

HOUSE BILL NO. HB0116

Driver's licenses-unauthorized alien restrictions.

Sponsored by: Representative(s) Ottman, Bear, Heiner, Pendergraft, Webber and Winter and Senator(s) Kolb, Laursen, D and McKeown

A BILL

for

1 AN ACT relating to driver's licenses; specifying that
2 driver's licenses and driving operating privilege cards
3 issued by other jurisdictions to unauthorized aliens are
4 invalid in Wyoming; providing definitions; providing a
5 penalty; making conforming amendments; requiring
6 rulemaking; and provide for effective dates.

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

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10 **Section 1.** W.S. 31-7-143 is created to read:

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12 **31-7-143. Unauthorized aliens; invalid out-of-state**
13 **driver's licenses and nonresident operating privileges.**

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1 (a) Any driver's license or nonresident operating
2 privilege document issued by a jurisdiction outside Wyoming
3 to an unauthorized alien or any driver's license or
4 nonresident operating privilege document that is
5 substantially similar to a driver's license or driving
6 operating privilege card that has markings establishing
7 that the license or card holder did not provide proof of
8 lawful presence in the United States shall be deemed
9 invalid as a driver's license or operating privilege
10 document under the laws of this state.

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12 (b) As used in this section, "unauthorized alien"
13 means a person who is not a United States citizen and is
14 not lawfully admitted in the United States.

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16 **Section 2.** W.S. 31-7-107(a)(i) through (iii) and (v)
17 and 31-7-134(a) are amended to read:

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19 **31-7-107. Persons exempted.**

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21 (a) The following persons are exempt from the
22 licensing requirement under this act:

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1 (i) Any employee of the United States government
2 while operating a motor vehicle owned by or leased to the
3 United States government and being operated on official
4 business unless the employee is required by the United
5 States government or any agency thereof to have a state
6 driver's license and the state driver's license is not
7 invalid under W.S. 31-7-143(a);

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9 (ii) A nonresident who has in his immediate
10 possession a valid license issued to him by the licensing
11 authority in his place of residence, if the nonresident's
12 license is not invalid under W.S. 31-7-143(a);

13
14 (iii) A nonresident on active duty in the armed
15 forces of the United States who has a valid license issued
16 by his state of residence and the nonresident's spouse or
17 dependent son or daughter who has a valid license issued by
18 the person's state of residence, if the nonresident's
19 license is not invalid under W.S. 31-7-143(a);

20
21 (v) A nonresident full-time student at the
22 University of Wyoming, a Wyoming community college, a
23 school licensed in this state offering post-secondary

1 education or at a parochial, church or religious school as
2 defined by W.S. 21-4-101(a)(iv) offering ~~post-secondary~~
3 post-secondary education, who has in his immediate
4 possession a valid license issued to him by the licensing
5 authority of his place of residence, if the nonresident's
6 license is not invalid under W.S. 31-7-143(a);

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8 **31-7-134. Driving while license cancelled, suspended,**
9 **invalid or revoked.**

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11 (a) No person shall drive a motor vehicle on any
12 public highway in this state at a time when his driver's
13 license, from this or any other jurisdiction, or
14 nonresident operating privileges are cancelled, suspended,
15 deemed invalid or revoked under this act or any other law.
16 Except as provided in subsection (c) of this section, a
17 person convicted of violating this section is guilty of a
18 misdemeanor punishable by a fine of not more than seven
19 hundred fifty dollars (\$750.00), by imprisonment for not
20 more than six (6) months, or both.

21

22 **Section 3.** The department of transportation shall
23 promulgate any rules necessary to implement this act.

