

HOUSE BILL NO. HB0272

Mountain biking-decals.

Sponsored by: Representative(s) Sommers, Allen, Gierau and Pelkey and Senator(s) Agar, Boner, Driskill and Hicks

A BILL

for

1 AN ACT relating to mountain bikes; requiring decals for
2 mountain bikes used on public lands; providing for issuance
3 of decals as specified; imposing a penalty; establishing
4 fees; assigning duties to the Wyoming game and fish
5 department; establishing accounts; providing definitions;
6 and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 31-2-901 through 31-2-903 are created
11 to read:

12

13

ARTICLE 9

14

MOUNTAIN BIKING

15

1 **31-2-901. Definitions.**

2

3 (a) As used in this article:

4

5 (i) "Department" means the Wyoming game and fish
6 department;

7

8 (ii) "Mountain bike" means every vehicle
9 propelled solely by human power upon which any person may
10 ride, having two (2) tandem wheels, including mountain
11 bicycles, road bicycles, hybrid bicycles or any other
12 bicycle operated on public lands;

13

14 (iii) "Public lands" means lands within the
15 boundaries of the state, title to which is held by this
16 state or the federal government, including any off-road
17 trails, routes, paths, roads or open areas but shall not
18 include any state highway or any street, alley or road
19 maintained by a city or county.

20

21 **31-2-902. Decal for mountain bike; penalty;**
22 **authorized selling agents.**

23

1 (a) No person shall operate a mountain bike on public
2 lands without first obtaining a numbered decal issued under
3 this article. The numbered decal shall be displayed on the
4 mountain bike or, upon request, by electronic means.

5

6 (b) Any person may purchase a numbered decal from the
7 department including through electronic licensing or an
8 authorized selling agent for an annual fee of fifteen
9 dollars (\$15.00). Each numbered decal issued under this
10 article is effective for the calendar year and shall expire
11 on December 31 of the year in which the decal is issued.

12

13 (c) For a voluntary fee of fifteen dollars (\$15.00),
14 any person may purchase an unnumbered decal from the
15 department including through electronic licensing or an
16 authorized selling agent.

17

18 (d) Any person who operates a mountain bike on public
19 lands without first obtaining a numbered decal issued under
20 this article is guilty of a misdemeanor and upon conviction
21 shall be fined not more than one hundred dollars (\$100.00).

22

1 (e) The department shall appoint authorized selling
2 agents to sell decals issued under this article. Each
3 authorized selling agent shall retain one dollar (\$1.00)
4 for each decal sold. For each decal sold, the authorized
5 selling agent shall forward to the department fourteen
6 dollars (\$14.00) of the fee collected under this section.
7 Designated employees of the department may sell decals
8 issued under this article and if decals are sold, the
9 employee shall not receive any commission on fees collected
10 under this article.

11

12 (f) The fees collected by the department from decals
13 issued under this article shall be distributed as follows:

14

15 (i) Two dollars (\$2.00) to the account created
16 by W.S. 36-4-121(r);

17

18 (ii) The remainder to the account created by
19 W.S. 23-1-501(h).

20

21 **31-2-903. Duties of the Wyoming game and fish**
22 **department.**

23

1 (a) The department shall:

2

3 (i) Provide for the design and production of the
4 decals issued under this article, which shall contain
5 language or pictures indicating fees received by the
6 department support maintaining and improving trails and
7 roads used for mountain biking on public lands and the
8 management of populations of species listed as threatened
9 or endangered under the Endangered Species Act;

10

11 (ii) Furnish a sufficient quantity of numbered
12 and unnumbered decals to each authorized selling agent;

13

14 (iii) Provide for the issuance of decals under
15 this article through the electronic licensing system
16 established pursuant to W.S. 23-1-302(a)(xiv);

17

18 (iv) Promulgate rules necessary to implement
19 this article.

20

21 **Section 2.** W.S. 23-1-501 by creating a new subsection
22 (h) and 36-4-121 by creating a new subsection (r) is
23 amended to read:

1

2 **23-1-501. Game and fish fund.**

3

4 (h) An account within the game and fish fund is
5 created. Revenues received pursuant to W.S. 31-2-902(f)
6 shall be credited to the account and are continuously
7 appropriated to the commission to be expended for the
8 design and production of mountain biking decals pursuant to
9 W.S. 31-2-902 and 31-2-903. Any funds exceeding the amount
10 necessary for the design and production of mountain biking
11 decals shall be expended for management of populations of
12 species listed as threatened or endangered under the
13 Endangered Species Act.

14

15 **36-4-121. Permits to use state parks, recreation**
16 **areas and historic sites; mountain biking trails account.**

17

18 (r) There is created the mountain biking trails
19 account. Revenues received pursuant to W.S. 31-2-902(f)
20 shall be credited to the account and are continuously
21 appropriated to the department of state parks and cultural
22 resources to be expended for maintaining and improving
23 trails or roads including Wyoming off-road recreational

1 vehicle trails used for mountain biking on public lands, as
2 defined in W.S. 31-2-901(a)(iii).

3

4 **Section 3.** The Wyoming game and fish department shall
5 adopt any rules necessary to implement this act and provide
6 for the design and production of the decals required by
7 this act on or before January 1, 2018.

8

9 **Section 4.**

10

11 (a) Except as provided in subsection (b) of this
12 section, this act is effective January 1, 2018.

13

14 (b) Section 3 of this act is effective immediately
15 upon completion of all acts necessary for a bill to become
16 law as provided by Article 4, Section 8 of the Wyoming
17 Constitution.

18

19 (END)