

S.F. No. 0092**Electronic logging devices-enforcement.**

Sponsored By: Senator(s) Agar, Anderson, Baldwin, Bebout, Hicks, Meier and Moniz and Representative(s) Allen, Blackburn, Blake, Edwards, Eklund, Flitner, Hunt, Loucks, Northrup, Pownall, Steinmetz and Winters

AN ACT relating to commercial vehicles; specifying applicability of federal rules requiring electronic logging devices in Wyoming; preventing Wyoming officers from enforcing specified federal requirements; requiring rulemaking; and providing for an effective date.

2/12/2018 Bill Number Assigned
 2/13/2018 S Received for Introduction
 2/14/2018 S Introduced and Referred to S08 - Transportation
 30-0-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Case, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Rothfuss, Scott, Von Flatern, Wasserburger

Ayes 30 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/22/2018 S08 - Transportation:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Baldwin, Christensen, Meier

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/22/2018 S Placed on General File

SF0092SS001/ADOPTED

Page 1-line 1 Delete "that" and insert "applicability of".
 Page 1-line 2 Delete "are not".
 Page 1-line 3 Delete "required under" and insert "in"; delete "law".

Page 1-line 9 Delete "a".

Page 1-line 10 Delete "subsection" and insert "subsections"; after "(f)" insert "and (g)".

Page 2-lines 1 through 14 Delete entirely and insert:

"(f) The department shall adopt rules according to this subsection prescribing the permissible operating time and other requirements of motor carrier drivers and equipment standards that allow specified motor carrier drivers in Wyoming to complete paper records of duty status and that do not require electronic logging devices (ELDs), notwithstanding requirements to make rules consistent with United States department of transportation rules and regulations as provided in subsections (a) and (c) of this section. A motor carrier driver operating in Wyoming and complying with department rules shall comprise substantial compliance with federal requirements. Department rules shall:

(i) Apply to motor carrier drivers of commercial motor vehicles, as defined in 49 CFR 390.5, within the state of Wyoming not

participating in interstate commerce who are required to keep records of duty status;

(ii) Apply to livestock and agriculture commodity haulers within the state of Wyoming hauling their own goods or participating in sanctioned rodeo, horse racing or fair events;

(iii) Apply to drivers within the state of Wyoming who use paper logs no more than eight (8) days during any thirty (30) day period or no more than ninety-six (96) days during any calendar year;

(iv) Apply to driveaway-towaway drivers within the state of Wyoming transporting a vehicle for sale, lease or repair;

(v) Apply to drivers within the state of Wyoming of vehicles manufactured or containing components manufactured before model year 2000;

(vi) Specify that nonuse of an ELD shall not invalidate any other safety inspections; and

(vii) Not prevent an individual or business entity of any kind from voluntarily complying with federal laws involving electronic logging devices.

(g) No officer, as defined in W.S. 31-5-102(a)(xxxiii) and 31-1-203(a), shall enforce any rule or regulation in Wyoming for permissible operating time and equipment standards except as provided in subsection (f) of this section and department rules promulgated according to subsection (f) of this section.". MEIER, CHAIRMAN

SF0092SW001/WITHDRAWN

2/23/2018 S COW:Passed

2/27/2018 Motion to suspend SR 8-1:Passed 30-0-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Case, Christensen, Coe, Dockstader, Driskill, Ellis, Emerich, Hastert, Hicks, Kinskey, Landen, Meier, Moniz, Nethercott, Pappas, Perkins, Peterson, Rothfuss, Scott, Von Flatern, Wasserburger

Ayes 30 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

SF0092S2001/ADOPTED

Page 2-lines 1 through 14 In the Senate standing committee amendment (SF0092SS001/A) to these lines, in paragraph (f)(iii) created by that amendment, after "Apply to" insert "motor carrier"; in paragraph (f)(v) created by that amendment, after "Apply to" insert "motor carrier"; in paragraph (f)(v) created by that amendment, after "containing" insert "two or more"; in paragraph (f)(vii) created by that amendment, delete "electronic logging devices" and insert "ELDs"; delete subsection (g) created by that amendment and insert:

"(g) No officer, as defined in W.S. 31-5-102(a)(xxxiii) or 31-1-203(a), shall enforce in Wyoming any rule or regulation that requires an electronic logging device that applies to an operator in paragraphs (f)(i) through (v) of this section, except as provided in subsection (f) of this section and department rules promulgated according to subsection (f) of this section.". MEIER

SF0092S2002/WITHDRAWN

SF0092S2003/ADOPTED

Page 2-lines 1 through 14 In the Senate standing committee amendment (SF0092SS001/A) to these lines, in paragraph (f)(ii) created by that amendment, delete "fair" and insert "agricultural". AGAR

2/27/2018 S 2nd Reading:Passed

2/28/2018 S 3rd Reading:Passed 18-12-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Baldwin, Barnard, Bebout, Boner, Bouchard, Burns, Case, Dockstader, Driskill, Hicks, Kinskey, Meier, Moniz, Peterson, Rothfuss, Scott, Wasserburger

Nays: Senator(s) Anderson, Anselmi-Dalton, Christensen, Coe, Ellis, Emerich, Hastert, Landen, Nethercott, Pappas, Perkins, Von Flatern

Ayes 18 **Nays** 12 **Excused** 0 **Absent** 0 **Conflicts** 0

3/1/2018 H Received for Introduction

3/7/2018 H Did Not Consider for Introduction