

HOUSE BILL NO. HB0228

Highway and wildlife safety studies and improvements.

Sponsored by: Representative(s) Crank, Blake, Burkhart,
MacGuire and Sommers and Senator(s) Schuler

A BILL

for

1 AN ACT relating to transportation and wildlife; providing for
2 the distribution of revenue to the wildlife conservation
3 account; authorizing and requiring a study of motor vehicle
4 collisions with big game animals on highways as specified;
5 requiring a study of big game animals killed or injured along
6 railroads as specified; authorizing wildlife conservation
7 efforts related to the transportation system as specified;
8 authorizing expenditure of funds; providing an appropriation;
9 and providing for an effective date.

10

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

12

13 **Section 1.** W.S. 9-4-601(a)(iii) is amended to read:

14

1 **9-4-601. Distribution and use; funds, accounts, cities**
2 **and towns benefited; exception for bonus payments.**

3
4 (a) All monies received by the state of Wyoming from
5 the secretary of the treasury of the United States under the
6 provisions of the act of congress of February 25, 1920 (41
7 Stat. 437, 450; 30 U.S.C. §§ 181, 191), as amended, or from
8 lessees or authorized mine operators and all monies received
9 by the state from its sale of production from federal mineral
10 leases subject to the act of congress of February 25, 1920
11 (41 Stat. 437, 450; 30 U.S.C. §§ 181, 191) as amended, except
12 as provided by subsection (b) of this section, shall be
13 deposited into an account and the first two hundred million
14 dollars (\$200,000,000.00) of revenues received in any fiscal
15 year shall be distributed by the state treasurer as provided
16 in this subsection. One percent (1%) of these revenues shall
17 be credited to the general fund as an administrative fee, and
18 the remainder shall be distributed as follows:

19
20 (iii) Except as provided by W.S. 9-4-605(a), and
21 as otherwise provided in this paragraph, twenty-six and
22 one-quarter percent (26 1/4%) to the highway fund subject to
23 allocations under W.S. 9-4-607. For fiscal ~~years 2017 and~~

1 ~~2018 funds under this paragraph shall be distributed to the~~
2 ~~general fund year 2020, nine and sixty-two hundredths percent~~
3 ~~(9.62%) of the amount of the distribution to the highway fund~~
4 ~~in this paragraph shall be distributed to the wildlife~~
5 ~~conservation account created in W.S. 31-2-231(b);~~

6
7 **Section 2.**

8
9 (a) As used in this section:

10
11 (i) "Big game animal" means as defined in W.S.
12 23-1-101(a)(i);

13
14 (ii) "Motor vehicle" means as defined in W.S.
15 26-37-102(a)(ix).

16
17 (b) Beginning July 1, 2019, the Wyoming department of
18 transportation shall study the collisions and accidents
19 involving motor vehicles and big game animals on highways in
20 Wyoming that the department of transportation, in
21 consultation with the Wyoming game and fish department,
22 determines are on wintering grounds or are migration
23 corridors for big game animals.

1

2 (c) In completing the study required under subsection
3 (b) of this section, the department of transportation, in
4 consultation with the Wyoming game and fish department, shall
5 compile data regarding:

6

7 (i) The number of motor vehicle accidents and
8 collisions involving big game animals occurring along the
9 sections of highways identified in subsection (b) of this
10 section. Data compiled under this paragraph shall include:

11

12 (A) The location of the accident or
13 collision;

14

15 (B) Any injuries to persons involved in the
16 accident or collision;

17

18 (C) Any damage to vehicles and highways
19 resulting from the accident or collision;

20

21 (D) Any damage or death to big game animals
22 involved in the accident or collision.

23

1 (ii) Any injured or deceased big game animal found
2 along the highways identified in subsection (b) of this
3 section.

4

5 (d) The study required under subsection (b) of this
6 section shall end on June 30, 2023.

7

8 (e) By July 1 of each year of the study, the department
9 of transportation, in consultation with the game and fish
10 department, shall use the data compiled in subsection (c) of
11 this section:

12

13 (i) To prepare maps of accident locations for the
14 highways identified in subsection (b) of this section;

15

16 (ii) To develop a priority list of locations along
17 the highways identified in subsection (b) of this section
18 that are at the highest risk for accidents and collisions
19 between motor vehicles and big game animals.

20

21 (f) The department of transportation shall use the
22 priority list required under paragraph (e)(ii) of this
23 section to develop wildlife conservation projects related to

1 the highways identified in subsection (b) of this section.
2 Projects may include signage, wildlife corridors, wildlife
3 crossings and game fences. No project completed under this
4 section shall include any unnecessary decoration or aesthetic
5 feature unless the feature is funded by private monetary or
6 in-kind donations to the department of transportation.

7

8 (g) Beginning July 1, 2019 and ending June 30, 2022,
9 the game and fish department, in consultation with the
10 department of transportation, shall document the number of
11 big game animals killed or injured along the section of
12 railroad line beginning in Granger, Wyoming that runs roughly
13 parallel to U.S. Highway 30 and proceeding northwesterly to
14 the Idaho state line, subject to the following:

15

16 (i) The game and fish department shall document
17 the date, location, number and species of each big game animal
18 killed or injured between October 1 and April 15 of each study
19 year;

20

21 (ii) The game and fish department and the
22 department of transportation shall review fencing along the
23 right-of-way of the section of railroad specified in this

1 subsection to ensure fencing complies with the laws of this
2 state, provided that there shall be no entry onto private
3 land without the consent of the landowner;

4

5 (iii) The compilation of data and review of
6 fencing required under this subsection shall be conducted in
7 a manner not inconsistent with federal law.

8

9 (h) Not later than October 1 of each year of the studies
10 authorized in subsections (b) and (g) of this section, the
11 department of transportation and the game and fish department
12 shall report their findings to the joint transportation,
13 highways and military affairs interim committee. The report
14 shall include a summary of the data required to be compiled
15 under this section.

16

17 **Section 3.**

18

19 (a) After funds are distributed to the wildlife
20 conservation account under W.S. 9-4-601(a)(iii) for fiscal
21 year 2020, there is appropriated five million dollars
22 (\$5,000,000.00), or as much thereof as is available from the
23 wildlife conservation account to the department of

1 transportation for the period beginning July 1, 2019 and
2 ending June 30, 2024. Notwithstanding any other provision of
3 law, funds appropriated under this section shall not be
4 transferred or expended for any other purpose and any
5 unexpended, unobligated funds remaining from this
6 appropriation shall revert as provided by law on June 30,
7 2024.

8
9 (b) For the period beginning July 1, 2021 and ending
10 June 30, 2027, from federal funds received by the state
11 pursuant to 23 U.S.C. § 148 that are not required to be
12 otherwise expended, the department of transportation shall
13 expend one million dollars (\$1,000,000.00) each fiscal year
14 as provided in subsection (c) of this section, subject to
15 receipt of matching funds required in that section.

16
17 (c) Funds appropriated or authorized for expenditure
18 under this section shall only be expended subject to the
19 following conditions:

20

21 (i) Funds shall only be expended to provide for
22 wildlife conservation efforts related to the transportation

1 system, including signage, wildlife corridors, wildlife
2 crossings and game fences;

3

4 (ii) The department of transportation and the game
5 and fish department shall develop a priority list as required
6 in section 2(f) of this act;

7

8 (iii) Funds appropriated or authorized for
9 expenditure under this section shall only be expended on
10 identified projects upon receipt of funds from the following
11 entities in the minimum matches specified:

12

13 (A) Five percent (5%) of the total project
14 cost by a city, town, county, political subdivision or any
15 other public or private entity;

16

17 (B) Twenty percent (20%) of the total project
18 cost by the game and fish department from any funds under the
19 department's authority.

20

21 (iv) Projects shall be selected from the priority
22 list prepared under section 2(f) of this act based on

1 contributions under section 3(c)(iii)(A) of this act on a
2 first-come, first-served basis.

3

4 **Section 4.** This act is effective July 1, 2019.

5

6

(END)