

SENATE FILE NO. SF0120

Driver's licenses-unauthorized alien restrictions.

Sponsored by: Senator(s) Bouchard, Biteman, French, Hutchings, Kinskey, Kolb, Laursen, D, McKeown, Salazar and Steinmetz and Representative(s) Bear, Haroldson, Heiner, Jennings, Knapp, Rodriguez-Williams, Ward and Winter

A BILL

for

1 AN ACT relating to driver's licenses; specifying that
2 driver's licenses and driving operating privilege cards
3 issued by other jurisdictions to unauthorized aliens are
4 invalid; providing a definition; providing a penalty;
5 making conforming amendments; requiring rulemaking; and
6 provide for effective dates.

7

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

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10 **Section 1.** W.S. 31-7-143 is created to read:

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12 **31-7-143. Unauthorized aliens; invalid out-of-state**
13 **driver's licenses and driving operating privilege cards.**

1

2 (a) Any driver's license or driving operating
3 privilege card issued by another jurisdiction exclusively
4 to unauthorized aliens or any driver's license or driving
5 operating privilege card that is substantially similar to
6 driver's licenses or driving operating privilege cards
7 issued to United States citizens or permanent resident
8 aliens that has markings establishing that the license or
9 card holder did not provide proof of lawful presence shall
10 be deemed invalid in this state.

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12 (b) As used in this section, "unauthorized alien"
13 means a person who is not lawfully admitted in the United
14 States for permanent residence or who is not authorized to
15 be employed in the United States.

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17 **Section 2.** W.S. 31-7-107(a)(i) through (iii) and (v)
18 and 31-7-134(a) and (c) are amended to read:

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20 **31-7-107. Persons exempted.**

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22 (a) The following persons are exempt from the
23 licensing requirement under this act:

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2 (i) Any employee of the United States government
3 while operating a motor vehicle owned by or leased to the
4 United States government and being operated on official
5 business unless the employee is required by the United
6 States government or any agency thereof to have a state
7 driver's license and the state driver's license is not
8 invalid under W.S. 31-7-143(a);

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10 (ii) A nonresident who has in his immediate
11 possession a valid license issued to him by the licensing
12 authority in his place of residence, if the nonresident's
13 license is not invalid under W.S. 31-7-143(a);

14

15 (iii) A nonresident on active duty in the armed
16 forces of the United States who has a valid license issued
17 by his state of residence and the nonresident's spouse or
18 dependent son or daughter who has a valid license issued by
19 the person's state of residence, if the nonresident's
20 license is not invalid under W.S. 31-7-143(a);

21

22 (v) A nonresident full-time student at the
23 University of Wyoming, a Wyoming community college, a

1 school licensed in this state offering post-secondary
2 education or at a parochial, church or religious school as
3 defined by W.S. 21-4-101(a)(iv) offering post secondary
4 education, who has in his immediate possession a valid
5 license issued to him by the licensing authority of his
6 place of residence, if the nonresident's license is not
7 invalid under W.S. 31-7-143(a);

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9 **31-7-134. Driving while license cancelled, suspended,**
10 **invalid or revoked.**

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12 (a) No person shall drive a motor vehicle on any
13 public highway in this state at a time when his driver's
14 license, from this or any other jurisdiction, or
15 nonresident operating privileges are cancelled, suspended,
16 invalid or revoked under this act or any other law. Except
17 as provided in subsection (c) of this section, a person
18 convicted of violating this section is guilty of a
19 misdemeanor punishable by a fine of not more than seven
20 hundred fifty dollars (\$750.00), by imprisonment for not
21 more than six (6) months, or both.

22

1 (c) A person convicted of a subsequent violation of
2 subsection (a) of this section or other substantially
3 similar law of any other jurisdiction for driving during
4 the same period of cancellation, suspension or revocation
5 giving rise to the previous conviction, or a person
6 convicted of driving during invalidation or a period of
7 cancellation, suspension or revocation arising from a
8 previous conviction under W.S. 31-5-229, ~~or~~ 31-5-233 or
9 31-7-143 or other substantially similar law of any other
10 jurisdiction, is guilty of a misdemeanor and shall be
11 imprisoned for not less than seven (7) days nor more than
12 six (6) months and shall not be eligible for probation or
13 suspension of sentence or release on any other basis until
14 he has served at least seven (7) days in jail. In addition,
15 the person shall be fined not less than two hundred dollars
16 (\$200.00) nor more than seven hundred fifty dollars
17 (\$750.00). Notwithstanding any other provision of law, any
18 person under the age of twenty-one (21) years convicted of
19 being in control of a vehicle in this state with an alcohol
20 concentration of between two one-hundredths of one percent
21 (0.02%) and the amount specified in W.S. 31-5-233(b)(i)
22 shall not be punished by imprisonment of at least seven (7)
23 days in jail as otherwise provided under this section, but

