

HOUSE BILL NO. HB0208

Highway safety incentive program.

Sponsored by: Representative(s) Blackburn

A BILL

for

1 AN ACT relating to motor vehicles; creating the highway
2 safety incentive program; specifying eligibility; creating
3 an account; requiring rulemaking; requiring reporting; and
4 providing for an effective date.

5

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

7

8 **Section 1.** W.S. 31-5-1801 through 31-5-1803 are
9 created to read:

10

11

ARTICLE 18

12

HIGHWAY SAFETY INCENTIVE PROGRAM

13

14

31-5-1801. Highway safety incentive program.

15

1 (a) The department shall administer a highway safety
2 incentive program to award two hundred fifty thousand
3 dollars (\$250,000.00) per calendar quarter to a qualified
4 entrant as follows:

5

6 (i) Awards shall only be made in quarters when
7 the highway safety incentive account created by
8 W.S. 31-5-1803 contains sufficient funds to award the full
9 two hundred fifty thousand dollars (\$250,000.00) incentive;

10

11 (ii) Awards shall only be made in years when the
12 number of highway fatalities in the immediately preceding
13 year were reduced by at least ten percent (10%) from the
14 prior year;

15

16 (iii) The program shall permanently cease to
17 operate when the number of annual highway fatalities is
18 reduced to ten (10) or fewer fatalities per one hundred
19 thousand (100,000) licensed drivers for two (2) consecutive
20 years.

21

22 (b) Quarterly, beginning on January 1, 2021 and
23 continuing on each April 1, July 1, October 1 and January 1

1 thereafter, and under the conditions prescribed under
2 subsection (a) of this section, the department shall select
3 an incentive award winner from the qualified entrants using
4 a random method of selection.

5

6 (c) The department shall create an online system for
7 qualified entrants to register and pay an entry fee. The
8 system shall facilitate:

9

10 (i) The electronic compilation of qualified
11 entrants;

12

13 (ii) Verification of an entrant's
14 qualifications;

15

16 (iii) A secure, random selection process
17 calculated to ensure the integrity of the system.

18

19 (d) No incentive award or any portion of an incentive
20 award or any right of any person to an incentive award
21 shall be assignable. Any award or any portion of an award
22 remaining unpaid at the death of an award winner shall be
23 paid to the estate of the deceased award winner or to the

1 trustee of a trust established by the deceased award winner
2 as settlor.

3

4 (e) The department shall promulgate rules to
5 administer the highway safety incentive program under
6 W.S. 31-5-1801 through 31-5-1803.

7

8 **31-5-1802. Qualified entrants; fees.**

9

10 (a) A person is a qualified entrant in the highway
11 safety incentive program who:

12

13 (i) Has resided in Wyoming for at least twelve
14 (12) consecutive months immediately preceding registration;

15

16 (ii) Holds a valid Wyoming driver's license;

17

18 (iii) Has not received a citation for exceeding
19 the speed limit, reckless or careless driving, use of a
20 handheld electronic wireless communication device or not
21 wearing a safety belt for at least twelve (12) consecutive
22 months immediately preceding registration. If the person
23 has received any citation under this paragraph, after at

1 least twelve (12) consecutive months after the citation the
2 person must complete an online safety course approved by
3 the department not less than thirty (30) days before the
4 selection date for which the person intends to register;

5

6 (iv) Has not received a citation for driving or
7 having control of a vehicle while under the influence of
8 intoxicating liquor or a controlled substance for at least
9 seven (7) years immediately preceding registration. If the
10 person has received any citation under this paragraph,
11 after at least seven (7) years after the citation the
12 person must complete an online safety course approved by
13 the department not less than thirty (30) days before the
14 selection date for which the person intends to register;

15

16 (v) Not less than one (1) day before the
17 intended award selection date, registers and pays an entry
18 fee of ten dollars (\$10.00) online through the system
19 created under W.S. 31-5-1801(c); and

20

21 (vi) Has not been selected to receive an
22 incentive award within the previous four (4) quarters in
23 which the program selected an award winner.

1

2 (b) Every qualified entrant shall acknowledge at the
3 time of registration and payment that the entry fee is
4 nonrefundable and shall carry over to the next award
5 selection date if no selection is held for that quarter.

6

7 (c) No qualified entrant may register more than five
8 (5) times per quarter. A payment that carries over from a
9 previous quarter shall be considered a registration for the
10 next quarter for purposes of this subsection.

11

12 (d) No officer, employee or member of the department
13 or commission nor any spouse, child, brother, sister or
14 parent residing as a member of the same household in the
15 principal place of residence of any officer, employee or
16 member of the department or commission may qualify as an
17 entrant in the highway safety incentive program or be paid
18 any highway safety incentive award.

19

20 **31-5-1803. Highway safety incentive account;**
21 **administration.**

22

1 (a) There is created the highway safety incentive
2 account into which shall be deposited revenues as provided
3 by law. Earnings from funds in the account shall be
4 credited to the account. Funds in the account are
5 continuously appropriated to the department and shall only
6 be expended pursuant to W.S. 31-5-1801 through 31-5-1803
7 and department rules.

8
9 (b) The monies the department collects under W.S.
10 31-5-1802(a)(vi) shall not be general revenues of the state
11 and shall be held by the department in the highway safety
12 incentive account to award pursuant to W.S. 31-5-1801
13 through 31-5-1803 and department rules.

14
15 (c) The department shall report the balance of the
16 account and the incentive award monies paid each fiscal
17 year to the joint transportation, highways and military
18 affairs interim committee.

19
20 (d) Before the department selects any qualified
21 entrant to receive an incentive award, the department shall
22 ascertain that sufficient funds are available in the
23 account. In any quarter that no monies are awarded the

1 unexpended, unobligated funds shall carry over to the next
2 selection quarter.

3

4 (e) Not more than four (4) awards of two hundred
5 fifty thousand dollars (\$250,000.00) each shall be paid in
6 any one (1) calendar year.

7

8 (f) The department shall deduct one percent (1%) of
9 the total monies collected to cover its administrative
10 expenses and costs, which amount shall be remitted to the
11 treasurer for credit to the general fund.

12

13 **Section 2.** W.S. 6-7-101(a)(iii) by creating a new
14 subparagraph (M) and 31-5-102(a)(lix) are amended to read:

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16 **6-7-101. Definitions.**

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18 (a) As used in this article:

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20 (iii) "Gambling" means risking any property for
21 gain contingent in whole or in part upon lot, chance, the
22 operation of a gambling device or the happening or outcome
23 of an event, including a sporting event, over which the

1 person taking a risk has no control, but does not include
2 any of the following:

3

4 (M) The highway safety incentive award
5 pursuant to W.S. 31-5-1801 through 31-5-1803.

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

8

9 (a) Except as otherwise provided, as used in this
10 act:

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12 (lix) "This act" means W.S. 31-5-101 through
13 ~~31-5-1601~~ 31-5-1803;

14

15 **Section 3.** This act is effective July 1, 2020.

16

17

(END)