

ORIGINAL HOUSE
BILL NO. 0171

ENROLLED ACT NO. 40, HOUSE OF REPRESENTATIVES

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2007 GENERAL SESSION

AN ACT relating to crimes and offenses; providing penalties for theft of fuel; providing for suspension of driver's license upon conviction of theft of fuel; correcting an omission in a citation; and providing for an effective date.

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

Section 1. W.S. 6-3-402(c)(intro) and by creating a new subsection (f), 31-7-128(e) and by creating a new subsection (n) and 31-9-401(f) are amended to read:

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

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

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

(i) A first conviction under this subsection is punishable by a fine of not more than seven hundred fifty dollars (\$750.00), imprisonment for not more than six (6) months, or both;

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(ii) A second or subsequent conviction under this subsection is punishable by a fine of not more than one thousand dollars (\$1,000.00), imprisonment for not more than six (6) months, or both.

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

(e) Any person whose driver's license or nonresident operating privilege has been suspended shall, for a three (3) year period beginning on the date of suspension, file and maintain proof of financial responsibility as required in W.S. 31-9-401 through 31-9-414. The requirement for filing and maintaining proof of financial responsibility under this subsection does not apply to a suspension under ~~subsections~~ subsection (f), ~~and~~ (g) or (n) of this section.

(n) The division shall suspend the license or nonresident operating privilege of any driver upon receiving a record of the driver's second or subsequent conviction under W.S. 6-3-402(f), a similar local ordinance or a similar statute or ordinance in another jurisdiction for:

(i) Thirty (30) days, for the second conviction;

(ii) Ninety (90) days for the third and each subsequent conviction.

31-9-401. Suspension and revocation of license and registrations until proof maintained; when proof required.

(f) Subsections (a) through (e) of this section do not apply to the suspension of a license or nonresident operating privilege under W.S. 31-7-128(f), (g) or (n).

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk