

HOUSE BILL NO. HB0140

Governmental immunity-public transportation.

Sponsored by: Representative(s) Roscoe, Byrd, Gingery,
 Illoyay, Petroff and Throne and Senator(s)
 Christensen, Dockstader, Esquibel, F. and
 Nutting

A BILL

for

1 AN ACT relating to governmental claims; extending the
 2 Wyoming Governmental Claims Act to governmental entities in
 3 other states and who operate public transportation programs
 4 in Wyoming under specified conditions; expanding
 5 intergovernmental cooperation laws to include agreements
 6 concerning governmental immunity or limitations of
 7 liability and public transportation programs; and providing
 8 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) and 16-1-101 are
 13 amended to read:

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15 **1-39-103. Definitions.**

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2 (a) As used in this act:

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4 (ii) "Local government":

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6 (A) Means cities and towns, counties,
7 school districts, joint powers boards, airport boards,
8 public corporations, community college districts, special
9 districts and their governing bodies, all political
10 subdivisions of the state, and their agencies,
11 instrumentalities and institutions;

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13 (B) Includes a governmental entity of
14 another state operating a public transportation program
15 when:

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17 (I) The other state has, by written
18 agreement entered in accordance with W.S. 16-1-101,
19 extended or agreed to extend its governmental immunity or
20 other limitations of liability to Wyoming for purposes of
21 public transportation programs; and

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23 (II) The public transportation program
24 is operated by a governmental entity in the other state and

1 a local government in this state, as defined in
2 subparagraph (A) of this paragraph, pursuant to an
3 agreement under W.S. 16-1-101, which program includes one
4 (1) or more routes beginning in, ending in or passing
5 through Wyoming. For purposes of this subparagraph,
6 "public transportation program" means a not-for-profit
7 program designed to transport passengers to and from work,
8 or to another location on a regularly scheduled basis,
9 using vehicles operated by a governmental entity.

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11 **16-1-101. Authority to cooperate.**

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13 In exercising, performing or carrying out any power,
14 privilege, authority, duty or function legally vested in
15 any one (1) or more of them by Wyoming law, the state of
16 Wyoming, and any one (1) or more of its counties, municipal
17 corporations, school districts, special districts, public
18 institutions, agencies, boards, commissions and political
19 subdivisions, and any officer or legal representative of
20 any one (1) or more of them, may cooperate with and assist
21 each other, and like entities or authorities of other
22 states, the United States and the Eastern Shoshone and
23 Northern Arapaho Tribes of the Wind River Reservation.
24 Cooperation may be informal or subject to resolution,

1 ordinance or other appropriate action, and may be embodied
2 in a written agreement specifying purposes, duration, means
3 of financing, methods of operations, termination,
4 acquisition and disposition of property, employment of
5 executive and subordinate agents, reciprocation of
6 governmental immunity protections or other limitations of
7 liability with respect to public transportation programs as
8 defined in W.S. 1-39-103(a)(ii)(B) and other appropriate
9 provisions.

10

11 **Section 2.** This act is effective July 1, 2011.

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13

(END)