

SENATE FILE NO. SF0037

Abandoned vehicles.

Sponsored by: Senator(s) Cooper and Representative(s)
Davison

A BILL

for

1 AN ACT relating to abandoned vehicles; providing that a
2 liability policy issued to a vehicle owner or operator
3 shall include insurance for the cost of the vehicle's
4 remediation and recovery as specified; providing an
5 increase in the allowable expenses payable for a vehicle
6 abandoned on public property; providing for the suspension
7 of a driver's license for failure to pay the costs and
8 penalties associated with the remediation and recovery of a
9 vehicle abandoned on public property; and providing for an
10 effective date.

11

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

13

14 **Section 1.** W.S. 31-7-128 by creating a new subsection
15 (o), 31-9-102(a)(xi), 31-9-405(b)(ii) and

1 31-13-111(g)(ii)(A) through (D) and by creating a new
2 paragraph (iv) are amended to read:

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

7
8 (o) The division shall suspend the license or
9 nonresident operating privilege of any driver upon
10 receiving a record of the driver's conviction under W.S.
11 31-13-116 and upon a finding by the sentencing court that
12 the driver has failed to pay the charges for towing,
13 storage, notice, all other costs of impoundment, and any
14 penalties imposed by the law of this state associated with
15 the recovery, storage, sale and remediation of the
16 abandoned vehicle. A driver's license suspended under this
17 subsection shall remain suspended until the division
18 receives notice from the county treasurer for the county in
19 which the vehicle was abandoned that the driver has paid
20 all charges, costs and penalties associated with the
21 recovery and remediation of the abandoned vehicle or one
22 (1) year, whichever first occurs.

23
24 **31-9-102. Definitions.**

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2 (a) As used in this act:

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4 (xi) "Proof of financial responsibility" means
5 evidence of ability to respond in damages for liability,
6 resulting from accidents occurring subsequent to the
7 effective date of the proof, arising out of the ownership,
8 maintenance or use of a motor vehicle, in the amount of
9 twenty-five thousand dollars (\$25,000.00) because of bodily
10 injury to or death of one (1) person in any one (1)
11 accident, and subject to the limit for one (1) person, in
12 the amount of fifty thousand dollars (\$50,000.00) because
13 of bodily injury to or death of two (2) or more persons in
14 any one (1) accident, ~~and~~ in the amount of twenty thousand
15 dollars (\$20,000.00) because of injury to or destruction of
16 property of others and one thousand five hundred dollars
17 (\$1,500.00), or fifteen thousand dollars (\$15,000.00) if
18 the motor vehicle is a commercial vehicle as defined by
19 W.S. 31-18-101(a)(iii), because of costs associated with
20 the remediation and recovery of a covered vehicle in any
21 one (1) accident;

22

23 **31-9-405. "Liability policy" defined; required**
24 **coverage; additional clauses.**

1

2 (b) An owner's policy of liability insurance shall:

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4 (ii) Insure the person named and, except for
5 persons specifically excluded pursuant to W.S. 26-35-105,
6 any other person, as insured, using any covered motor
7 vehicle with the express or implied permission of the named
8 insured against loss from the liability imposed by law for
9 damages arising out of the ownership, maintenance or use of
10 the motor vehicle within the United States of America or
11 the Dominion of Canada, subject to limits exclusive of
12 interest and costs with respect to each motor vehicle, as
13 follows: twenty-five thousand dollars (\$25,000.00) because
14 of bodily injury to or death of one (1) person in any one
15 (1) accident and, subject to the limit for one (1) person,
16 fifty thousand dollars (\$50,000.00) because of bodily
17 injury to or death of two (2) or more persons in any one
18 (1) accident, ~~and~~ and twenty thousand dollars (\$20,000.00)
19 because of injury to or destruction of property of others
20 and one thousand five hundred dollars (\$1,500.00), or
21 fifteen thousand dollars (\$15,000.00) if the motor vehicle
22 is a commercial vehicle as defined by W.S.
23 31-18-101(a)(iii), because of costs associated with the

1 remediation and recovery of a covered vehicle in any one
2 (1) accident.

3
4 **31-13-111. Transmission of return of sale and sale**
5 **proceeds to county treasurer; payment of expenses and**
6 **taxes; county abandoned vehicle account; duplicate receipts**
7 **for proceeds; action for recovery of proceeds.**

8
9 (g) If the vehicle was abandoned on a highway or
10 other public property, the allowable expenses shall be paid
11 from the county abandoned vehicle account provided for by
12 W.S. 31-13-111(b) and administered as follows:

13
14 (ii) The allowable expenses are:

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16 (A) Removal or towing costs of ~~four dollars~~
17 ~~(\$4.00)~~ five dollars and fifty cents (\$5.50) for every mile
18 the vehicle is towed or ~~sixty dollars (\$60.00)~~ one hundred
19 dollars (\$100.00) whichever is greater;

20
21 (B) Storage charges with a maximum amount
22 allowed of ~~thirty dollars (\$30.00)~~ sixty dollars (\$60.00);

1 (C) Sale and title costs not to exceed
2 ~~thirty dollars (\$30.00)~~ eighty dollars (\$80.00); and

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4 (D) A ~~two hundred dollar (\$200.00)~~ five
5 hundred dollar (\$500.00) limit for the total expenses
6 associated with each abandoned vehicle.

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8 (iv) The county shall make reasonable efforts to
9 collect insurance proceeds for the recovery and remediation
10 of any abandoned vehicle which is covered by a liability
11 insurance policy as provided by W.S. 31-9-405(b).
12 Insurance proceeds collected under this paragraph shall be
13 deposited in the county abandoned vehicle account provided
14 for by W.S. 31-13-111(b) and shall be expended for
15 allowable expenses under this subsection.

16

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

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19 (END)