



FACT SHEET

WYOMING LEGISLATIVE SERVICE OFFICE

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WYOMING DUI PROVISIONS

Table 1, below, depicts the statutory information relating to DUI charges for both Standard and Commercial Driver Licenses (CDL) within the State of Wyoming, including length of potential jail sentence, possible fines, length of license suspension, interlock device requirements, proof of financial responsibility requirements and sentence enhancements due to elevated blood alcohol content.

Table 1. Wyoming DUI Provisions.

Offense Description	Jail Sentence	Fine	License Suspension	Interlock Device	SR22 Insurance (Proof of Financial Responsibility)	Elevated Blood Alcohol Content (BAC)
<i>Standard Driver License</i>						
First Offense in ten (10) years (Misdemeanor)	Up to six (6) months W.S. § 31-5-233(e)	Up to \$750 W.S. § 31-5-233(e)	Ninety (90)-day license suspension. ¹ W.S. §§ 31-5-233(f)(i); 31-7-128(b)(i);	Six (6) month required interlock device from the date of conviction if BAC result is 0.15% or greater. W.S. §§ 31-5-233(f)(i) & (ii);	Required for three (3) years. W.S. §§ 31-5-233(f)(i); 31-7-127(c); 31-7-128(e)	BAC result of (0.15%) or more requires a vehicle equipped with an ignition interlock device for a period of six (6) months from the date of conviction. W.S. § 31-5-233(f)(ii);

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Offense Description	Jail Sentence	Fine	License Suspension	Interlock Device	SR22 Insurance (Proof of Financial Responsibility)	Elevated Blood Alcohol Content (BAC)
Second Offense in ten (10) years (Misdemeanor)	Seven (7) days to six (6) months W.S. § 31-5-233(e)	\$200 to \$750 W.S. § 31-5-233(e)	The department may issue: License <i>suspension</i> ¹ for one (1) year. W.S. §31-5-233(f)(iii); 31-7-128(b)(ii) If convicted two (2) or more times in a ten (10) year period, the license may be <i>revoked</i> ² for up to three years. W.S. §§ 31-5-233(f)(i & iv); 31-7-127(a)(ii)	After forty-five (45) days of suspension, can apply for a restricted driver's license with required interlock in vehicle for one (1) year following conviction. W.S. § 31-5-233(f)(iii); 31-7-401 (a & b)	Required for three (3) years. W.S. §§ 31-5-233(f)(i); 31-7-127(c); 31-7-128(e)	N/A
Third Offense in ten (10) years (Misdemeanor)	Thirty (30) days to six (6) months W.S. § 31-5-233(e)	\$750 to \$3000 W.S. § 31-5-233(e)	If convicted two (2) or more times in a ten (10) year period, the license is <i>revoked</i> ² for up to three years. W.S. §§ 31-5-233(f)(i & iv); 31-7-127(a)(ii)	After forty-five (45) days of suspension, can apply for a restricted driver's license with required interlock in vehicle for two (2) years following conviction. W.S. §§ 31-5-233(f)(iv) & 31-7-401 (a & b)	Required for three (3) years. W.S. §§ 31-5-233(f)(i); 31-7-127(c); 31-7-128(e)	N/A
Fourth Offense (or more) in ten (10) years (Felony)	Up to seven (7) years W.S. § 31-5-233(e)	Up to \$10,000 W.S. § 31-5-233(e)	License <i>revoked</i> ² for three (3) years. W.S. §§ 31-5-233(f)(i & v); 31-7-127(a)(ii) 31-7-127 (b)	Lifetime ignition interlock requirement; can petition the court to remove ignition interlock requirement after five (5) years. W.S. §§ 31-5-233(f)(v);	Required for three (3) years. W.S. §§ 31-5-233(f)(i); 31-7-127(c); 31-7-128(e)	N/A

Notes: ¹ Suspension of a license allows the driver to receive their old driver's license at the end of the suspension period if the license is still valid.

² Revocation of a license cancels the license validity, and the driver must be investigated through a re-licensing process before the issuance of a new license can occur.

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Offense Description	Jail Sentence	Fine	License Suspension	Interlock Device	SR22 Insurance (Proof of Financial Responsibility)	Elevated Blood Alcohol Content (BAC)
<i>CDL License¹</i>						
First Offense	N/A	N/A	Disqualified for not less than one (1) year. If carrying hazardous materials at the time of the offense, not less than three (3) years. W.S. §§ 31-7-305(a)(i); 31-7-305(b)	N/A	N/A	If 0.04% BAC or less, the driver will be placed out-of-service for twenty-four (24) hours. If 0.04% or greater, the driver will be disqualified for one (1) year to life. W.S. §§ 31-7-307 (b)(ii) and (iii)
Second (or more) Offense	N/A	N/A	May be disqualified for life. Can petition for a reduction of disqualification for ten (10) years. W.S. §§ 31-7-305(c); 31-7-305(d)	N/A	N/A	N/A

Source: LSO Staff research summary of information provided by the Department of Transportation, Driver Services Program, and Wyoming Statutes.

¹ If a CDL driver is convicted at the 0.08% BAC or greater threshold, the driver may face any of the offense sentencing for a standard driver license in addition to the CDL offense sentencing.

If you need anything further, please contact LSO Research at 777-7881.