

ENROLLED ACT NO. 42, HOUSE OF REPRESENTATIVES

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2025 GENERAL SESSION

AN ACT relating to motor vehicles; amending grounds for disqualification from driving a commercial motor vehicle for persons under twenty-one (21) years of age; authorizing expunged records to be considered for purposes of disqualification from driving a commercial motor vehicle as specified; adding violations that qualify as serious traffic violations; authorizing the department to waive examinations for a commercial driver's license applicant as specified; providing rulemaking authority; and providing for effective dates.

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

Section 1. W.S. 31-7-102(a)(xli)(D), (G) through (J) and by creating new subparagraphs (K) and (M), 31-7-114(g), 31-7-120(b) and 31-7-305(a)(viii), by creating a new paragraph (ix), by renumbering (ix) as (x) and (q) are amended to read:

31-7-102. Definitions.

(a) As used in this act:

(xli) "Serious traffic violation" means any one (1) of the following:

(D) Improper or erratic lane changes;

(G) Driving a commercial vehicle without obtaining a commercial driver's license or a commercial learner's permit;

(H) Driving a commercial motor vehicle without a commercial driver's license or a commercial learner's permit in the driver's possession. ~~An individual~~

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A person shall not be guilty of a violation of this subparagraph if the ~~individual~~person provides proof prior to or at a court or administrative hearing establishing that the ~~individual~~person held a valid commercial driver's license or a commercial learner's permit on the date of the citation;~~or~~

(J) Driving a commercial motor vehicle without the proper class of commercial driver's license or commercial learner's permit or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported;~~or~~

(K) A violation of state or local law relating to motor vehicle traffic control that prohibits using an electronic wireless communication device to write, send or read text-based communication while driving a commercial motor vehicle;

(M) A violation of state or local law relating to motor vehicle traffic control that restricts or prohibits the in-hand use of a hand held electronic wireless communication device while driving a commercial motor vehicle.

31-7-114. Examinations; visual acuity.

(g) The department may waive the knowledge test, skills test or both, specified in subsection (e) of this section for a commercial driver license applicant who meets the requirements contained in rules and regulations of the department which shall at a minimum include the requirements designated in rules and regulations of the United States department of transportation.

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31-7-120. Records to be kept by division; exceptions.

(b) Notwithstanding subsection (a) of this section, the division shall, twelve (12) months after conviction, expunge the record relating to the suspension of a driver's license of a minor pursuant to W.S. 31-7-128(f) for the violation of any law or ordinance relating to the possession or consumption of a controlled substance or alcohol, except a violation of W.S. 31-5-233. For any person whose records of a driver's license suspension were expunged under this subsection, the suspension under this subsection is deemed not to have occurred and the ~~individual~~ person may reply accordingly upon any inquiry in the matter. Notwithstanding W.S. 31-5-1214, records of suspensions under W.S. 31-7-128(f) shall not be made available for public inspection except for inspection by any law enforcement officer or agency. Any driver's license suspension or related records under this subsection shall not be the basis for any increase in insurance premiums or the cancellation of any insurance policy for a minor or his parents affected by this section. The expunged records relating to the suspension of a driver's license of a minor may be considered for purposes of disqualification from driving a commercial motor vehicle under W.S. 31-7-305.

31-7-305. Disqualification and cancellation; right to a hearing.

(a) Any person is disqualified from driving a commercial motor vehicle for a period of not less than one (1) year if convicted of a first violation arising from separate incidents of:

(viii) Driving or being in actual physical control of a motor vehicle while the alcohol concentration

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of the person's blood, breath or other bodily substance is eight one-hundredths of one percent (0.08%) or more; ~~or~~

(ix) Driving or being in actual physical control of a motor vehicle while the alcohol concentration of the person's blood, breath or other bodily substance is two one-hundredths of one percent (0.02%) or more if the person is under twenty-one (21) years of age and the person holds a valid commercial driver's license or commercial learner's permit at the time of the offense; or

~~(ix)~~(x) Violating any local ordinance or state law in another jurisdiction which is substantially similar to any of the violations listed in this subsection.

(q) Upon the department receiving credible information that the holder of a commercial driver's license or commercial learner's permit is suspected of obtaining the license in a fraudulent manner, the state shall notify the license holder in writing at the address on file that they have thirty (30) days to contact the department and schedule retesting. The notification shall specify what tests must be retaken. If the license holder does not contact the department, does not take the test required or fails any rescheduled test, the license holder shall have his license cancelled. ~~Once cancelled, the license holder shall be required to reapply to the department to obtain and shall be disqualified from driving a commercial driver's license or commercial learner's permit~~ motor vehicle for a period of one (1) year.

Section 2. The department of transportation shall promulgate rules as necessary to implement this act.

ORIGINAL HOUSE
BILL NO. HB0028

ENGROSSED

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Section 3.

(a) Except as provided in subsection (b) of this section, this act is effective July 1, 2025.

(b) Sections 2 and 3 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(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