

HOUSE BILL NO. HB0027

Posting of restrictions on roads & lands.

Sponsored by: Representative(s) Sadler, Boswell, Cohee,
Deegan, Esquibel, Gay, Landon, Lockhart,
McGraw, McMurtrey, Meyer, Nelson, Petersen,
Robinson, Rose, Thompson, Tipton, Tomassi
and Warren

A BILL

for

1 AN ACT relating to public roads and public lands;
2 prohibiting the improper posting of restrictions on public
3 roads and lands as specified; providing definitions;
4 providing penalties; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 24-1-133 and 36-1-119 are created to
9 read:

10

11 **24-1-133. Posting notice of restrictions to public**
12 **roads and adjacent lands; restrictions; penalties.**

13

14 (a) No person shall post a notice on a public road or
15 on adjacent private land purporting to restrict access to

1 that road unless the restriction has been approved by the
2 governing body having jurisdiction over the road.

3

4 (b) For purposes of this section "public road" means
5 any passageway to which the landowner or governing body has
6 granted lawful public access or legal public easement.

7

8 (c) Any person who improperly posts a notice in
9 violation of subsection (a) of this section shall, after
10 investigation by the governing body or law enforcement
11 officer, be issued a citation in person or by certified
12 mail return receipt requested, for a first violation
13 requiring removal of the notice. If the notice is not
14 removed as required within three (3) days after the
15 citation is issued, the person cited is guilty of a
16 misdemeanor and upon conviction is subject to a fine of not
17 more than six hundred dollars (\$600.00), up to six (6)
18 months in jail, or both. If the person does not remove the
19 notice as required, each subsequent day shall constitute a
20 separate violation of subsection (a) of this section. If
21 the person again improperly posts the same public road with
22 a notice in violation of subsection (a) of this section a
23 citation shall be issued and each day the notice is posted
24 after the citation is issued shall constitute a separate

1 violation. For purposes of this section, a citation shall
2 be deemed to be issued on the date of receipt.

3

4 (d) It shall be an affirmative defense to a charge
5 under this section, that severe weather or other
6 circumstance not within control of the person charged
7 prevented removal of the notice.

8

9 **36-1-119. Posting notice of restrictions to public**
10 **lands; restrictions; penalties.**

11

12 (a) No person shall post a notice on any public land
13 or on adjacent private land purporting to restrict access
14 to the public land unless the restriction has been approved
15 by the governing body having jurisdiction over the public
16 land.

17

18 (b) For purposes of this section "public land" means
19 any land under the jurisdiction of the board of land
20 commissioners or under the jurisdiction of any political
21 subdivision of the state which the public is authorized to
22 use without obtaining legal permission from a private
23 landowner.

24

1 (c) Any person who improperly posts a notice in
2 violation of subsection (a) of this section shall, after
3 investigation by the governing body or law enforcement
4 officer, be issued a citation in person or by certified
5 mail return receipt requested, for a first violation
6 requiring removal of the notice. If the notice is not
7 removed as required within three (3) days after the
8 citation is issued, the person cited is guilty of a
9 misdemeanor and upon conviction is subject to a fine of not
10 more than six hundred dollars (\$600.00), up to six (6)
11 months in jail, or both. If the person does not remove the
12 notice as required, each subsequent day shall constitute a
13 separate violation of subsection (a) of this section. If
14 the person again improperly posts the same public land with
15 a notice in violation of subsection (a) of this section a
16 citation shall be issued and each day the notice is posted
17 after the citation is issued shall constitute a separate
18 violation. For purposes of this section a citation shall
19 be deemed to be issued on the date of receipt.

20

21 (d) It shall be an affirmative defense to a charge
22 under this section, that severe weather or other
23 circumstance not within control of the person charged
24 prevented removal of the notice.

1

2 **Section 2.** This act is effective July 1, 2002.

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4

(END)