

HOUSE BILL NO. HB0052

Governmental immunity-cooperative public transportation.

Sponsored by: Joint Transportation, Highways & Military
Affairs Interim Committee

A BILL

for

1 AN ACT relating to governmental claims; extending the
2 Wyoming Governmental Claims Act to governmental entities in
3 other states that operate cooperative public transportation
4 programs in Wyoming under specified conditions; expanding
5 intergovernmental cooperation laws to include agreements
6 concerning governmental immunity or limitations of
7 liability for cooperative public transportation programs;
8 and providing for an effective date.

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

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12 **Section 1.** W.S. 1-39-103(a)(ii), by creating a new
13 paragraph (viii) and by renumbering (viii) as (ix),
14 16-1-101 and 16-1-104 by creating a new subsection (f) are
15 amended to read:

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2 **1-39-103. Definitions.**

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4 (a) As used in this act:

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6 (ii) "Local government" means cities and towns,
7 counties, school districts, joint powers boards, airport
8 boards, public corporations, community college districts,
9 special districts and their governing bodies, all political
10 subdivisions of the state, and their agencies,
11 instrumentalities and institutions and governmental
12 entities of another state operating a cooperative public
13 transportation program pursuant to W.S. 16-1-104(f);

14

15 (viii) "Governmental entity of another state"
16 means any state and its political subdivisions, agencies,
17 instrumentalities and institutions and any local government
18 entity within another state;

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20 ~~(viii)~~ (ix) "This act" means W.S. 1-39-101
21 through 1-39-121.

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23 **16-1-101. Authority to cooperate.**

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2 In exercising, performing or carrying out any power,
3 privilege, authority, duty or function legally vested in
4 any one (1) or more of them by Wyoming law, the state of
5 Wyoming, and any one (1) or more of its counties, municipal
6 corporations, school districts, special districts, public
7 institutions, agencies, boards, commissions and political
8 subdivisions, and any officer or legal representative of
9 any one (1) or more of them, may cooperate with and assist
10 each other, and like entities or authorities of other
11 states, the United States and the Eastern Shoshone and
12 Northern Arapaho Tribes of the Wind River Reservation.
13 Cooperation may be informal or subject to resolution,
14 ordinance or other appropriate action, and may be embodied
15 in a written agreement specifying purposes, duration, means
16 of financing, methods of operations, termination,
17 acquisition and disposition of property, employment of
18 executive and subordinate agents, reciprocation of
19 governmental immunity protections or other limitations of
20 liability pursuant to W.S. 16-1-104(f) and other
21 appropriate provisions.

22

1 **16-1-104. Joint powers, functions and facilities;**
2 **city-county airport board; eligible senior citizen centers;**
3 **cooperative public transportation programs.**

4
5 (f) An agency may enter into an agreement with any
6 governmental entity of another state, as defined in W.S.
7 1-39-103(a)(viii), for purposes of operating a cooperative
8 public transportation program to transport passengers on
9 one (1) or more routes beginning in, ending in or passing
10 through Wyoming. Any agreement entered into under this
11 subsection shall be conditioned upon the other state
12 extending or agreeing to extend its governmental immunity
13 or other limitations of liability to Wyoming for purposes
14 of operating a cooperative public transportation program.
15 As used in this subsection, "cooperative public
16 transportation program" means a not-for-profit program
17 designed to transport passengers to and from work or to
18 another location on a regularly scheduled basis using
19 vehicles operated by an agency or a governmental entity of
20 another state.

