

## SUMMARY OF TRAFFIC LAW CHANGES July, 2011

**W.S. 31-5-301 MAXIMUM SPEED LIMITS:** Effective July 1, 2004, the following speeding violations for Wyoming drivers will be entered on the driving record as follows:

**PERSONAL VEHICLE:**

POSTED SPEED	DRIVING SPEED	DRIVING RECORD ACTION
75 mph	76-79 mph	WILL NOT go on the record
	80 mph or more	WILL go on record and count towards Suspension
65 mph	66-79 mph	WILL NOT go on the record
	80 mph or more	WILL go on record and count towards Suspension (and Disqualification for CDL license holders in their personal vehicle*)
60 mph	61-65 mph	WILL NOT go on the record
	66 mph or more	WILL go on record and count towards Suspension
55 mph	56-60 mph	WILL NOT go on the record
	61 mph or more	WILL go on record and count towards Suspension

**COMMERCIAL VEHICLE:** All speeding violations in a commercial vehicle will go on the driving record. Violations of fifteen (15) miles per hour or more over the posted speed limit will count towards a disqualification. *\*Note: Violations in the personal vehicle of a CDL holder may also count towards disqualification.*

POSTED SPEED	DRIVING SPEED	DRIVING RECORD ACTION
75 mph	76-79 mph	WILL go on for record only
	80-89 mph	WILL count towards Suspension
	90 mph or more	WILL count towards Suspension and Disqualification.
65 mph	66-79 mph	WILL go on for record only
	80 mph or more	WILL count towards Suspension and Disqualification
60 mph	61-74 mph	WILL count towards Suspension
	75 mph or more	WILL count towards Suspension and Disqualification
55 mph	56-69 mph	WILL count towards Suspension
	70 mph or more	WILL count towards Suspension and Disqualification

**W.S. 31-5-301(b)(iv) MAXIMUM SPEED LIMITS:** (Amended) Effective July 1, 2011, unless otherwise indicated, the maximum speed limit on paved roads is 65 mph, and 55 mph on unpaved roads.

**W.S. 31-7-115 (a) (iii) (K) NEXT-OF-KIN LICENSE OPTION:** (Amended) Effective January 1, 2012, a person applying for a Wyoming driver license or identification card will be given the option to designate a "next of kin" to be contacted in case of emergency. The driver license or ID card will bear a symbol which law enforcement or emergency personnel will recognize and contact the Wyoming Department of Transportation, Driver Services' program to obtain the designated name and phone number of the chosen "next of kin" for the license or ID card holder.

**W.S. 31-5-233 (m) (i) DUI-CHILD ENDANGERMENT, FINES:** (Amended) Effective July 1, 2011, a person, aged 18 yrs or older, who is convicted of Driving Under the Influence who had a child passenger (under the age of 18 yrs.) in the vehicle at the time of the DUI offense; shall be fined for a first-time conviction a sum of not more than \$750 and/or be imprisoned for not more than one (1) year.

**W.S. 31-6-102 DUI-ELIMINATION OF RIGHT TO REFUSE TEST:** (Amended) Effective July 1, 2011, a person who is arrested for Driving Under the Influence must undergo all tests required by the arresting law enforcement agency; however, the results from the test or tests shall only be used for the purposes of determining the chemical concentration and not for any other purposes.

**W.S. 31-2-213(h) MULTIPLE HANDICAP PLATES:** (Amended) Effective July 1, 2011, a person who is eligible to receive a handicap placard may also be issued a handicap vehicle license plate for each vehicle and motorcycle that is registered to the qualified person.

**W.S. 31-7-111 APPLICATION FOR A DRIVER'S LICENSE:** (Amended) Effective January 1, 2010, a person must show proof of identification, and proof of residence when applying for or renewing a Wyoming driver's license or identification card. Accepted documents to verify identity are: State-certified birth certificate, valid U.S. passport/passport card, certified Report of Birth Abroad, Certificate of Citizenship, Certificate of Naturalization, valid Permanent Resident Alien Card, valid Employment Authorization document, valid foreign passport with properly affixed VISA, OR a state-issued driver's license or identification card which complies with Federal law (must have a star on the card). Accepted documents to verify Wyoming residency are: (2 documents must be presented) Vehicle title & registration, rental/lease contract with physical address, property tax assessment, utility bill, pay stub, W-2 form, or other documents as determined by the Department of Transportation. A person must also present a document which verifies their name and social security number. Accepted documents to verify Social Security Number are: Social Security card, W-2 form, pay stub, etc. (contact your local exam office before going in to verify that the document you are bringing will be acceptable). **Effective June 1, 2011:** a person who is applying for, or renewing, a Wyoming driver license or identification card, whose name is different from that indicated on their birth certificate, must present a legal document, certified by a judge, changing the birth name. *Example:* marriage certificate, divorce decree, court order, etc.).

**W.S. 31-5-233(e); 31-7-127(a) (ii), 31-7-128(b)(ii) DRIVING WHILE UNDER THE INFLUENCE; CONVICTIONS WITHIN 10 YEARS:** (Amended) Effective July 1, 2010, "...a person who has been convicted of a second offense of Driving While Under the Influence within ten (10) years after a conviction for a violation of this section or other law prohibiting driving while under the influence ....a person who has been convicted of a third offense resulting in a conviction within ten (10) years after a conviction for a violation of this section...On a fourth offense resulting in a conviction or subsequent conviction within ten (10) years for a violation of this section..." This means that convictions for DWUI that result in suspension or revocation action will be calculated back 10 years prior for offenses after July 1, 2010 (instead of the 5 years - prior to July 1, 2010).

**W.S. 31-5-237 USE OF HANDHELD ELECTRONIC WIRELESS COMMUNICATION DEVICES FOR ELECTRONIC MESSAGING PROHIBITED:** (Amended) Effective July 1, 2010, "No person shall operate a motor vehicle on a public street or highway while using a handheld electronic wireless communication device to write, send or read a text-based communication." Exceptions: while the vehicle is legally parked; to contact an emergency response vehicle; or when using voice-operated or hands-free technology.

**W.S. 31-7-402 ISSUANCE OF IGNITION INTERLOCK RESTRICTED LICENSE; ELIGIBILITY:** (Amended) Effective July 1, 2009, a person who has been convicted of Driving Under the Influence (alcohol only) with a BAC of .15% for the first offense must install and maintain an ignition interlock device for a period of 6 months; 1 year for the second offense; 2 years for a 3<sup>rd</sup> offense; and a lifetime for a 4<sup>th</sup> or subsequent offense within a five-year period. An ignition interlock restricted license entitles the licensee to drive upon the highways of this state during the period the previously issued license was otherwise suspended or revoked, subject to the following conditions: 1) Ignition interlock devices are to be installed, at the licensee's expense, by a certified ignition interlock installer on all motor vehicles driven by the applicant; 2) licensee shall produce written verification from a certified ignition interlock installer that an ignition interlock device has been installed on a vehicle owned or operated by the licensee; 3) the driver license and driving record of anyone issued an ignition interlock license will clearly indicate that the licensee may only operate a motor vehicle equipped with a functioning ignition interlock device; and, 4) licensee must file and maintain proof of financial responsibility for the period of the restricted license.

**W.S. 31-7-404 ASSISTING ANOTHER IN DEFEATING INTERLOCK DEVICE:** (Amended) Effective July 1, 2009, a person is guilty of a misdemeanor who knowingly assists another by blowing into or by removing or circumventing an ignition interlock device. This includes starting and operating a motor vehicle to be driven by an ignition interlock-restricted licensee.

**W.S. 31-1-101 DEFINITIONS; "MULTIPURPOSE VEHICLE":** Effective January 1, 2008, a "multipurpose vehicle" is a vehicle having an identifying number, having at least four wheels, weighing 300 to 3,000 pounds and having a permanent upright seat at least 24 inches from the ground. The vehicle must be registered and plated to be operated on streets and highways, but may NOT be operated on interstate highways and is subject to slow moving vehicle requirements. The holder of any class of driver's license may drive a multipurpose vehicle. Unless the vehicle is used for agriculture purposes only, drivers who currently hold a "motorcycle" class license with an "R" restriction for an "ATV vehicle only" will not be renewed with this class and restriction as an ATV is considered a multipurpose vehicle and does not require the "M" or "R" on the license.

**W.S. 6-3-402(f) LARCENY; THEFT OF FUEL:** (Amended) Effective July 1, 2007, a person who causes a motor vehicle to leave a gas station without paying for the fuel is guilty of larceny. First conviction is a misdemeanor punishable by a fine of not more than \$750.00, not more than 6 months imprisonment, or both. A second and subsequent conviction is punishable by a fine of not more than \$1,000.00, imprisonment for not more than 6 months, or both. The driver's license of a person convicted of theft of fuel two or more times shall be suspended. The suspension of driving privileges shall be 30 days for the second conviction and 90 days for each subsequent suspension.

**W.S. 6-3-614 USE OF FALSE IDENTITY, CITIZENSHIP OR RESIDENT ALIEN DOCUMENTS:** Effective July 1, 2007, a person is guilty of a misdemeanor, punishable by imprisonment for not more than 6 months, a fine of not more than \$1,000 or both, who intentionally uses false documents to conceal their true identity, citizenship or resident alien status to obtain access to public resources or services. An official who is presented with documents in connection with an application for a driver's license or Wyoming identification card, who has probable cause to believe that the documents are false, has the authority to seize and retain the documents. All documents seized shall be delivered to a law enforcement official. If an investigation shows the documents to be real, they shall be returned to the person.