

HOUSE BILL NO. HB0135

Vehicle impoundment.

Sponsored by: Representative(s) Hallinan and Senator(s) Fecht

A BILL

for

1 AN ACT relating to driving while under the influence;  
2 providing for impoundment of a motor vehicle; and providing  
3 for an effective date.

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

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7 **Section 1.** W.S. 31-5-233 by creating a new subsection  
8 (m) is amended to read:

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10 **31-5-233. Driving or having control of vehicle while**  
11 **under influence of intoxicating liquor or controlled**  
12 **substances; penalties.**

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14 (m) In addition to any other penalties under this  
15 section, if a person has been convicted under this section  
16 or other law prohibiting driving while under the influence

1 at least twice within the five (5) year period preceding  
2 the date of the most recent offense upon which a conviction  
3 under this section or other law prohibiting driving while  
4 under the influence is based, the vehicle being driven  
5 during the most recent offense may be seized and impounded  
6 by any law enforcement officer of the state after hearing  
7 and upon order issued by the court of original  
8 jurisdiction. A vehicle impounded under this subsection  
9 shall be impounded for the period the convicted  
10 individual's driver's license is suspended or revoked under  
11 W.S. 31-7-128(b). The vehicle shall be impounded at a place  
12 of impoundment as designated by the county commissioners of  
13 the county in which the vehicle is impounded. The removal,  
14 preservation, custody, storage and sale of vehicles  
15 impounded under this subsection are the responsibility of  
16 the county in which the vehicle is impounded. The cost of  
17 impoundment shall be paid by the convicted individual,  
18 except upon a showing before a court of competent  
19 jurisdiction that the convicted individual is indigent. If  
20 the cost of impoundment is not paid within six (6) months  
21 of the end of the term of impoundment, or if the vehicle is  
22 not claimed within six (6) months of the end of the term of  
23 impoundment, the vehicle shall be sold by the sheriff of  
24 the county in which the vehicle is impounded in accordance

1 with W.S. 31-13-108. A vehicle shall not be impounded if  
2 the vehicle was operated by the convicted individual in an  
3 illegal manner without the consent and knowledge of the  
4 owner.

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6 **Section 2.** This act is effective July 1, 2007.

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(END)