

HOUSE BILL NO. HB0052

Governmental immunity-cooperative public transportation.

Sponsored by: Joint Transportation, Highways & Military
Affairs Interim Committee

A BILL

for

1 AN ACT relating to governmental claims; extending the
2 Wyoming Governmental Claims Act to governmental entities in
3 other states that operate cooperative public transportation
4 programs in Wyoming under specified conditions; expanding
5 intergovernmental cooperation laws to include agreements
6 concerning reciprocal governmental immunity or limitations
7 of liability for cooperative public transportation
8 programs; and providing for an effective date.

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

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12 **Section 1.** W.S. 1-39-103(a)(ii), by creating a new
13 paragraph (viii) and by renumbering (viii) as (ix),
14 16-1-101 and 16-1-104 by creating a new subsection (f) are
15 amended to read:

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2 **1-39-103. Definitions.**

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4 (a) As used in this act:

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6 (ii) "Local government" means cities and towns,
7 counties, school districts, joint powers boards, airport
8 boards, public corporations, community college districts,
9 special districts and their governing bodies, all political
10 subdivisions of the state, and their agencies,
11 instrumentalities and institutions, and governmental
12 entities of another state but only while physically present
13 in the state of Wyoming and while in the course of
14 operating a cooperative public transportation program as
15 defined by W.S. 16-1-104(f);

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17 (viii) "Governmental entity of another state"
18 means any state and its political subdivisions, agencies,
19 instrumentalities and institutions and any local government
20 entity within another state;

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22 ~~(viii)~~(ix) "This act" means W.S. 1-39-101
23 through 1-39-121.

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2 **16-1-101. Authority to cooperate.**

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4 In exercising, performing or carrying out any power,
5 privilege, authority, duty or function legally vested in
6 any one (1) or more of them by Wyoming law, the state of
7 Wyoming, and any one (1) or more of its counties, municipal
8 corporations, school districts, special districts, public
9 institutions, agencies, boards, commissions and political
10 subdivisions, and any officer or legal representative of
11 any one (1) or more of them, may cooperate with and assist
12 each other, and like entities or authorities of other
13 states, the United States and the Eastern Shoshone and
14 Northern Arapaho Tribes of the Wind River Reservation.
15 Cooperation may be informal or subject to resolution,
16 ordinance or other appropriate action, and may be embodied
17 in a written agreement specifying purposes, duration, means
18 of financing, methods of operations, termination,
19 acquisition and disposition of property, employment of
20 executive and subordinate agents, reciprocity of
21 governmental immunity protections or other limitations of
22 liability pursuant to W.S. 16-1-104(f) and other
23 appropriate provisions.

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2 **16-1-104. Joint powers, functions and facilities;**
3 **city-county airport board; eligible senior citizen centers;**
4 **cooperative public transportation programs.**

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6 (f) An agency may enter into an agreement with any
7 governmental entity of another state, as defined in W.S.
8 1-39-103(a)(viii), for purposes of operating a cooperative
9 public transportation program to transport passengers on
10 one (1) or more routes beginning in, ending in or passing
11 through Wyoming. Any agreement entered into under this
12 subsection shall only apply to the operation of a
13 cooperative public transportation program and shall be
14 conditioned upon the other state extending or agreeing to
15 extend its governmental immunity or other limitations of
16 liability to any governmental entity of Wyoming while
17 operating a cooperative public transportation program. As
18 used in this subsection, "cooperative public transportation
19 program" means a not-for-profit program designed to
20 transport passengers to and from work or to another
21 location on a regularly scheduled basis using vehicles
22 operated by an agency or a governmental entity of another
23 state.

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Section 2. This act is effective July 1, 2017.

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(END)