

HOUSE BILL NO. HB0250

Theft of fuel.

Sponsored by: Representative(s) Meuli

A BILL

for

1 AN ACT relating to crimes and offenses; providing penalties
2 for theft of fuel; providing for suspension of driver's
3 license on conviction of theft of fuel; and providing for
4 an effective date.

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

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8 **Section 1.** W.S. 6-3-402(c) and by creating a new
9 subsection (f) and 31-7-128(a)(intro), (ii)(B) and by
10 creating a new paragraph (iii) are amended to read:

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12 **6-3-402. Larceny; livestock rustling; theft of fuel;**
13 **penalties.**

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15 (c) Except as provided by subsection (e) and (f) of
16 this section, larceny is:

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1 (f) A person who causes a motor vehicle to leave the
2 premises of an establishment at which motor vehicle fuel is
3 offered for retail sale without the offender making full
4 payment for motor fuel that was dispensed into the fuel
5 tank of a motor vehicle or into another container is guilty
6 of larceny. Any person convicted under this section shall
7 have his driver's license suspended pursuant to W.S.
8 31-7-128. The court shall forward to the department of
9 transportation a copy of the record pertaining to
10 disposition of the arrest or citation. In addition:

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12 (i) A first conviction under this subsection is
13 punishable by a fine of not more than one thousand dollars
14 (\$1,000.00), imprisonment for not more than six (6) months,
15 or both;

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17 (ii) A second conviction under this subsection is
18 punishable by a fine of not more than two thousand dollars
19 (\$2,000.00), imprisonment for not more than six (6) months,
20 or both;

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22 (iii) A third or subsequent conviction under this
23 subsection is punishable by a fine of not more than two

1 thousand dollars (\$2,000.00), imprisonment for not more
2 than one (1) year, or both.

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4 **31-7-128. Mandatory suspension of license or**
5 **nonresident operating privilege for certain violations;**
6 **suspension of registration.**

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8 (a) The division shall suspend the license or
9 nonresident operating privilege of any driver upon
10 receiving a record of the driver's conviction under W.S.
11 31-5-229 or 6-3-402(f), a similar local ordinance or a
12 similar statute or ordinance in another jurisdiction for:

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14 (ii) Six (6) months, if the person has been
15 previously convicted once under W.S. 31-5-229, a similar
16 ordinance or a similar statute or ordinance in another
17 jurisdiction within the five (5) year period preceding:

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19 (B) The date of conviction at issue; ~~or~~ or

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21 (iii) Six (6) months for each second or
22 subsequent conviction under W.S. 6-3-402(f).

1 **Section 2.** This act is effective July 1, 2005.

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(END)