

HOUSE BILL NO. HB0113

Careless driving.

Sponsored by: Representative(s) Buchanan, Gingery and Hammons and Senator(s) Ross and Sessions

A BILL

for

1 AN ACT relating to the regulation of traffic; making
2 careless driving a crime; defining careless driving;
3 specifying applicability of the crime; adding careless
4 driving to other penalty statutes; 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. 31-5-236 is created to read:

10

11 **31-5-236. Careless driving.**

12

13 Any person who drives any vehicle in a manner inconsistent
14 with the exercise of due and diligent care normally
15 exercised by a reasonably prudent person under similar
16 circumstances and where such operation of a motor vehicle

1 creates an unreasonable risk of harm to persons or property
2 is guilty of careless driving.

3

4 **Section 2.** W.S. 31-5-103(a)(ii), 31-5-105(b) and
5 31-7-102(a)(xli)(H), (J) and by creating new subparagraph
6 (K) are amended to read:

7

8 **31-5-103. Applicability of provisions to vehicles**
9 **being operated upon highways.**

10

11 (a) The provisions of this act relating to the
12 operation of vehicles refer exclusively to the operation of
13 vehicles upon highways except:

14

15 (ii) The provisions of W.S. 31-5-225, 31-5-229,
16 31-5-233, 31-5-236 and 31-5-1101 through 31-5-1112 apply
17 upon highways and elsewhere throughout the state.

18

19 **31-5-105. Applicability of provisions to drivers of**
20 **public vehicles.**

21

22 (b) Unless specifically made applicable, the
23 provisions of this act except those contained in W.S.
24 31-5-225, 31-5-229, ~~and 31-5-233~~ and 31-5-236 do not apply

1 to persons, motor vehicles and equipment while actually
2 engaged in work upon a highway but shall apply to the
3 persons and vehicles when traveling to or from work.

4

5 **31-7-102. Definitions.**

6

7 (a) As used in this act:

8

9 (xli) "Serious traffic violation" means:

10

11 (H) Driving a commercial motor vehicle
12 without a commercial driver's license in the driver's
13 possession. An individual shall not be guilty of a
14 violation of this subparagraph if the individual provides
15 proof prior to or at a court or administrative hearing
16 establishing that the individual held a valid commercial
17 driver's license on the date of the citation;~~or~~

18

19 (J) Driving a commercial motor vehicle
20 without the proper class of commercial driver's license or
21 endorsements for the specific vehicle group being operated
22 or for the passengers or type of cargo being transported;~~;~~

23 or

24

1 (K) Careless driving as defined by W.S.

2 31-5-236.

3

4 **Section 3.** This act is effective July 1, 2009.

5

6

(END)