

HOUSE BILL NO. HB0093

Speeding fines amendments-2.

Sponsored by: Representative(s) Winters, Kirkbride, Olsen,
Pelkey, Pownall, Salazar and Stith and
Senator(s) Agar, Christensen and Nethercott

A BILL

for

1 AN ACT relating to regulation of traffic on highways;
2 amending and reorganizing provisions relating to fines and
3 fees for speeding violations; imposing a police officer
4 continuing education and training fee; 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. 5-3-205(a) by creating a new
10 paragraph (iii), 5-9-144, 9-1-633(n), 31-5-1201(d)(v), by
11 creating new paragraphs (vi) through (viii), (e), (g) and
12 by creating a new subsection (h) are amended to read:

13

14 **5-3-205. Collection of fees in advance; payment to**
15 **treasurer; liability for collection.**

1

2 (a) All fees prescribed by statute for civil
3 business, shall be collected in advance by the clerk and
4 except as otherwise provided in this section shall be paid
5 to the treasurer of the county at the end of each month.
6 The clerk shall be liable under his bond for the collection
7 and payment of such fees. The clerk shall remit:

8

9 (iii) The police officer continuing education
10 and training fee prescribed by W.S. 31-5-1201(h) to the
11 account in the enterprise fund under W.S. 9-1-633(n) at the
12 end of each month.

13

14 **5-9-144. Receipts for money paid into court.**

15

16 When any money is paid into a circuit court, a receipt for
17 said amount shall be issued promptly upon a form prescribed
18 by the Wyoming supreme court. The receipts shall be
19 prenumbered in numerical sequence. The original copy shall
20 be delivered to a payor making payment by cash or in
21 person, otherwise the original shall be attached to the
22 court file. A copy shall be filed in the office of the
23 issuing judge. The receipts shall be prenumbered by the

1 printer, and the printer shall give to the supreme court a
2 receipt showing the numbers so printed. Except as provided
3 in W.S. 5-9-106, the circuit court shall pay all fines,
4 forfeitures and other penalties to the county treasurer and
5 all fees, costs and other receipts to the state treasurer.
6 The court automation fee prescribed by W.S. 5-9-135 or
7 established by court rule shall be deposited by the state
8 treasurer into the judicial systems automation account
9 established by W.S. 5-2-120. The indigent civil legal
10 services fee prescribed by W.S. 5-9-135 shall be deposited
11 by the state treasurer into the indigent civil legal
12 services account established by W.S. 5-2-121. The police
13 officer continuing education and training fee prescribed by
14 W.S. 31-5-1201(h) shall be deposited by the state treasurer
15 into the account in the enterprise fund under W.S.
16 9-1-633(n).

17

18 **9-1-633. Wyoming law enforcement academy; director;**
19 **appointment; term; qualifications; employees; salaries;**
20 **curriculum and training programs; fees; disposition.**

21

22 (n) Revenues received pursuant to subsections (e),
23 (f), (g), (j) and (m) of this section and W.S. 9-1-635 and

1 31-5-1201(h) shall be credited to an account in the
2 enterprise fund and are continuously appropriated to the
3 attorney general to be expended for the actual direct and
4 indirect costs of providing the services ~~generating for~~
5 which the revenues are generated.
6

7 **31-5-1201. Violation of provisions to constitute**
8 **misdemeanor; penalties; officer training fee.**
9

10 (d) Except as provided in subsection (g) of this
11 section:
12

13 (v) Notwithstanding W.S. 5-9-107, court fees and
14 costs for violations of W.S. 31-5-301(b) ~~(iii), (iv), (vi)~~
15 ~~or (vii)~~ or (c) shall not be assessed for speeds ~~up to~~
16 through five (5) miles per hour over the speed limits
17 authorized by W.S. 31-5-301(b) ~~(iii), (iv), (vi) or (vii).~~
18 or (c);
19

20 (vi) Except for violations in construction or
21 school zones, every person convicted of a violation of W.S.
22 31-5-301(b) (iii), (iv), (vi), (vii) or (c):
23

1 (A) For speeds less than six (6) miles per
2 hour over the legal speed limit, shall be fined four
3 dollars (\$4.00) for each mile per hour in excess of the
4 legal speed limit not to exceed twenty dollars (\$20.00)
5 plus the assessed training fee under W.S. 31-5-1201(h);

6
7 (B) For speeds six (6) through ten (10)
8 miles per hour over the legal speed limit, shall be fined
9 twenty-three dollars (\$23.00) plus one dollar (\$1.00) for
10 each mile per hour in excess of five (5) miles per hour
11 over the legal speed limit plus assessed fees and costs;

12
13 (C) For speeds eleven (11) through twenty
14 (20) miles per hour over the legal speed limit, shall be
15 fined thirty-five dollars (\$35.00) plus four dollars
16 (\$4.00) for each mile per hour in excess of ten (10) miles
17 per hour over the legal speed limit plus assessed fees and
18 costs;

19
20 (D) For speeds more than twenty (20) miles
21 per hour over the legal speed limit, shall be fined
22 seventy-five dollars (\$75.00) plus four dollars (\$4.00) for

1 each mile per hour in excess of twenty (20) miles per hour
2 over the legal speed limit plus assessed fees and costs.

3
4 (vii) Every person convicted of a violation of
5 W.S. 31-5-301(b)(ii) or speeding in a construction zone:

6
7 (A) For speeds less than six (6) miles per
8 hour over the legal speed limit, shall be fined fifty-one
9 dollars (\$51.00) plus one dollar (\$1.00) for each mile per
10 hour in excess of the legal speed limit plus the assessed
11 training fee under W.S. 31-5-1201(h);

12
13 (B) For speeds six (6) through ten (10)
14 miles per hour over the legal speed limit, shall be fined
15 thirty-five dollars (\$35.00) plus five dollars (\$5.00) for
16 each mile per hour in excess of five (5) miles per hour
17 over the legal speed limit plus assessed fees and costs;

18
19 (C) For speeds eleven (11) through twenty
20 (20) miles per hour over the legal speed limit, shall be
21 fined seventy-five dollars (\$75.00) plus five dollars
22 (\$5.00) for each mile per hour in excess of ten (10) miles

1 per hour over the legal speed limit plus assessed fees and
2 costs;

3
4 (D) For speeds more than twenty (20) miles
5 per hour over the legal speed limit, shall be fined one
6 hundred fifty-five dollars (\$155.00) plus five dollars
7 (\$5.00) for each mile per hour in excess of twenty (20)
8 miles per hour over the legal speed limit plus assessed
9 fees and costs.

10
11 (viii) Every person convicted of a violation of
12 speeding in a school zone under W.S. 31-5-301(b)(i):

13
14 (A) For speeds less than six (6) miles per
15 hour over the legal speed limit, shall be fined thirty-nine
16 dollars (\$39.00) plus one dollar (\$1.00) for each mile per
17 hour in excess of the legal speed limit plus the assessed
18 training fee under W.S. 31-5-1201(h);

19
20 (B) For speeds six (6) through ten (10)
21 miles per hour over the legal speed limit, shall be fined
22 seventy-five dollars (\$75.00) plus eight dollars (\$8.00)

1 for each mile per hour in excess of five (5) miles per hour
2 over the legal speed limit plus assessed fees and costs;

3
4 (C) For speeds more than ten (10) miles per
5 hour over the legal speed limit, shall be fined one hundred
6 fifty-five dollars (\$155.00) plus eight dollars (\$8.00) for
7 each mile per hour in excess of ten (10) miles per hour
8 over the legal speed limit plus assessed fees and costs;

9
10 (D) Upon any subsequent conviction of
11 exceeding the legal speed limit in a school zone as
12 provided in W.S. 31-5-301(b) (i) by more than ten (10) miles
13 per hour within one (1) year, a person shall be fined not
14 less than three hundred fifteen dollars (\$315.00) nor more
15 than eight hundred dollars (\$800.00) plus assessed fees and
16 costs.

17
18 (e) Any person convicted of a violation of W.S.
19 31-5-507(a) ~~or convicted of exceeding the posted speed~~
20 ~~limit in a school zone as provided in W.S. 31-5-301(b)(i)~~
21 ~~by more than ten (10) miles per hour~~ shall be fined not
22 less than ~~two hundred dollars (\$200.00)~~ one hundred
23 fifty-five dollars (\$155.00) nor more than ~~seven hundred~~

1 ~~fifty dollars (\$750.00)~~ six hundred dollars (\$600.00) plus
2 assessed fees and costs. Upon any subsequent conviction of
3 ~~either~~ a violation of W.S. 31-5-507(a) ~~or a conviction of~~
4 ~~exceeding the posted speed limit in a school zone as~~
5 ~~provided in W.S. 31-5-301(b)(i) by more than ten (10) miles~~
6 ~~per hour~~ within one (1) year, a person shall be fined not
7 less than ~~four hundred dollars (\$400.00)~~ three hundred
8 fifteen dollars (\$315.00) nor more than ~~one thousand~~
9 ~~dollars (\$1,000.00)~~ eight hundred dollars (\$800.00) plus
10 assessed fees and costs.

11

12 (g) In addition to any other penalty, every person
13 convicted of violating W.S. 31-5-301(b) ~~, (iii), (iv), (vi),~~
14 ~~(vii) or~~ (c) or 31-5-302 by exceeding the ~~posted~~ legal
15 speed limit by six (6) or more miles per hour, while
16 operating a vehicle or combination of vehicles with a gross
17 vehicle weight or gross vehicle weight rating exceeding
18 thirty-nine thousand (39,000) pounds shall be fined ~~three~~
19 ~~hundred dollars (\$300.00)~~ two hundred thirty-five dollars
20 (\$235.00) plus assessed fees and costs.

21

22 (h) Every person convicted of a violation for which a
23 fine or penalty is set forth under this section shall have

1 imposed in addition to the prescribed fine or penalty and
2 any court fees a police officer continuing education and
3 training fee of five dollars (\$5.00). The fee shall be for
4 police officer as defined in W.S. 31-5-102(a)(xxxi)
5 continuing education and training that complies with
6 standards promulgated by the peace officers standards and
7 training commission and shall be remitted as provided by
8 W.S. 5-3-205(a)(iii) and 5-9-144 to the account in the
9 enterprise fund under W.S. 9-1-633(n).

10
11 **Section 2.** W.S. 31-5-1201(d)(i) through (iii) is
12 repealed.

13
14 **Section 3.** This act is effective July 1, 2018.

15
16 (END)