

## HOUSE BILL NO. HB0195

Graduated driver's licenses-2.

Sponsored by: Representative(s) Berger, Edwards, Gentile,  
Hinckley, Iekel, Landon and Osborn and  
Senator(s) Boggs, Burns and Massie

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 (b), (f) and by creating new subsections (g) through (m),  
12 31-7-113(a) by creating a new paragraph (xi),  
13 31-7-117(f)(i) and (ii), 31-7-126 and 31-7-304(a)(ii)(C)  
14 are amended to read:

15

16       **31-7-102. Definitions.**

1

2 (a) As used in this act:

3

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

10

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

13

14 (a) No driver's license shall be issued to any person  
15 who is under the age of ~~sixteen (16)~~ seventeen (17) years,  
16 except as provided in W.S. 31-7-110 and 31-7-117(c).

17

18 **31-7-109. Classes of licenses.**

19

20 (d) Licensing classification plan:

21

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

24

1           **31-7-110. Instruction and temporary driver's permits.**

2

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

19

20           (b) Any person at least fifteen (15) years of age may  
21 apply to the division for a motorcycle instruction permit.  
22 The division, after the applicant has successfully passed a  
23 written examination and a vision test may issue to the  
24 applicant an instruction permit which entitles the

1 applicant to drive a motorcycle for a period of ninety (90)  
2 days without a passenger. If the applicant also passes a  
3 driving test, the division may issue an instruction permit  
4 which entitles the applicant to drive a motorcycle for a  
5 period of one (1) year, without a passenger. The motorcycle  
6 instruction permit for a person who is under seventeen (17)  
7 years of age shall be subject to restricted hours of  
8 operation as provided in W.S. 31-7-110(h)(ii)(B) through  
9 (E).

10  
11 (f) Any person who is at least fourteen (14) years of  
12 age and who has applied and been approved for a restricted  
13 license under W.S. 31-7-117(c), shall apply to the division  
14 for an instruction permit. The division, after the  
15 applicant has successfully passed all parts of the  
16 examination other than the driving test, may issue to the  
17 applicant an instruction permit which entitles the  
18 applicant while having the permit in his immediate  
19 possession to drive a class "C" motor vehicle for a period  
20 of sixty (60) days when accompanied by a person at least  
21 ~~eighteen (18)~~ twenty-one (21) years of age who holds a  
22 valid driver's license and has been licensed as a driver  
23 for a class "C" vehicle for at least ~~one (1) year~~ two (2)

1 years, who is fit and capable of exercising control over  
2 the vehicle and who is occupying a seat beside the driver.

3

4 (g) Any person, who is at least sixteen (16) years of  
5 age and has held an instruction permit pursuant to  
6 subsection (a) or (f) of this section, or in the case of an  
7 applicant for an intermediate motorcycle permit an  
8 instruction permit pursuant to subsection (b) of this  
9 section, or a similar permit from another jurisdiction and  
10 has completed practice driving of at least fifty (50)  
11 actual driving hours, including at least ten (10) hours of  
12 night driving, may apply to the division for an  
13 intermediate permit that entitles the applicant to drive a  
14 specified type or class of motor vehicle. No permit may be  
15 issued unless a parent or guardian certifies the applicant  
16 has completed the practice driving requirements.

17

18 (h) A person operating a motor vehicle, other than a  
19 motorcycle, with an intermediate permit:

20

21 (i) May not transport more than three (3)  
22 passengers under the age of twenty-one (21) who are not  
23 members of the permittee's immediate family, provided the  
24 driver and all passengers wear a properly adjusted and

1 fastened safety belt and unless accompanied by a person at  
2 least twenty-one (21) years of age who holds a valid  
3 driver's license and has been licensed as a driver for the  
4 type or class of vehicle being used for at least two (2)  
5 years;

6  
7 (ii) Shall only be upon a public highway between  
8 the hours of 5:00 a.m. and 11:00 p.m. unless:

9  
10 (A) Accompanied by a person at least  
11 twenty-one (21) years of age who holds a valid driver's  
12 license and has been licensed as a driver for the type or  
13 class of vehicle being used for at least two (2) years;

14  
15 (B) Required by medical necessity as  
16 evidenced by a signed statement from medical personnel;

17  
18 (C) Driving to or from work as evidenced by  
19 a signed statement from the permittee's employer;

20  
21 (D) Driving to or from school, a school  
22 activity, an organized youth sports activity or a religious  
23 activity as evidenced by a signed statement of a school or

1 religious official or, a sport activity adult leader, a  
2 parent or guardian; or

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

5  
6 (j) A person with an intermediate motorcycle permit  
7 shall not operate the motorcycle with any passenger and  
8 shall be subject to the restrictions provided in subsection  
9 (h) (ii) (B) through (E) of this section.

10  
11 (k) The division shall suspend for a period of thirty  
12 (30) days the intermediate operating permit of any person  
13 violating any provision of subsection (h) or (j) of this  
14 section.

15  
16 (m) Records of convictions or license suspensions  
17 under subsection (h) or (j) of this section shall not be  
18 made a part of the abstracts or records kept by the  
19 department of transportation pursuant to W.S. 31-5-1214 or  
20 31-7-120. Any records maintained by the department for  
21 administration of this section shall be maintained  
22 separately and shall not be available for public inspection  
23 except for inspection by any law enforcement officer or  
24 agency to enforce the provisions of this section. Any

1 driver's license suspension or related records under  
 2 subsection (h) or (j) of this section shall not be the  
 3 basis for any increase in insurance premiums or the  
 4 cancellation of any insurance policy for a minor or his  
 5 parents affected by this section.

6

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

8

9 (a) The following fees are imposed:

10

11 (xi) Intermediate permit..... \$15.00

12

13 **31-7-117. Restricted licenses.**

14

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

19

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

22



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~~ two (2) years;

4  
5           **31-7-126. Reporting of convictions and failure to**  
6 **appear by courts.**

7  
8 Every court having jurisdiction under any statute of this  
9 state or a municipal ordinance adopted by local authority  
10 regulating the driving of motor vehicles, shall forward to  
11 the division within ten (10) working days from the date of  
12 conviction a record of the conviction of any person in the  
13 court for a violation of any of those laws or ordinances,  
14 other than those regulating standing or parking of a motor  
15 vehicle. ~~Each court in this state shall also forward to the~~  
16 ~~division within ten (10) working days from the date of~~  
17 ~~conviction a record of the conviction of any person under~~  
18 ~~nineteen (19) years of age in the court for a violation of~~  
19 ~~any law regarding the possession, delivery, manufacture or~~  
20 ~~use of a controlled substance or alcohol.~~ The court shall  
21 also forward to the division a report of any violation by  
22 any person of a written promise to appear in court as given  
23 to the arresting officer upon the issuance of a traffic  
24 citation and any failure to appear in court at the time

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

6

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

8

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

16

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

22

23 (C) "P" authorizes the driver to operate a  
24 bus or any motor vehicle as defined in W.S.

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

10  
11 **Section 2.** W.S. 31-7-108(b)(vii) is repealed.

12  
13 **Section 3.** This act shall only apply to persons  
14 applying for a license or permit who are under the age of  
15 seventeen (17) on September 16, 2004 and who do not have a  
16 valid driver's license from this state or another  
17 jurisdiction.

18  
19 **Section 4.** This act is effective July 1, 2004.

20  
21 (END)