

31-5-1201. Violation of provisions to constitute misdemeanor; penalties.

(a) It is a misdemeanor for any person to violate any of the provisions of this act or rules and regulations authorized under this act unless the violation is by this act or other law of this state declared to be a felony.

(b) Every person convicted of a misdemeanor for a violation of any of the provisions of this act or rules and regulations authorized under this act for which another penalty is not provided shall:

(i) For a first conviction be punished by a fine of not more than two hundred dollars (\$200.00), by imprisonment for not more than twenty (20) days, or both;

(ii) For a second conviction of the same offense within one (1) year thereafter, be punished by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than thirty (30) days, or both;

(iii) For a third or subsequent conviction of the same offense within one (1) year after the first conviction, be punished by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than six (6) months, or both.

(vii) For a second conviction of W.S. 31-5-301 within one (1) year thereafter, shall be fined at the discretion of the judge but not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00).

(c) Evidence of a prior conviction or convictions under subsection (a) of this section shall not be introduced during the trial of any case, but shall be introduced only after the completion of the trial for the purpose of determining the penalty to be imposed upon a conviction hereunder.

(d) Except as provided in subsection (g) of this section:

(i) Every person convicted of a violation of W.S. 31-5-301(b)(vi), for speeds of eighty-one (81) through eighty-five (85) miles per hour, W.S. 31-5-301(b)(iii), for speeds of seventy-six (76) through eighty (80) miles per hour, W.S. 31-5-301(b)(vii), for speeds of seventy-one (71) through seventy-five (75) miles per hour, or W.S. 31-5-301(b)(iv), for speeds of sixty-six (66) through seventy (70) miles per hour,

shall be fined five dollars (\$5.00) for each mile per hour in excess of the legal speed limit not to exceed twenty-five dollars (\$25.00);

~~(ii) Every person convicted of a violation of W.S. 31-5-301(b)(vii), for speeds above seventy five (75) miles per hour, or W.S. 31-5-301(b)(iv), for speeds above seventy (70) miles per hour, shall be fined twenty-five dollars (\$25.00) plus three dollars (\$3.00) per mile for each mile per hour in excess of the legal speed limit with assessed court costs;~~

~~(iii) Every person convicted of a violation of W.S. 31-5-301(b)(vi), for speeds above eighty five (85) miles per hour, or W.S. 31-5-301(b)(iii), for speeds above eighty (80) miles per hour, shall be fined at the discretion of the judge but not less than thirty-five dollars (\$35.00) nor more than the maximum penalties provided by subsection (b) of this section, with assessed court costs which shall also apply to a violation of W.S. 31-5-301(b)(vi) for speeds above eighty five (85) miles per hour or W.S. 31-5-301(b)(iii) for speeds above eighty (80) miles per hour;~~

(iv) Convictions shall not be considered pursuant to W.S. 31-7-129(a)(i) for driver license suspensions for speeding violations of less than eighty (80) miles per hour where the posted speed limit is at least sixty-five (65) miles per hour or less than six (6) miles per hour over the posted speed limit in all other instances and zones, except speeding violations in school zones, or construction zones;

(v) Notwithstanding W.S. 5-9-107, court costs for violations of W.S. 31-5-301(b)(iii), (iv), (vi) or (vii) shall not be assessed for speeds up to five (5) miles per hour over the speed limits authorized by W.S. 31-5-301(b)(iii), (iv), (vi) or (vii).

(vi) Fines for exceeding legal speed limits shall be pursuant to the Uniform Bond Schedule adopted by the Wyoming Supreme court.

(e) Any person convicted of a violation of W.S. 31-5-507(a) or convicted of exceeding the posted speed limit in a school zone as provided in W.S. 31-5-301(b)(i) by more than ten (10) miles per hour shall be fined not less than two hundred dollars (\$200.00) nor more than seven hundred fifty dollars (\$750.00). Upon any subsequent conviction of either a violation of W.S. 31-5-507(a) or a conviction of exceeding the posted

speed limit in a school zone as provided in W.S. 31-5-301(b)(i) by more than ten (10) miles per hour within one (1) year, a person shall be fined not less than four hundred dollars (\$400.00) nor more than one thousand dollars (\$1,000.00).

(f) Any person convicted of violating W.S. 31-5-229 shall be punished by a fine of not more than seven hundred fifty dollars (\$750.00), imprisonment for not more than six (6) months, or both.

(g) In addition to any other penalty, every person convicted of violating W.S. 31-5-301(b)(iii), (iv), (vi), (vii) or (c) or 31-5-302 by exceeding the posted speed limit by six (6) or more miles per hour, while operating a vehicle or combination of vehicles with a gross vehicle weight or gross vehicle weight rating exceeding thirty-nine thousand (39,000) pounds shall be fined three hundred dollars (\$300.00).