

**WORKING DRAFT**

SENATE FILE NO. \_\_\_\_\_

Theft of fuel.

Sponsored by: Senator(s) Meier

A BILL

for

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

5

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

7

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

11

12 **6-3-402. Larceny; livestock rustling; penalties.**

13

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

1

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

12

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

17

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

22

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

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

3  
4 31-7-128. Mandatory suspension of license or  
5 nonresident operating privilege for certain violations;  
6 suspension of registration.

7  
8 (n) Upon receiving a record of conviction under W.S.  
9 6-3-402(f), the division shall suspend a license or permit  
10 of the driver as follows:

11  
12 (i) For a period of ninety (90) days for a first  
13 offense;

14  
15 (ii) For a period of six (6) months for a second  
16 offense;

17  
18 (iii) For a period of one (1) year for a third  
19 or any subsequent conviction.

20  
21 **Section 2.** This act is effective July 1, 2006.

22  
23 (END)