

HOUSE BILL NO. HB0136

Dyed fuel-enforcement.

Sponsored by: Representative(s) Cohee, Edwards, Esquibel,
F. and Jones and Senator(s) Geis and Von
Flatern

A BILL

for

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

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

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

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10 **31-1-203. Special enforcement officers; summons and**
11 **notice to appear for violations; deposit for appearance;**
12 **disposition of deposit.**

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14 (b) Employees designated under subsection (a) of this
15 section may issue summons for violations of W.S. 31-4-101,
16 31-7-106, 31-7-133, 31-18-101 through 31-18-603, 31-18-701,

1 ~~and~~ 31-18-801 through 31-18-808 and 39-17-208. The
2 department shall submit a report to the joint
3 transportation and highways interim committee no later than
4 December 1, 2002, providing data with respect to the number
5 of port-of-entry officers issuing summonses, the types and
6 numbers of violations for which summonses were issued and
7 an estimate of the time saved for commercial vehicle
8 operators and highway patrol troopers as a result of
9 summonses being issued by port-of-entry officers.

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11 **39-17-208. Enforcement.**

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13 (c) Penalties. The following shall apply:

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15 (viii) Except as otherwise provided for by law,
16 no person shall operate a motor vehicle upon any public
17 road or highway in this state with dyed diesel fuel
18 ~~contained~~ being transported by the vehicle or used to
19 propel the vehicle. An investigator, trooper or authorized
20 personnel, may, without limitation, withdraw and inspect
21 any diesel fuel being transported by the vehicle or in the
22 supply tank of the vehicle. Any person who violates this
23 subsection is guilty of a misdemeanor punishable by a fine
24 of not more than ~~three hundred dollars (\$300.00)~~ five

1 hundred dollars (\$500.00) or ~~three dollars (\$3.00)~~ five
2 dollars (5.00) for every gallon of fuel involved, whichever
3 is greater. The penalty under this subsection shall
4 increase with subsequent violations by multiplying the
5 penalty imposed by the number of prior violations;

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

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(END)