

SENATE FILE NO. SF0137

Ignition interlock devices.

Sponsored by: Senator(s) Perkins and Ross and
Representative(s) Brown and Nicholas, B.

A BILL

for

1 AN ACT relating to the operation of motor vehicles;
2 specifying standards for the imposition of interlock device
3 penalties related to driving while under the influence of
4 alcohol; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 31-5-233(f)(ii) through (iv) and
9 31-5-234(f)(ii) through (iv) are amended to read:

10

11 **31-5-233. Driving or having control of vehicle while**
12 **under influence of intoxicating liquor or controlled**
13 **substances; penalties.**

14

15 (f) Any person convicted under this section or other
16 law prohibiting driving while under the influence as

1 defined in W.S. 31-5-233(a)(v) shall, in addition to the
2 penalty imposed:

3
4 (ii) For a first conviction where ~~the conviction~~
5 ~~is based on the person having~~ the department's
6 administrative action indicates the person had an alcohol
7 concentration of fifteen one-hundredths of one percent
8 (0.15%) or more, operate only vehicles equipped with an
9 ignition interlock device, pursuant to W.S. 31-7-401
10 through 31-7-404, for a period of six (6) months. ~~from the~~
11 ~~date of conviction~~ For purposes of this paragraph, the
12 department's administrative action shall be deemed to
13 indicate a person had an alcohol concentration of fifteen
14 one-hundredths of one percent (0.15%) or more only after
15 the person is notified of and given the opportunity to
16 pursue the administrative procedures provided by W.S.
17 31-7-105;

18
19 (iii) For a second conviction, operate only
20 vehicles equipped with an ignition interlock device,
21 pursuant to W.S. 31-7-401 through 31-7-404, for a period of
22 one (1) year; ~~from the date of conviction;~~

23

1 (iv) For a third conviction, operate only
2 vehicles equipped with an ignition interlock device,
3 pursuant to W.S. 31-7-401 through 31-7-404, for a period of
4 two (2) years; ~~from the date of conviction;~~

5
6 **31-5-234. Unlawful operation of vehicle by youthful
7 driver with detectable alcohol concentration; penalty.**

8
9 (f) A person convicted under this section or other
10 law prohibiting driving while under the influence as
11 defined in W.S. 31-5-233(a)(v) shall, in addition to the
12 penalty imposed in subsection (e) of this section:

13
14 (ii) For a first conviction where the ~~conviction~~
15 ~~is based on the person having~~ department's administrative
16 action indicates the person had an alcohol concentration of
17 fifteen one-hundredths of one percent (0.15%) or more,
18 operate only vehicles equipped with an ignition interlock
19 device, pursuant to W.S. 31-7-401 through 31-7-404, for a
20 period of six (6) months. ~~from the date of conviction~~ For
21 purposes of this paragraph, the department's administrative
22 action shall be deemed to indicate a person had an alcohol
23 concentration of fifteen one-hundredths of one percent
24 (0.15%) or more only after the person is notified of and

1 given the opportunity to pursue the administrative
2 procedures provided by W.S. 31-7-105;

3

4 (iii) For a second conviction, operate only
5 vehicles equipped with an ignition interlock device,
6 pursuant to W.S. 31-7-401 through 31-7-404, for a period of
7 one (1) year; ~~from the date of conviction;~~

8

9 (iv) For a third conviction, operate only
10 vehicles equipped with an ignition interlock device,
11 pursuant to W.S. 31-7-401 through 31-7-404, for a period of
12 two (2) years; ~~from the date of conviction;~~

13

14 **Section 2.** This act shall apply only to persons who
15 are charged with a violation of W.S. 31-5-233, or other law
16 prohibiting driving while under the influence as defined in
17 W.S. 31-5-233(a)(v), on or after July 1, 2011.

18

19 **Section 3.** This act is effective July 1, 2011.

20

21

END