

SENATE FILE NO. SF0092

Electronic logging devices-enforcement.

Sponsored by: Senator(s) Agar, Anderson, Baldwin, Bebout, Hicks, Meier and Moniz and Representative(s) Allen, Blackburn, Blake, Edwards, Eklund, Flitner, Hunt, Loucks, Northrup, Pownall, Steinmetz and Winters

A BILL

for

1 AN ACT relating to commercial vehicles; specifying
2 applicability of federal rules requiring electronic logging
3 devices in Wyoming; preventing Wyoming officers from
4 enforcing specified federal requirements; requiring
5 rulemaking; and providing for an effective date.

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

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9 **Section 1.** W.S. 31-18-303 by creating new subsections
10 (f) and (g) is amended to read:

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12 **31-18-303. Authority of department to adopt rules and**
13 **regulations governing drivers, equipment and hazardous**
14 **materials; exceptions; maximum operating hours.**

1

2 (f) The department shall adopt rules according to
3 this subsection prescribing the permissible operating time
4 and other requirements of motor carrier drivers and
5 equipment standards that allow specified motor carrier
6 drivers in Wyoming to complete paper records of duty status
7 and that do not require electronic logging devices (ELDs),
8 notwithstanding requirements to make rules consistent with
9 United States department of transportation rules and
10 regulations as provided in subsections (a) and (c) of this
11 section. A motor carrier driver operating in Wyoming and
12 complying with department rules shall comprise substantial
13 compliance with federal requirements. Department rules
14 shall:

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16 (i) Apply to motor carrier drivers of commercial
17 motor vehicles, as defined in 49 C.F.R. 390.5, within the
18 state of Wyoming not participating in interstate commerce
19 who are required to keep records of duty status;

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21 (ii) Apply to livestock and agriculture
22 commodity haulers within the state of Wyoming hauling their

1 own goods or participating in sanctioned rodeo, horse
2 racing or agricultural events;

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4 (iii) Apply to motor carrier drivers within the
5 state of Wyoming who use paper logs no more than eight (8)
6 days during any thirty (30) day period or no more than
7 ninety-six (96) days during any calendar year;

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9 (iv) Apply to driveaway-towaway drivers within
10 the state of Wyoming transporting a vehicle for sale, lease
11 or repair;

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13 (v) Apply to motor carrier drivers within the
14 state of Wyoming of vehicles manufactured or containing two
15 (2) or more components manufactured before model year 2000;

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17 (vi) Specify that nonuse of an ELD shall not
18 invalidate any other safety inspections; and

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20 (vii) Not prevent an individual or business
21 entity of any kind from voluntarily complying with federal
22 laws involving ELDs.

23

1 (g) No officer, as defined in W.S. 31-1-203(a) or
2 31-5-102(a)(xxxiii), shall enforce in Wyoming any rule or
3 regulation that requires an electronic logging device that
4 applies to an operator in paragraphs (f)(i) through (v) of
5 this section, except as provided in subsection (f) of this
6 section and department rules promulgated according to
7 subsection (f) of this section.

8
9 **Section 2.** This act is effective immediately upon
10 completion of all acts necessary for a bill to become law
11 as provided by Article 4, Section 8 of the Wyoming
12 Constitution.

13

14

(END)