

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Interlock device petition for relief-discretionary hearing.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to motor vehicles; specifying that a court
2 has discretion to hold a hearing upon an application for
3 removal of a lifetime ignition interlock device
4 requirement; specifying applicability; and providing for an
5 effective date.

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

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9 **Section 1.** W.S. 31-5-233(f)(v) is amended to read:

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11 **31-5-233. Driving or having control of vehicle while**
12 **under influence of intoxicating liquor or controlled**
13 **substances; penalties.**

1

2 (f) Any person convicted under this section or other
3 law prohibiting driving while under the influence as
4 defined in W.S. 31-5-233(a)(v), or whose prosecution under
5 this section is deferred under W.S. 7-13-301, shall, in
6 addition to the penalty imposed:

7

8 (v) For a fourth or subsequent conviction,
9 operate only vehicles equipped with an ignition interlock
10 device, pursuant to W.S. 31-7-401 through 31-7-404, for the
11 remainder of the offender's life, except five (5) years
12 from the date of conviction and every five (5) years
13 thereafter, the offender may apply to the court for removal
14 of the ignition interlock device required by this
15 paragraph. The court may, in its discretion, hold a hearing
16 on the application for removal under this paragraph. The
17 court may, for good cause shown, remove the ignition
18 interlock device requirement if the offender has not been
19 subsequently convicted of driving a motor vehicle in
20 violation of this section or other law prohibiting driving
21 while under the influence as defined in W.S. 31-5-
22 233(a)(v).

23

1 **Section 2.** This act shall apply to all applications
2 for removal of an ignition interlock device requirement
3 under W.S. 31-5-233(f)(v) that are filed on and after the
4 effective date of this act.

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6 **Section 3.** This act is effective July 1, 2023.

7

8 (END)