

ENROLLED ACT NO. 56, HOUSE OF REPRESENTATIVES

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2018 BUDGET SESSION

AN ACT relating to regulation of traffic on highways; amending and reorganizing provisions relating to fines and fees for speeding violations; imposing a police officer continuing education and training fee; and providing for an effective date.

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

Section 1. W.S. 5-3-205(a) by creating a new paragraph (iii), 5-9-144, 9-1-633(n), 31-5-1201(d)(v), by creating new paragraphs (vi) through (viii), (e), (g) and by creating a new subsection (h) are amended to read:

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

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

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

5-9-144. Receipts for money paid into court.

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

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

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

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

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

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

(v) Notwithstanding W.S. 5-9-107, court fees and costs for violations of W.S. 31-5-301(b) ~~(iii), (iv), (vi) or (vii)~~ or (c) and the training fee imposed under subsection (h) of this section shall not be assessed for speeds ~~up to~~ through five (5) miles per hour over the speed limits authorized by W.S. 31-5-301(b) ~~(iii), (iv), (vi) or (vii)~~. or (c);

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

(A) For speeds less than six (6) miles per hour over the legal speed limit, shall be fined five dollars (\$5.00) for each mile per hour in excess of the legal speed limit not to exceed twenty-five dollars (\$25.00);

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

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

(D) For speeds more than twenty (20) miles per hour over the legal speed limit, shall be fined

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ninety-five dollars (\$95.00) plus five dollars (\$5.00) for each mile per hour in excess of twenty (20) miles per hour over the legal speed limit plus assessed fees and costs.

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

(A) For speeds less than six (6) miles per hour over the legal speed limit, shall be fined sixty-five dollars (\$65.00) plus two dollars (\$2.00) for each mile per hour in excess of the legal speed limit;

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

(C) For speeds eleven (11) through twenty (20) miles per hour over the legal speed limit, shall be fined ninety-five dollars (\$95.00) plus seven dollars (\$7.00) for each mile per hour in excess of ten (10) miles per hour over the legal speed limit plus assessed fees and costs;

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

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

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(A) For speeds less than six (6) miles per hour over the legal speed limit, shall be fined fifty dollars (\$50.00) plus two dollars (\$2.00) for each mile per hour in excess of the legal speed limit;

(B) For speeds six (6) through ten (10) miles per hour over the legal speed limit, shall be fined ninety-five dollars (\$95.00) plus ten dollars (\$10.00) for each mile per hour in excess of five (5) miles per hour over the legal speed limit plus assessed fees and costs;

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

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

(e) Any person convicted of a violation of W.S. 31-5-507(a) ~~or convicted of exceeding the posted speed limit in a school zone as provided in W.S. 31-5-301(b) (i) by more than ten (10) miles per hour~~ shall be fined not less than ~~two hundred dollars (\$200.00)~~ one hundred ninety-five dollars (\$195.00) nor more than ~~seven hundred fifty dollars (\$750.00)~~ seven hundred forty-five dollars (\$745.00) plus assessed fees and costs. Upon any subsequent conviction of ~~either a violation of W.S. 31-5-507(a) or a conviction of exceeding the posted speed limit in a school~~

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~~zone as provided in W.S. 31-5-301(b)(i) by more than ten (10) miles per hour~~ within one (1) year, a person shall be fined not less than ~~four hundred dollars (\$400.00)~~ three hundred ninety-five dollars (\$395.00) nor more than ~~one thousand dollars (\$1,000.00)~~ nine hundred ninety-five dollars (\$995.00) plus assessed fees and costs.

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

(h) Every person convicted of a violation for which a fine or penalty is set forth under this section shall have imposed in addition to the prescribed fine or penalty and any court fees a police officer continuing education and training fee of five dollars (\$5.00) except as provided in paragraph (d)(v) of this section. The fee shall be for police officer as defined in W.S. 31-5-102(a)(xxiii) continuing education and training that complies with standards promulgated by the peace officers standards and training commission and shall be remitted as provided by W.S. 5-3-205(a)(iii) and 5-9-144 to the account in the enterprise fund under W.S. 9-1-633(n).

Section 2. W.S. 31-5-1201(d)(i) through (iii) is repealed.

ORIGINAL HOUSE
BILL NO. HB0093

ENGROSSED

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Section 3. This act is effective July 1, 2018.

(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