



Certification Page Regular and Emergency Rules

Revised June 2013

Emergency Rules (After completing all of Sections 1 and 2, proceed to Section 5 below)

Regular Rules

1. General Information			
a. Agency/Board Name Wyoming Department of Transportation			
b. Agency/Board Address 5300 Bishop Boulevard	c. City Cheyenne	d. Zip Code 82009-3340	
e. Name of Contact Person Matthew White	f. Contact Telephone Number 307-777-4161		
g. Contact Email Address Matthew.White@wyo.gov	h. Adoption Date February 20, 2014		
i. Program Motor Vehicle and Licensing Section			
2. Rule Type and Information: For each chapter listed, indicate if the rule is New, Amended, or Repealed.			
If "New," provide the Enrolled Act numbers and years enacted:			
c. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed <i>(Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification)</i>			
Chapter Number: 2	Short Title: Motor Vehicle Safety Responsibility	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Repealed
Chapter Number: 3	Short Title: Antique Motor Vehicles	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Repealed
Chapter Number: 6	Short Title: Motor Vehicle Accident Prevention Courses for Liability Insurance Premium Reductions	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Repealed
Chapter Number: 9	Short Title: Veteran's License Plate Stickers	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input checked="" type="checkbox"/> Repealed
Chapter Number:	Short Title:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Short Title:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Short Title:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Short Title:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Short Title:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Short Title:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
d. <input checked="" type="checkbox"/> The Statement of Reasons is attached to this certification.			
e. If applicable, describe the emergency which requires promulgation of these rules without providing notice or an opportunity for a public hearing:			

3. State Government Notice of Intended Rulemaking

a. Date on which the Notice of Intent containing all of the information required by W.S. 16-3-103(a) was filed with the Secretary of State: December 4, 2013

b. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the Legislative Service Office: December 4, 2013

c. Date on which the Notice of Intent and proposed rules in strike and underscore format and a clean copy were provided to the Attorney General: December 4, 2013

4. Public Notice of Intended Rulemaking

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. Yes No N/A

b. A public hearing was held on the proposed rules. Yes No

If "Yes:"	Date:	Time:	City:	Location:

5. Final Filing of Rules

a. Date on which the Certification Page with original signatures and final rules were sent to the Attorney General's Office for the Governor's signature: February 24, 2014

b. Date on which final rules were sent to the Legislative Service Office: February 24, 2014

c. Date on which a PDF of the final rules was electronically sent to the Secretary of State: February 24, 2014

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual
(Blue ink as per Rules on Rules, Section 7)

Printed Name of Signatory

John F. Cox

Signatory Title

Director

Date of Signature

February 24, 2014

7. Governor's Certification

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature

Date of Signature

Attorney General: 1. Statement of Reasons; 2. Original Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: clean and strike/underscore; and 5. Memo to Governor documenting emergency (for emergency rules only).

LSO: 1. Statement of Reasons; 2. Copy of Certification Page; 3. Summary of Comments (regular rules); 4. Hard copy of rules: clean and strike/underscore; 5. Electronic copy of rules: clean and strike/underscore; and 6. Memo to Governor documenting emergency (for emergency rules only).

SOS: 1. PDF of clean copy of rules; and 2. Hard copy of Certification Page as delivered by the AG.

WYOMING DEPARTMENT OF TRANSPORTATION

STATEMENT OF REASONS

MOTOR VEHICLE AND LICENSING SECTION

NOTE: Each rule listed below is proposed for repeal based upon Governor Mead's agency directive to remove those rules not required by statute, needed to conduct agency business, or referenced elsewhere. The following rules all come from the Wyoming Department of Transportation, Rules and Regulations, Motor Vehicle and Licensing Section.

Chapter 2, Motor Vehicle Safety Responsibility

Chapter 2, *Motor Vehicle Safety Responsibility*, is a rule and regulation of the Wyoming Department of Transportation. This rule is being relocated to Section 28 of Chapter 1, Driver's Licenses.

This proposed repeal follows Governor Mead's agency directive to remove those rules not required by statute, needed to conduct agency business, or referenced elsewhere.

Chapter 3, Antique Motor Vehicles

Chapter 3, *Antique Motor Vehicles*, is a rule and regulation of the Wyoming Department of Transportation. This rule is no longer needed.

This proposed repeal follows Governor Mead's agency directive to remove those rules not required by statute, needed to conduct agency business, or referenced elsewhere.

Chapter 6, Motor Vehicle Accident Prevention Courses for Liability Insurance Premium Reductions

Chapter 6, *Motor Vehicle Accident Prevention Courses for Liability Insurance Premium Reductions*, is a rule and regulation of the Wyoming Department of Transportation. This rule is being relocated to Section 29 of Chapter 1, Driver's Licenses.

This proposed repeal follows Governor Mead's agency directive to remove those rules not required by statute, needed to conduct agency business, or referenced elsewhere.

Chapter 9, Veteran's License Plate Stickers

Chapter 9, *Veteran's License Plate Stickers*, is a rule and regulation of the Wyoming Department of Transportation. This rule is no longer needed.

This proposed repeal follows Governor Mead's agency directive to remove those rules not required by statute, needed to conduct agency business, or referenced elsewhere.

WYOMING DEPARTMENT OF TRANSPORTATION

COMMENT SUMMARY

Motor Vehicles and Licensing Section

RULES FOR REPEAL

Following is a summary of comments as submitted for:

Motor Vehicle and Licensing Section:

Chapter 2, Motor Vehicle Safety Responsibility

Chapter 3, Antique Motor Vehicles

*Chapter 6, Motor Vehicle Accident Prevention Courses for Liability Insurance
Premium Reductions*

Chapter 9, Veteran's License Plate Stickers

This action follows Governor Mead's agency mandate to reduce rules and regulations. WYDOT proposes to rescind these rules as not required by statute, not needed to conduct agency business, or referenced elsewhere.

No public comments were submitted to, or received by, the Wyoming Department of Transportation during the public comment period (December 4, 2013, through January 17, 2014).

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Motor Vehicle Safety Responsibility

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~~Motor Vehicle Safety Responsibility~~

~~CHAPTER 2~~

~~Section 1. Authority and Purpose.~~

~~These rules are adopted under the authority of W.S. 31-4-103(e), W.S. 31-8-201, and W.S. 31-9-103 and are intended to provide a uniform and understandable interpretation of the undefined portion of W.S. 31-4-103 and W.S. 31-9-101 through W.S. 31-9-415.~~

~~Section 2. Proof of Financial Responsibility.~~

~~In addition to mandatory revocations or suspensions under W.S. 31-7-127 and W.S. 31-7-128, proof of financial responsibility shall be required and maintained for all suspensions under W.S. 31-9-202.~~

~~Section 3. Insurance Cards.~~

~~(a) In addition to the requirements established in W.S. 31-8-201, all insurance providers shall indicate and identify on the face of the insurance card:~~

~~(i) The insurance provider's National Association of Insurance Commissioners (NAIC) code, and~~

~~(ii) If the provider uses a bar code on its insurance cards, the bar code shall comply with American National Standards Institute (ANSI) 2-dimensional bar code standards available through the following: <http://www.ansi.org/>. This rule includes no amendments to the standard subsequent to the effective date of July 1, 2008.~~

~~(b) In addition to the requirements established in W.S. 31-8-201, all commercial insurance providers shall also include on the face of the insurance card a statement indicating *Commercial*, *Commercial Exempt*, or other similar language indicating that the vehicle is covered under a commercial or fleet policy.~~

~~Section 4. Insurance Verification System.~~

~~(a) Sellers of motor vehicle liability policies for vehicles owned in Wyoming shall comply with the provisions of the State of Wyoming Financial Responsibility Verification Program *Web Services Program Guide for Insurers*. This guide is available at cost by contacting the Wyoming Department of Transportation, Driver Services Program, 5300 Bishop Boulevard, Cheyenne, Wyoming 82009-3340. This rule includes~~

~~no amendments or editions to the guide subsequent to the effective date of July 1, 2008.~~

- ~~(b) — This compliance requirement does not apply to:~~
 - ~~(i) — Self insurers pursuant to W.S. 31-9-414,~~
 - ~~(ii) — Self insurers pursuant to W.S. 31-9-415,~~
 - ~~(iii) — Government vehicles as described by W.S. 31-4-103(d)(ii),~~
 - ~~(iv) — Vehicles meeting the requirements of W.S. 31-9-408 and W.S. 31-9-409, or~~
 - ~~(v) — Commercial vehicles as described by W.S. 31-4-103(d)(iv).~~

~~Section 5. — **Right To Hearing.**~~

~~Any party entitled to a contested case hearing in a matter involving the Wyoming Department of Transportation shall proceed under the provisions of the Wyoming Administrative Procedures Act, W.S. 16-3-101 through W.S. 16-3-115, as amended, and the provisions of Chapter 3, Appeals and Hearings, of the General Section of Wyoming Department of Transportation Rules and Regulations, as amended.~~

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Antique Motor Vehicles

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Wyoming Department of Transportation
Antique Motor Vehicles

~~CHAPTER 3~~

~~Section 1. — Authority.~~

~~These rules of practice and procedure are promulgated by authority of W.S. 24-2-105 and W.S. 31-1-201(a).~~

~~Section 2. — Purpose of the Rules.~~

~~These rules are intended to provide a uniform and understandable interpretation of the undefined portion of W.S. 31-2-210 pertaining to antique motor vehicles and to administer procedures relating to these vehicles.~~

~~Section 3. — Definition.~~

~~For the purpose of this rule, "antique motor vehicle" means any motor vehicle that is at least 25 years old and owned solely as a collector's item (see W.S. 31-1-101[a][xv][A]).~~

~~Section 4. — Verification of Payment of Sales/Use Tax.~~

~~Proof of payment of sales/use tax shall be presented before securing the antique license plate whenever someone other than the original owner purchases the antique motor vehicle.~~

~~Section 5. — Use of an Antique Motor Vehicle.~~

~~Antique license plates may be used on antique motor vehicles owned and operated solely for the purposes of:~~

- ~~(a) — Organized antique car club activities, parades, exhibitions, tours, and other related activities;~~
- ~~(b) — Road testing before, during, or after repair;~~
- ~~(c) — Moving from one location to another for security; or~~
- ~~(d) — Driving for the sole purpose of maintaining the vehicle's running condition.~~

~~Section 6. — **Right to Hearing.** —~~

~~Any person aggrieved by a decision of the Wyoming Department of Transportation is entitled to a hearing pursuant to General Section, Chapter 3, Appeals and Hearings, of the *Wyoming Department of Transportation Rules and Regulations*.~~

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CHAPTER VI

MOTOR VEHICLE ACCIDENT PREVENTION
COURSES FOR LIABILITY INSURANCE
PREMIUM REDUCTIONS

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~~—————~~
~~—————~~ MOTOR VEHICLE ACCIDENT PREVENTION
~~—————~~ COURSES FOR LIABILITY INSURANCE
~~—————~~ PREMIUM REDUCTIONS

~~—————~~ Section 1. Authority. These Rules of Practice and Procedure are promulgated by authority of W.S. 31-1-201.

~~—————~~ Section 2. Purpose of Rules.

~~—————~~ (a) ~~—————~~ W.S. 26-14-105(C) requires the Wyoming Department of Transportation to approve motor vehicle accident prevention courses for liability insurance premium reductions. This rule sets forth the requirements for the approval of such courses.

~~—————~~ Section 3. Definitions. For the purpose of these rules, the following terms shall mean:

~~—————~~ (a) "Course" means a motor vehicle accident prevention course which is found by the Wyoming Department of Transportation to meet or exceed the standards set forth in this rule.

~~—————~~ (b) "Sponsoring agency" means an organization which has created and established an approved motor vehicle accident prevention course.

~~—————~~ (c) "Instructor" means an individual who has been approved by the sponsoring agency.

~~—————~~ (d) "Department" means the Wyoming Department of Transportation.

~~—————~~ (e) "Program Administrator" means that individual designated by the Wyoming Department of Transportation as responsible for administering the provisions of these rules.

~~—————~~ Section 4. Sponsoring Agency Approval. A sponsoring agency which proposes to offer a motor vehicle accident prevention course to the public for liability insurance premium reduction must submit a completed application for approval to conduct such course on a form prescribed by the Department and receive approval from the Program Administrator before such course can qualify for insurance premium reduction. In order to be approved, a sponsoring agency must:

~~—————~~ (a) Provide an instructor preparation course of at least six (6) hours of instruction.

~~—————~~ (b) Provide each instructor with an instructor's manual, instructional material (audio visuals), and provide student workbooks and/or manuals.

~~—————~~ Section 5. Course Approval. In order to be approved, a motor vehicle accident prevention course must:

~~—————~~ (a) Have been given for at least two (2) years and provide research documentation showing evidence of effectiveness.

~~(b) Provide a minimum of six (6) hours of classroom instruction. Such instruction must address the following subject areas:~~

~~_____ (i) Accident preventability;~~

~~_____ (ii) Defensive driving techniques;~~

~~_____ (iii) Alcohol and substance abuse and the aging process;~~

~~_____ (iv) Driver attitude; and~~

~~_____ (v) Traffic laws of the State of Wyoming.~~

~~_____ (c) Incorporate audio visual aids such as films, blackboards, magnetic boards, flip charts, slides, etc. Films, filmstrips, audio recordings, etc., shall not exceed one quarter of the total presentation time;~~

~~_____ (d) Be subjected to periodic review of administrative procedures, documentation of completions, and program monitoring; and~~

~~_____ (e) Provide to the Program Administrator a copy of an instructor's manual, course participant's manual and a description of audio visual aids utilized in the presentation of the course.~~

~~_____ Section 6. Course Instructor Approval. In order to be approved, an instructor must:~~

~~_____ (a) Have held a valid Wyoming driver's license for a period of at least two (2) consecutive years immediately prior to approval;~~

~~_____ (b) Not had his/her driving privileges suspended revoked or cancelled within the past five (5) years;~~

~~_____ Section 7. Denial, Suspension, and Withdrawal of Approval Hearing.~~

~~_____ (a) The Program Administrator may deny the approval of:~~

~~_____ (i) A course and sponsoring agency if the Program Administrator determines that such course does not meet or exceed the standards of the National Safety Council's Defensive Driving Course's classroom safety instruction program.~~

~~_____ (ii) A course and sponsoring agency, which does not meet the requirements of these rules.~~

~~_____ (b) The Program Administrator shall suspend the approval of a course and sponsoring agency for a period of not less than thirty 30 days nor more than ninety 90 days pending an investigation and hearing.~~

~~(i) The Program Administrator shall suspend the approval of a course and sponsoring agency if it is determined that there has been a failure to comply with any provision of this Rule.~~

~~(c) Upon the denial or suspension of approval, the Program Administrator shall notify the sponsoring agency of such action in writing, including the specific grounds for such action, and shall further advise of the date, time, and location of a hearing regarding such action. Such hearing shall be scheduled not less than fifteen (15) days from the date of the notice of action and shall be conducted by the Department Administrator. Within 10 days from the date of such hearing the Department Administrator shall notify the respondent in writing of the decision to deny or withdraw approval. The decision of the Department Administrator shall be reviewed by the Department of Transportation, at the written request of the respondent received within fifteen 15 days from the date of the decision. The written request shall state the specific grounds upon which the review is being requested.~~

~~(d) The provisions of the "Administrative Procedures Act", and all amendments thereof, shall apply to and govern all proceedings for the judicial review of the final administrative decision.~~

~~Section 8. Sponsoring Agency Course Administration. An approved sponsoring agency must:~~

~~(a) Perform all administrative functions in connection with the course in accordance with the rules and regulations established by the Department;~~

~~(b) Authorize the Department to audit the records of the approved course and to monitor and evaluate any and all portions of the course, use of instructional material, and the presentation of the course;~~

~~(c) Advertise its course in compliance with the requirements set forth in Section 9 of this Rule; and~~

~~(d) Provide a copy of a completion certificate for the purpose of verifying course completion and submission to insurance companies.~~

~~(e) Provide and train instructors to conduct an approved course.~~

~~Section 9. Course Advertising.~~

~~(a) The Department reserves the right to review and approve all advertising. Sponsoring agencies will be held responsible for all advertising.~~

~~(b) Advertising by a sponsoring agency approved to administer or conduct an approved course must conform with the following:~~

~~(i) It may not use or allow the use of advertising which portrays the agency as a representative or employee of or, any other way associated with the Department;~~

~~(ii) It may make no false or misleading claims or statements in any of its advertising relating to insurance premium reduction, or program effectiveness and benefits;~~

~~(iii) At least one (1) form of printed advertising must provide the course fee or fee schedule; and~~

~~(iv) All advertising must indicate that the agency and course has been and is currently approved by the Wyoming Department of Transportation.~~

~~(d) Failure to comply or false advertising may be grounds for suspension under provision of Section 7.~~

~~Section 10. Records of Certification of Course Completion. A sponsoring agency will be responsible for maintaining records on all individuals completing its motor vehicle accident prevention course for liability insurance premium reduction, in a manner which will facilitate the ease of verifying an individual's certification of completion to the Program Administrator.~~

~~(a) The record shall be maintained for the period of the individual's certification.~~

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Veteran's License Plate Stickers

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Wyoming Department of Transportation
~~Veteran's License Plate Stickers~~

CHAPTER 9

~~Section 1. — Authority and Purpose.~~

~~These rules of practice and procedure are promulgated by authority of W.S. 24-2-105 and W.S. 31-1-201(a). The rules are intended to provide uniform and understandable interpretation of the undefined portions of W.S. 31-2-204(b), W.S. 31-2-215(d), W.S. 31-2-216(h), and W.S. 31-2-217(h) pertaining to veteran's stickers on license plates and to administer procedures relating to these veteran's stickers.~~

~~Section 2. — Definitions.~~

~~(a) — "Commission" means the Wyoming Veterans' Affairs Commission.~~

~~(b) — "Conflict service" includes World War II, the Korean War, the Vietnam War, and the Gulf War.~~

~~(c) — "Department" means the Wyoming Department of Transportation (WYDOT).~~

~~(d) — "Veteran's sticker" means a laminated sticker of a material approved by the Department and containing the word *veteran* and the conflict service for display on license plates produced by the Department.~~

~~Section 3. — Distribution of Veteran's Stickers.~~

~~(a) — The Department shall produce and sell veteran's stickers to the Commission upon application as provided by law.~~

~~(b) — The Commission shall establish eligibility criteria for veterans applying for license plate stickers.~~

~~Section 4. — Applying Veteran's Stickers to License Plates.~~

~~(a) — Veteran's stickers for standard sized 12 inch by 6 inch license plates shall be applied to the lower left hand corner of the plate. The sticker bottom shall be parallel to the bottom of the plate and the left hand edge shall be parallel to the left hand side of the plate.~~

~~(b) Veteran's stickers for 7-inch by 3-inch motorcycle plates shall be applied to the top center of the license plate. The sticker top shall be parallel to the top of the license plate.~~