

CORRECTED COPY

HOUSE BILL NO. HB0093

Speeding fines amendments-2.

Sponsored by: Representative(s) Winters, Kirkbride,
Lindholm, Olsen, Pelkey, Pownall, Salazar
and Stith and Senator(s) Agar, Christensen
and Nethercott

A BILL

for

1 AN ACT relating to regulation of traffic on highways;
2 amending and reorganizing provisions relating to fines and
3 fees for speeding violations; imposing a police officer
4 continuing education and training fee; 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. 5-3-205(a) by creating a new
10 paragraph (iii), 5-9-144, 9-1-633(n), 31-5-1201(d)(v), by
11 creating new paragraphs (vi) through (viii), (e), (g) and
12 by creating a new subsection (h) are amended to read:

13

1 **5-3-205. Collection of fees in advance; payment to**
2 **treasurer; liability for collection.**

3
4 (a) All fees prescribed by statute for civil
5 business, shall be collected in advance by the clerk and
6 except as otherwise provided in this section shall be paid
7 to the treasurer of the county at the end of each month.
8 The clerk shall be liable under his bond for the collection
9 and payment of such fees. The clerk shall remit:

10
11 (iii) The police officer continuing education
12 and training fee prescribed by W.S. 31-5-1201(h) to the
13 account in the enterprise fund under W.S. 9-1-633(n) at the
14 end of each month.

15
16 **5-9-144. Receipts for money paid into court.**

17
18 When any money is paid into a circuit court, a receipt for
19 said amount shall be issued promptly upon a form prescribed
20 by the Wyoming supreme court. The receipts shall be
21 prenumbered in numerical sequence. The original copy shall
22 be delivered to a payor making payment by cash or in
23 person, otherwise the original shall be attached to the

1 court file. A copy shall be filed in the office of the
2 issuing judge. The receipts shall be prenumbered by the
3 printer, and the printer shall give to the supreme court a
4 receipt showing the numbers so printed. Except as provided
5 in W.S. 5-9-106, the circuit court shall pay all fines,
6 forfeitures and other penalties to the county treasurer and
7 all fees, costs and other receipts to the state treasurer.
8 The court automation fee prescribed by W.S. 5-9-135 or
9 established by court rule shall be deposited by the state
10 treasurer into the judicial systems automation account
11 established by W.S. 5-2-120. The indigent civil legal
12 services fee prescribed by W.S. 5-9-135 shall be deposited
13 by the state treasurer into the indigent civil legal
14 services account established by W.S. 5-2-121. The police
15 officer continuing education and training fee prescribed by
16 W.S. 31-5-1201(h) shall be deposited by the state treasurer
17 into the account in the enterprise fund under W.S.
18 9-1-633(n).

19

20 **9-1-633. Wyoming law enforcement academy; director;**
21 **appointment; term; qualifications; employees; salaries;**
22 **curriculum and training programs; fees; disposition.**

23

1 (n) Revenues received pursuant to subsections (e),
2 (f), (g), (j) and (m) of this section and W.S. 9-1-635 and
3 31-5-1201(h) shall be credited to an account in the
4 enterprise fund and are continuously appropriated to the
5 attorney general to be expended for the actual direct and
6 indirect costs of providing the services ~~generating for~~
7 which the revenues are generated.

8
9 **31-5-1201. Violation of provisions to constitute**
10 **misdemeanor; penalties; officer training fee.**

11
12 (d) Except as provided in subsection (g) of this
13 section:

14
15 (v) Notwithstanding W.S. 5-9-107, court fees and
16 costs for violations of W.S. 31-5-301(b) ~~(iii), (iv), (vi)~~
17 ~~or (vii)~~ or (c) shall not be assessed for speeds ~~up to~~
18 through five (5) miles per hour over the speed limits
19 authorized by W.S. 31-5-301(b) ~~(iii), (iv), (vi) or (vii).~~
20 or (c);

21

1 (vi) Except for violations in construction or
2 school zones, every person convicted of a violation of W.S.
3 31-5-301(b)(iii), (iv), (vi), (vii) or (c):

4
5 (A) For speeds less than six (6) miles per
6 hour over the legal speed limit, shall be fined five
7 dollars (\$5.00) for each mile per hour in excess of the
8 legal speed limit not to exceed twenty-five dollars
9 (\$25.00) plus the assessed training fee under W.S.
10 31-5-1201(h);

11
12 (B) For speeds six (6) through ten (10)
13 miles per hour over the legal speed limit, shall be fined
14 thirty dollars (\$30.00) plus two dollars (\$2.00) for each
15 mile per hour in excess of five (5) miles per hour over the
16 legal speed limit plus assessed fees and costs;

17
18 (C) For speeds eleven (11) through twenty
19 (20) miles per hour over the legal speed limit, shall be
20 fined forty-five dollars (\$45.00) plus five dollars (\$5.00)
21 for each mile per hour in excess of ten (10) miles per hour
22 over the legal speed limit plus assessed fees and costs;

23

1 (D) For speeds more than twenty (20) miles
2 per hour over the legal speed limit, shall be fined
3 ninety-five dollars (\$95.00) plus five dollars (\$5.00) for
4 each mile per hour in excess of twenty (20) miles per hour
5 over the legal speed limit plus assessed fees and costs.

6
7 (vii) Every person convicted of a violation of
8 W.S. 31-5-301(b)(ii) or speeding in a construction zone:

9
10 (A) For speeds less than six (6) miles per
11 hour over the legal speed limit, shall be fined sixty-five
12 dollars (\$65.00) plus two dollars (\$2.00) for each mile per
13 hour in excess of the legal speed limit plus the assessed
14 training fee under W.S. 31-5-1201(h);

15
16 (B) For speeds six (6) through ten (10)
17 miles per hour over the legal speed limit, shall be fined
18 forty dollars (\$40.00) plus seven dollars (\$7.00) for each
19 mile per hour in excess of five (5) miles per hour over the
20 legal speed limit plus assessed fees and costs;

21
22 (C) For speeds eleven (11) through twenty
23 (20) miles per hour over the legal speed limit, shall be

1 fined ninety-five dollars (\$95.00) plus seven dollars
2 (\$7.00) for each mile per hour in excess of ten (10) miles
3 per hour over the legal speed limit plus assessed fees and
4 costs;

5
6 (D) For speeds more than twenty (20) miles
7 per hour over the legal speed limit, shall be fined one
8 hundred ninety-five dollars (\$195.00) plus seven dollars
9 (\$7.00) for each mile per hour in excess of twenty (20)
10 miles per hour over the legal speed limit plus assessed
11 fees and costs.

12
13 (viii) Every person convicted of a violation of
14 speeding in a school zone under W.S. 31-5-301(b)(i):

15
16 (A) For speeds less than six (6) miles per
17 hour over the legal speed limit, shall be fined fifty
18 dollars (\$50.00) plus two dollars (\$2.00) for each mile per
19 hour in excess of the legal speed limit plus the assessed
20 training fee under W.S. 31-5-1201(h);

21
22 (B) For speeds six (6) through ten (10)
23 miles per hour over the legal speed limit, shall be fined

1 ninety-five dollars (\$95.00) plus ten dollars (\$10.00) for
2 each mile per hour in excess of five (5) miles per hour
3 over the legal speed limit plus assessed fees and costs;

4
5 (C) For speeds more than ten (10) miles per
6 hour over the legal speed limit, shall be fined two hundred
7 dollars (\$200.00) plus ten dollars (\$10.00) for each mile
8 per hour in excess of ten (10) miles per hour over the
9 legal speed limit plus assessed fees and costs;

10
11 (D) Upon any subsequent conviction of
12 exceeding the legal speed limit in a school zone as
13 provided in W.S. 31-5-301(b)(i) by more than ten (10) miles
14 per hour within one (1) year, a person shall be fined not
15 less than three hundred ninety-five dollars (\$395.00) nor
16 more than one thousand dollars (\$1,000.00) plus assessed
17 fees and costs.

18
19 (e) Any person convicted of a violation of W.S.
20 31-5-507(a) ~~or convicted of exceeding the posted speed~~
21 ~~limit in a school zone as provided in W.S. 31-5-301(b)(i)~~
22 ~~by more than ten (10) miles per hour~~ shall be fined not
23 less than ~~two hundred dollars (\$200.00)~~ one hundred

1 ninety-five dollars (\$195.00) nor more than ~~seven hundred~~
2 ~~fifty dollars (\$750.00)~~ seven hundred forty-five dollars
3 (\$745.00) plus assessed fees and costs. Upon any subsequent
4 conviction of ~~either~~ a violation of W.S. 31-5-507(a) ~~or a~~
5 ~~conviction of exceeding the posted speed limit in a school~~
6 ~~zone as provided in W.S. 31-5-301(b)(i) by more than ten~~
7 ~~(10) miles per hour~~ within one (1) year, a person shall be
8 fined not less than ~~four hundred dollars (\$400.00)~~ three
9 hundred ninety-five dollars (\$395.00) nor more than ~~one~~
10 ~~thousand dollars (\$1,000.00)~~ nine hundred ninety-five
11 dollars (\$995.00) plus assessed fees and costs.

12

13 (g) In addition to any other penalty, every person
14 convicted of violating W.S. 31-5-301(b) ~~, (iii), (iv), (vi),~~
15 ~~(vii) or~~ (c) or 31-5-302 by exceeding the ~~posted~~ legal
16 speed limit by six (6) or more miles per hour, while
17 operating a vehicle or combination of vehicles with a gross
18 vehicle weight or gross vehicle weight rating exceeding
19 thirty-nine thousand (39,000) pounds shall be fined ~~three~~
20 ~~hundred dollars (\$300.00)~~ two hundred ninety-five dollars
21 (\$295.00) plus assessed fees and costs.

22

