

HOUSE BILL NO. HB0080

Graduated driver's permits.

Sponsored by: Representative(s) Tipton, Edwards and
Wasserburger and Senator(s) Anderson, J.

A BILL

for

1 AN ACT relating to motor vehicles; providing for graduated
2 driver's permits for certain minors; specifying conditions;
3 specifying exceptions; amending definitions; conforming
4 provisions; repealing void provisions; 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. 31-7-102 (a) (xxv), 31-7-108 (a),
10 31-7-109(d) by creating a new paragraph (vii), 31-7-110(a),
11 (f) and by creating a new subsection (g), 31-7-113(a) by
12 creating a new subsection (xi), 31-7-117(f) (i) and (ii),
13 31-7-126 and 31-7-304(a) (ii) (C) are amended to read:

14

15 **31-7-102. Definitions.**

16

1 (a) As used in this act:

2

3 (xxv) "License", "driver's license", "commercial
4 driver's license", ~~or~~ "instruction permit" or "intermediate
5 permit" means ~~any~~a license or permit secured by a person
6 from the division, in accordance with this act which grants
7 the privilege to drive or operate a motor vehicle on the
8 public highways, streets and roads of this state;

9

10 **31-7-108. Persons not to be licensed; investigation**
11 **by the division.**

12

13 (a) No driver's license shall be issued to any person
14 who is under the age of ~~sixteen (16)~~ eighteen (18) years,
15 except as provided in W.S. 31-7-110 and 31-7-117(c).

16

17 **31-7-109. Classes of licenses.**

18

19 (d) Licensing classification plan:

20

21 (vii) Class "I2" indicates an intermediate
22 permit issued pursuant to W.S. 31-7-110(g).

23

24 **31-7-110. Instruction and temporary driver's permits.**

1

2 (a) Any person who is at least fifteen (15) years of
3 age may apply to the division for an instruction permit.
4 The division, after the applicant has successfully passed
5 all parts of the examination other than the driving test,
6 may issue to the applicant an instruction permit which
7 entitles the applicant while having the permit in his
8 immediate possession to drive a specified type or class of
9 motor vehicle for a period of one (1) year when accompanied
10 by a person at least ~~eighteen (18)~~ twenty-one (21) years of
11 age who holds a valid driver's license and has been
12 licensed as a driver for the type or class of vehicle being
13 used for at least ~~one (1) year~~ three (3) years, who is fit
14 and capable of exercising control over the vehicle and who
15 is occupying a seat beside the driver. This subsection ~~does~~
16 and subsections (f) and (g) of this section do not apply to
17 motorcycle instruction permits.

18

19 (f) Any person who is at least fourteen (14) years of
20 age and who has applied and been approved for a restricted
21 license under W.S. 31-7-117(c), shall apply to the division
22 for an instruction permit. The division, after the
23 applicant has successfully passed all parts of the
24 examination other than the driving test, may issue to the

1 applicant an instruction permit which entitles the
2 applicant while having the permit in his immediate
3 possession to drive a class "C" motor vehicle for a period
4 of sixty (60) days when accompanied by a person at least
5 ~~eighteen (18)~~ twenty-one (21) years of age who holds a
6 valid driver's license and has been licensed as a driver
7 for a class "C" vehicle for at least ~~one (1) year~~ three (3)
8 years, who is fit and capable of exercising control over
9 the vehicle and who is occupying a seat beside the driver.

10
11 (g) Any person, who is at least sixteen (16) years of
12 age and has held an instruction permit pursuant to
13 subsection (a) of this section or a similar permit from
14 another jurisdiction and has completed a driver's education
15 course approved by the appropriate school district as
16 evidenced by a passing grade or a certificate or has
17 completed practice driving of at least fifty (50) actual
18 driving hours, including at least ten (10) hours of night
19 driving, may apply to the division for an intermediate
20 permit, valid for not more than twenty-four (24) months,
21 that entitles the applicant to drive a specified type or
22 class of motor vehicle. No permit may be issued unless a
23 parent or guardian certifies the applicant has completed
24 the practice driving requirements. Provided that when

1 operating a motor vehicle, a person with an intermediate
2 permit:

3

4 (i) May not transport more than one (1)
5 passenger under the age of twenty-one (21) who is not a
6 member of the permittee's immediate family, unless
7 accompanied by a licensed driver twenty-one (21) years of
8 age or older;

9

10 (ii) Shall only be upon a public highway between
11 the hours of 5:00 a.m. and 11:00 p.m. unless:

12

13 (A) Accompanied by a licensed driver
14 twenty-one (21) years of age or older;

15

16 (B) Required by medical necessity as
17 evidenced by a signed statement from medical personnel;

18

19 (C) Driving to or from work as evidenced by
20 a signed statement from the permittee's employer;

21

22 (D) Driving to or from school, a school
23 activity or a religious activity as evidenced by a signed

1 statement of a school or religious official or a parent or
2 guardian; or

3
4 (E) Required due to a medical emergency.

5
6 (iii) May apply for a driver's license no sooner
7 than six (6) months after obtaining an intermediate permit,
8 or three (3) months if a driver's education program
9 approved by the appropriate school district has been
10 completed, provided his permit had not been suspended or
11 revoked pursuant to W.S. 31-5-233, 31-5-234, 31-5-235,
12 31-6-108 or a similar local ordinance or a similar statute
13 or ordinance in another jurisdiction and the permittee has
14 not been convicted of a violation of W.S. 31-5-1402, a
15 similar violation in any jurisdiction, a moving violation
16 in any jurisdiction or subsection (g) of this section.

17 Provided that:

18
19 (A) Upon receiving competent evidence of a
20 conviction or permit suspension or revocation pursuant to
21 this paragraph, the division shall notify the person
22 holding the intermediate permit that he will not be able to
23 apply for a driver's license until a year from the date of

1 the conviction or until he reaches the age of eighteen (18)
2 whichever occurs first;

3

4 (B) A person who is at least sixteen (16)
5 years of age who has already obtained a valid driver's
6 license from Wyoming or another jurisdiction unless the
7 license becomes suspended or revoked shall not be subject
8 to the provisions of this section;

9

10 (C) A person who has been issued a license
11 prior to receipt of a conviction by the division shall have
12 the license cancelled and be required to reapply for an
13 intermediate permit and shall not be allowed to reapply for
14 a driver's license until six (6) months, or three (3)
15 months if a driver's education program has been completed
16 pursuant to this section, from the date of conviction or
17 until the permittee has reached the age of eighteen (18)
18 whichever occurs first unless the department determines
19 that reapplying for a license would be futile because the
20 person will be eighteen (18) years of age before the
21 application process would be accomplished;

22

23 (D) A person with an intermediate permit
24 may contest the extension of that permit by producing

1 documents to the division proving that he is not the person
 2 convicted or the conviction is not from an offense listed
 3 in, or similar to an offense listed in, this paragraph. A
 4 hearing and appeal under the Wyoming Administrative
 5 Procedure Act shall be allowed from an adverse decision
 6 regarding only the identification of the person or validity
 7 of the offense.

8

9 **31-7-113. Fees.**

10

11 (a) The following fees are imposed:

12

13 (xi) Intermediate permit..... \$15.00
 14

14

15 **31-7-117. Restricted licenses.**

16

17 (f) A person who is at least fifteen (15) years of
 18 age who holds a restricted class "C" license may drive
 19 beyond the hours and radius specified in subsection (c) of
 20 this section if the person is accompanied by a person who:

21

22 (i) Is at least ~~eighteen (18)~~ twenty-one (21)
 23 years of age;

24

1 (ii) Holds a valid driver's license and has been
2 licensed ~~to drive~~ as a driver for the type or class of
3 vehicle being used for at least ~~one (1) year~~ three (3)
4 years;

5

6 **31-7-126. Reporting of convictions and failure to**
7 **appear by courts.**

8

9 Every court having jurisdiction under any statute of this
10 state or a municipal ordinance adopted by local authority
11 regulating the driving of motor vehicles, shall forward to
12 the division within ten (10) working days from the date of
13 conviction a record of the conviction of any person in the
14 court for a violation of any of those laws or ordinances,
15 other than those regulating standing or parking of a motor
16 vehicle. ~~Each court in this state shall also forward to the~~
17 ~~division within ten (10) working days from the date of~~
18 ~~conviction a record of the conviction of any person. under~~
19 ~~nineteen (19) years of age in the court for a violation of~~
20 ~~any law regarding the possession, delivery, manufacture or~~
21 ~~use of a controlled substance or alcohol.~~ The court shall
22 also forward to the division a report of any violation by
23 any person of a written promise to appear in court as given
24 to the arresting officer upon the issuance of a traffic

1 citation and any failure to appear in court at the time
2 specified by the court. Failure of a court to forward a
3 record of conviction or violation under this section within
4 the time specified in this section from the date of
5 conviction or violation shall not affect the division's
6 authority under this act.

7

8 **31-7-304. Issuance; classifications and endorsements.**

9

10 (a) Commercial driver's licenses may be issued with
11 the following classifications and endorsements. The holder
12 of a valid commercial driver's license may drive all
13 vehicles in the class for which that license is issued and
14 all lesser classes of vehicles except motorcycles and
15 vehicles which require a separate endorsement, unless the
16 proper endorsement appears on the license:

17

18 (ii) The following driver's license endorsements
19 are special authorizations permitting the driver to operate
20 certain types of motor vehicles or transport certain types
21 of cargo if the endorsement is displayed on the driver's
22 license:

23

1 (C) "P" authorizes the driver to operate a
2 bus or any motor vehicle as defined in W.S.
3 31-7-102(a)(iii) used for the transportation of passengers,
4 providing the licensed driver has attained the age of
5 eighteen (18) years; ~~except the "P" endorsement may be
6 placed upon the license of a licensed driver between the
7 ages of sixteen (16) and eighteen (18) years who has
8 secured the approval of the school district and the
9 permission of a parent or guardian of each child to be
10 transported, thereby allowing the driver to transport
11 students to and from school;~~

12

13 **Section 2.** W.S. 31-7-108(b)(vii) is repealed.

14

15 **Section 3.** This act shall only apply to persons
16 applying for a license or permit who are under the age of
17 eighteen (18) on July 1, 2003 and who do not have a valid
18 driver's license from this state or another jurisdiction.

19

20 **Section 4.** This act is effective July 1, 2003.

21

22

(END)