

Graduated drivers licenses.

Sponsored by: Joint Transportation, Highways and Military
Affairs Interim Committee

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.

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

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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 (b), (f) and by creating new subsections (g) through (k),
12 31-7-113(a) by creating a new paragraph (xi),
13 31-7-117(f)(i) and (ii), 31-7-126 and 31-7-304(a)(ii)(C)
14 are amended to read:

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16 **31-7-102. Definitions.**

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2 (a) As used in this act:

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

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

13

14 (a) No driver's license shall be issued to any person
15 who is under the age of ~~sixteen (16)~~ seventeen (17) years,
16 except as provided in W.S. 31-7-110 and 31-7-117(c).

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18 **31-7-109. Classes of licenses.**

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20 (d) Licensing classification plan:

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

24

1 **31-7-110. Instruction and temporary driver's permits.**

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

18

19 (b) Any person at least fifteen (15) years of age may
20 apply to the division for a motorcycle instruction permit.
21 The division, after the applicant has successfully passed a
22 written examination and a vision test may issue to the
23 applicant an instruction permit which entitles the
24 applicant to drive a motorcycle for a period of ninety (90)

1 days without a passenger. If the applicant also passes a
2 driving test, the division may issue an instruction permit
3 which entitles the applicant to drive a motorcycle for a
4 period of one (1) year, without a passenger. The motorcycle
5 instruction permit for a person who is under seventeen (17)
6 years of age shall be subject to restricted hours of
7 operation as provided in W.S. 31-7-110(h)(ii)(B) through
8 (E).

9
10 (f) Any person who is at least fourteen (14) years of
11 age and who has applied and been approved for a restricted
12 license under W.S. 31-7-117(c), shall apply to the division
13 for an instruction permit. The division, after the
14 applicant has successfully passed all parts of the
15 examination other than the driving test, may issue to the
16 applicant an instruction permit which entitles the
17 applicant while having the permit in his immediate
18 possession to drive a class "C" motor vehicle for a period
19 of sixty (60) days when accompanied by a person at least
20 ~~eighteen (18)~~ twenty-one (21) years of age who ~~has been~~
21 ~~licensed as a driver for a class "C" vehicle for at least~~
22 ~~one (1) year~~ holds a valid class "C" driver's license, who
23 is fit and capable of exercising control over the vehicle
24 and who is occupying a seat beside the driver.

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2 (g) Any person, who is at least sixteen (16) years of
3 age and has held an instruction permit pursuant to
4 subsection (a) or (f) of this section, or in the case of an
5 applicant for an intermediate motorcycle permit an
6 instruction permit pursuant to subsection (b) of this
7 section, or a similar permit from another jurisdiction and
8 has completed practice driving of at least fifty (50)
9 actual driving hours, including at least ten (10) hours of
10 night driving, may apply to the division for an
11 intermediate permit that entitles the applicant to drive a
12 specified type or class of motor vehicle. No permit may be
13 issued unless a parent or guardian certifies the applicant
14 has completed the practice driving requirements.

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16 (h) A person operating a motor vehicle, other than a
17 motorcycle, with an intermediate permit:

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19 (i) May not transport more than one (1)
20 passenger under the age of twenty-one (21) who is not a
21 member of the permittee's immediate family unless
22 accompanied by a person at least twenty-one (21) years of
23 age who holds a valid driver's license for the type or
24 class of vehicle being used;

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

(A) Accompanied by a person at least twenty-one (21) years of age who holds a valid driver's license for the type or class of vehicle being used;

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

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

(D) Driving to or from school, a school activity, an organized youth sports activity or a religious activity as evidenced by a signed statement of a school or religious official or a parent or guardian; or

(E) Required due to a medical emergency.

(j) A person with an intermediate motorcycle permit shall not operate the motorcycle with any passenger and

1 shall be subject to the restrictions provided in
2 subparagraph (h)(ii)(B) through (E) of this section.

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4 (k) The division shall suspend for a period of thirty
5 (30) days the intermediate operating permit of any person
6 violating any provision of subsection (h) or (j) of this
7 section.

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9 (m) Subsections (a) and (f), paragraph (h)(i) and
10 subparagraph (h)(ii)(A) of this section do not apply to
11 motorcycle instruction permits.

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13 **31-7-113. Fees.**

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15 (a) The following fees are imposed:

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

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19 **31-7-117. Restricted licenses.**

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

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

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(ii) ~~Has been~~ Is licensed to drive ~~for at least~~
~~one (1) year~~ as a driver for the type or class of vehicle
being used;

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

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~~Each court in this state shall also forward to the
division within ten (10) working days from the date of
conviction a record of the conviction of any person under
nineteen (19) years of age in the court for a violation of
any law regarding the possession, delivery, manufacture or
use of a controlled substance or alcohol.~~ The court shall

1 also forward to the division a report of any violation by
2 any person of a written promise to appear in court as given
3 to the arresting officer upon the issuance of a traffic
4 citation and any failure to appear in court at the time
5 specified by the court. Failure of a court to forward a
6 record of conviction or violation under this section within
7 the time specified in this section from the date of
8 conviction or violation shall not affect the division's
9 authority under this act.

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11 **31-7-304. Issuance; classifications and endorsements.**

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

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21 (ii) The following driver's license endorsements
22 are special authorizations permitting the driver to operate
23 certain types of motor vehicles or transport certain types

1 of cargo if the endorsement is displayed on the driver's
2 license:

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4 (C) "P" authorizes the driver to operate a
5 bus or any motor vehicle as defined in W.S.
6 31-7-102(a)(iii) used for the transportation of passengers,
7 providing the licensed driver has attained the age of
8 eighteen (18) years; ~~except the "P" endorsement may be
9 placed upon the license of a licensed driver between the
10 ages of sixteen (16) and eighteen (18) years who has
11 secured the approval of the school district and the
12 permission of a parent or guardian of each child to be
13 transported, thereby allowing the driver to transport
14 students to and from school;~~

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

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18 **Section 3.** This act shall only apply to persons
19 applying for a license or permit who are under the age of
20 seventeen (17) on September 16, 2005 and who do not have a
21 valid driver's license from this state or another
22 jurisdiction.

23

1 **Section 4.** This act is effective July 1, 2005.

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(END)