

HOUSE BILL NO. HB0028

Commercial driver's licenses-revisions.

Sponsored by: Joint Transportation, Highways & Military
Affairs Interim Committee

A BILL

for

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

11

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

13

14 **Section 1.** W.S. 31-7-102(a)(xli)(D), (G) through (J)
15 and by creating new subparagraphs (K) and (M), 31-7-114(g),

1 31-7-120(b) and 31-7-305(a)(viii), by creating a new
2 paragraph (ix), by renumbering (ix) as (x) and (q) are
3 amended to read:

4

5 **31-7-102. Definitions.**

6

7 (a) As used in this act:

8

9 (xli) "Serious traffic violation" means:

10

11 (D) Improper or erratic lane changes;

12

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

16

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

20 A person shall not be guilty of a violation of this
21 subparagraph if the ~~individual-person~~ provides proof prior

22 to or at a court or administrative hearing establishing

23 that the ~~individual-person~~ held a valid commercial driver's

1 license or a commercial learner's permit on the date of the
2 citation; or

3

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

9

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

15

16 (M) A violation of state or local law
17 relating to motor vehicle traffic control that restricts or
18 prohibits using a hand held electronic wireless
19 communication device while driving a commercial motor
20 vehicle.

21

22 **31-7-114. Examinations; visual acuity.**

23

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

8

9 **31-7-120. Records to be kept by division; exceptions.**

10

11 (b) Notwithstanding subsection (a) of this section,
12 the division shall, twelve (12) months after conviction,
13 expunge the record relating to the suspension of a driver's
14 license of a minor pursuant to W.S. 31-7-128(f) for the
15 violation of any law or ordinance relating to the
16 possession or consumption of a controlled substance or
17 alcohol, except a violation of W.S. 31-5-233. For any
18 person whose records of a driver's license suspension were
19 expunged under this subsection, the suspension under this
20 subsection is deemed not to have occurred and the
21 ~~individual~~-person may reply accordingly upon any inquiry in
22 the matter. Notwithstanding W.S. 31-5-1214, records of
23 suspensions under W.S. 31-7-128(f) shall not be made

1 available for public inspection except for inspection by
2 any law enforcement officer or agency. Any driver's license
3 suspension or related records under this subsection shall
4 not be the basis for any increase in insurance premiums or
5 the cancellation of any insurance policy for a minor or his
6 parents affected by this section. The expunged records
7 relating to the suspension of a driver's license of a minor
8 may be considered for purposes of disqualification from
9 driving a commercial motor vehicle under W.S. 31-7-305.

10
11 **31-7-305. Disqualification and cancellation; right to**
12 **a hearing.**

13
14 (a) Any person is disqualified from driving a
15 commercial motor vehicle for a period of not less than one
16 (1) year if convicted of a first violation arising from
17 separate incidents of:

18
19 (viii) Driving or being in actual physical
20 control of a motor vehicle while the alcohol concentration
21 of the person's blood, breath or other bodily substance is
22 eight one-hundredths of one percent (0.08%) or more; ~~or~~

23

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

8
9 ~~(ix)~~(x) Violating any local ordinance or state
10 law in another jurisdiction which is substantially similar
11 to any of the violations listed in this subsection.

12
13 (q) Upon the department receiving credible
14 information that the holder of a commercial driver's
15 license or commercial learner's permit is suspected of
16 obtaining the license in a fraudulent manner, the state
17 shall notify the license holder in writing at the address
18 on file that they have thirty (30) days to contact the
19 department and schedule retesting. The notification shall
20 specify what tests must be retaken. If the license holder
21 does not contact the department, does not take the test
22 required or fails any rescheduled test, the license holder
23 shall have his license cancelled. ~~Once cancelled, the~~

1 ~~license holder shall be required to reapply to the~~
2 ~~department to obtain~~ and shall be disqualified from driving
3 a commercial ~~driver's license or commercial learner's~~
4 ~~permit~~ motor vehicle for a period of one (1) year.

5

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

8

9 **Section 3.**

10

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

13

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

18

19 (END)