

ENROLLED ACT NO. 53, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING  
2016 BUDGET SESSION

AN ACT relating to highways; increasing the maximum speed limit on state highways as specified; amending penalties and weight limitations for violations of speed limits on state highways; amending assessment of court costs for violations of speed limits as specified; repealing a provision relating to violations of speed limits; and providing for an effective date.

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

**Section 1.** W.S. 31-5-301(b)(iv) and by creating a new paragraph (vii), 31-5-302 and 31-5-1201(d)(i), (ii), (v) and (g) are amended to read:

**31-5-301. Maximum speed limits.**

(b) Except when a special hazard exists that requires lower speed for compliance with subsection (a) of this section, subject to W.S. 31-5-203(b), the limits specified in this subsection or established as otherwise authorized shall be maximum lawful speeds and no person shall drive a vehicle on a highway at a speed in excess of maximum limits:

(iv) For all other locations for which a maximum speed limit is not specified under this subsection, sixty-five (65) miles per hour where the roadway is paved and fifty-five (55) miles per hour where the roadway is unpaved; ~~However, the superintendent may designate higher maximum speed limits on paved roadways pursuant to W.S. 31-5-302;~~

(vii) Seventy (70) miles per hour on state highways, as defined in W.S. 31-18-101(a)(xvii), that are

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not interstate highways, as defined in W.S. 31-18-801(a) (xvi).

**31-5-302. Establishment of specific maximum speed limits by superintendent.**

Whenever the superintendent determines upon the basis of an engineering and traffic investigation, or in the event of a vehicle or weather emergency, that a maximum speed greater or less than that authorized herein is safe and reasonable under the conditions found to exist at any intersection or other place or upon any part of the state highway system, the superintendent, except as provided for in W.S. 31-5-303(b), may determine and declare a reasonable and safe maximum limit thereat, which shall be effective when appropriate signs giving notice thereof are erected and which shall not exceed eighty (80) miles per hour on interstate highways. ~~or seventy (70) miles per hour on state highways, as defined in W.S. 31-18-101(a) (xvii), that are not interstate highways, as defined in W.S. 31-18-801(a) (xvi).~~ The maximum speed limit may be declared to be effective at all times or at such times as are indicated upon the signs and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs. This section does not grant power to the superintendent to declare statewide or countywide maximum speed limits but grants power to declare maximum speed limits for the public safety in localized geographic areas.

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

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(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 ~~at or~~ 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 ~~seventy (70) miles per hour~~ the legal speed limit with assessed court costs;

(v) Notwithstanding W.S. 5-9-107, court costs for violations of W.S. 31-5-301(b)(iii), (iv), ~~or~~ (vi) or (vii) shall not be assessed for speeds up to ~~four (4)~~ five (5) miles per hour over the speed limits authorized by W.S. 31-5-301(b)(iii), (iv), ~~or~~ (vi) or (vii).

(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 ~~twenty-six~~

ORIGINAL SENATE  
FILE NO. SF0072

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~~thousand (26,000)~~ thirty-nine thousand (39,000) pounds shall be fined three hundred dollars (\$300.00).

**Section 2.** W.S. 31-18-704 is repealed.

**Section 3.** This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(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