

ENROLLED ACT NO. 40, HOUSE OF REPRESENTATIVES

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2008 BUDGET SESSION

AN ACT relating to motor vehicles; providing for inspections of the load and fuel of certain vehicles; and providing for an effective date.

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

Section 1. W.S. 31-1-203(b) and 39-17-208(c) (viii) are amended to read:

31-1-203. Special enforcement officers; summons and notice to appear for violations; deposit for appearance; disposition of deposit.

(b) Employees designated under subsection (a) of this section may issue summons for violations of W.S. 31-4-101, 31-7-106, 31-7-133, 31-18-101 through 31-18-603, 31-18-701, ~~and~~ 31-18-801 through 31-18-808 and 39-17-208. The department shall submit a report to the joint transportation and highways interim committee no later than December 1, 2002, providing data with respect to the number of port-of-entry officers issuing summonses, the types and numbers of violations for which summonses were issued and an estimate of the time saved for commercial vehicle operators and highway patrol troopers as a result of summonses being issued by port-of-entry officers.

39-17-208. Enforcement.

(c) Penalties. The following shall apply:

(viii) Except as otherwise provided for by law, no person shall operate a motor vehicle upon any public road or highway in this state with dyed diesel fuel contained in the tank or tanks which supply diesel fuel to the engine of the motor vehicle. A state trooper or

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special enforcement officer, may, during an inspection under W.S. 31-18-301 or during a weight or safety inspection, withdraw and inspect any diesel fuel. A state trooper or special enforcement officer may, upon probable cause to believe that the vehicle is operating in violation of this paragraph or other law, withdraw and inspect any diesel fuel in the supply tank or tanks of the vehicle as authorized by W.S. 31-1-203(b). Any person who violates this subsection is guilty of a misdemeanor punishable by a fine of not more than ~~three hundred dollars (\$300.00)~~ five hundred dollars (\$500.00) or ~~three dollars (\$3.00)~~ five dollars (5.00) for every gallon of fuel involved, whichever is greater. The penalty under this subsection shall increase with subsequent violations by multiplying the penalty imposed by the number of prior violations;

Section 2. This act is effective July 1, 2008.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk