

HOUSE BILL NO. HB0171

Theft of fuel.

Sponsored by: Representative(s) Simpson and Senator(s)
Perkins

A BILL

for

1 AN ACT relating to crimes and offenses; providing penalties
2 for theft of fuel; providing for suspension of driver's
3 license upon conviction of theft of fuel; correcting an
4 omission in a citation; and providing for an effective
5 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. 6-3-402(c)(intro) and by creating a
10 new subsection (f), 31-7-128(e) and by creating a new
11 subsection (n) and 31-9-401(f) are amended to read:

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13 **6-3-402. Larceny; livestock rustling; theft of fuel;**
14 **penalties.**

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1 (c) Except as provided by ~~subsection~~ subsections (e)
2 and (f) of this section, larceny is:

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4 (f) A person who causes a motor vehicle to leave the
5 premises of an establishment at which motor vehicle fuel is
6 offered for retail sale without the person making full
7 payment for motor fuel that was dispensed into the fuel
8 tank of a motor vehicle or into another container is guilty
9 of larceny. Any person convicted of a second or subsequent
10 offense under this subsection shall have his driver's
11 license suspended pursuant to W.S. 31-7-128. The court
12 shall forward to the department of transportation a copy of
13 the record pertaining to disposition of the arrest or
14 citation. In addition:

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16 (i) A first conviction under this subsection is
17 punishable by a fine of not more than seven hundred fifty
18 dollars (\$750.00), imprisonment for not more than six (6)
19 months, or both;

20
21 (ii) A second or subsequent conviction under this
22 subsection is punishable by a fine of not more than one
23 thousand dollars (\$1,000.00), imprisonment for not more
24 than six (6) months, or both.

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2 **31-7-128. Mandatory suspension of license or**
3 **nonresident operating privilege for certain violations;**
4 **suspension of registration.**

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6 (e) Any person whose driver's license or nonresident
7 operating privilege has been suspended shall, for a three
8 (3) year period beginning on the date of suspension, file
9 and maintain proof of financial responsibility as required
10 in W.S. 31-9-401 through 31-9-414. The requirement for
11 filing and maintaining proof of financial responsibility
12 under this subsection does not apply to a suspension under
13 ~~subsections~~ subsection (f), ~~and~~ (g) or (n) of this section.

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15 (n) The division shall suspend the license or
16 nonresident operating privilege of any driver upon
17 receiving a record of the driver's second or subsequent
18 conviction under W.S. 6-3-402(f), a similar local ordinance
19 or a similar statute or ordinance in another jurisdiction
20 for:

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22 (i) Thirty (30) days, for the second conviction;

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(ii) Ninety (90) days for the third and each
subsequent conviction.