

ENROLLED ACT NO. 45, SENATE

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2023 GENERAL SESSION

AN ACT relating to motor vehicles; authorizing the director of the department of transportation or a local authority to designate a high occupancy vehicle lane; providing exemptions from high occupancy vehicle lane requirements; defining terms; specifying a penalty; requiring rulemaking; and providing for an effective date.

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

Section 1. W.S. 31-5-238 is created to read:

31-5-238. Designated high occupancy vehicle lanes; exceptions; penalty.

(a) The director or a local authority may designate any part of a roadway or specific lane of a roadway under the director's or local authority's jurisdiction as a high occupancy vehicle lane, except the director or a local authority may not designate the only available lane of travel in a given direction as a high occupancy vehicle lane. At no time shall a high occupancy lane be designated as a toll road.

(b) A vehicle operating in a high occupancy vehicle lane shall be a high occupancy vehicle except:

(i) Motorcycles and public transportation vehicles may operate in a high occupancy vehicle lane regardless of the number of occupants, subject to the other requirements under this act;

(ii) Any vehicle making a turn from a high occupancy vehicle lane, subject to the other requirements under this act.

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(c) The department shall implement rules to provide for the design, operation, maintenance and required signage for high occupancy vehicle lanes.

(d) Any person who operates a vehicle in a high occupancy vehicle lane that is not a high occupancy vehicle or that is not a vehicle authorized under subsection (b) of this section is guilty of a misdemeanor punishable by:

(i) For a first conviction, a fine of not more than fifty dollars (\$50.00);

(ii) For a second conviction of the same offense within one (1) year thereafter, a fine of not more than one hundred dollars (\$100.00);

(iii) For a third or subsequent conviction of the same offense within one (1) year after the first conviction, a fine of not more than one hundred fifty dollars (\$150.00).

Section 2. W.S. 31-5-102(a) by creating new paragraphs (lxix) through (lxxi) and by renumbering (lix) as (lxxii), 31-5-106(a)(iv), 31-5-201(a)(intro), (iii) and by creating a new paragraph (v) and 31-5-205(b) by creating a new paragraph (iv) are amended to read:

31-5-102. Definitions.

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

(lxix) "High occupancy vehicle" means a vehicle occupied by not fewer than two (2) persons or as provided by department rule;

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(lxx) "High occupancy vehicle lane" means any preferential lane designated for exclusive use by high occupancy vehicles at times as indicated by official traffic-control devices;

(lxxi) "Public transportation vehicle" means:

(A) A vehicle that provides transportation by bus or other conveyance to the general public with general or special service on a regular and continuing basis or that provides transportation to or from public or private primary, secondary or tertiary schools; and

(B) A vehicle that:

(I) Is owned or operated by a public entity;

(II) Is operated under a contract with a public entity; or

(III) Is operated pursuant to a license by a public entity to provide bus or school bus services to the public.

~~(lix)~~(lxxii) "This act" means W.S. 31-5-101 through 31-5-1601.+

31-5-106. Authorized emergency vehicles.

(a) Except as provided in subsection (c) of this section, the driver of an authorized emergency vehicle, when responding to an emergency call or when in pursuit of an actual or suspected violator of the law or when

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responding to but not upon returning from a fire alarm, may:

(iv) Disregard regulations governing direction of movement, high occupancy vehicle lanes or turning in specified directions.

31-5-201. Driving on right side of roadway; exceptions.

(a) Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except ~~as follows~~ for any of the following:

(iii) Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable thereon; ~~or~~

(v) Upon a roadway designated and signposted as a high occupancy vehicle lane.

31-5-205. Additional limitations on driving on the left; exceptions.

(b) Subsection (a) of this section does not apply:

(iv) Upon a roadway designated and signposted as a high occupancy vehicle lane.

ORIGINAL SENATE
FILE NO. SF0021

ENGROSSED

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk