

Transportation Commission

Meeting Information and Documents



May 15-16, 2024



Mark Gordon
Governor

Wyoming Transportation Commission

5300 Bishop Boulevard
Cheyenne, Wyoming 82009-3340

Susan Holmes, Chairwoman
(307) 777-4007



Darin J. Westby, P.E.
Director

May 10, 2024

MEMORANDUM

TO: Wyoming Transportation Commission Members
FROM: Caitlin Casner, Transportation Commission Secretary
SUBJECT: May 2024 Transportation Commission

Following are details about your May 15-16, 2024 Commission meeting.

May 15

1:00 p.m. Department Reports-WYDOT University
Topic: Director's Report, Highway Patrol, Aeronautics, and Chief Technology Officer's Monthly Reports
3200 Elk Street, Rock Springs
Attire is Business Casual.
<https://us02web.zoom.us/j/81296025320>

6:00 p.m. Commission Dinner with Wyoming Trucking Association
1675 Sunset Drive, Rock Springs
Attire is Casual.
No official business is to be discussed at this function.
Please contact the Commission Secretary for more information.

May 16

8:30 a.m. Tour of Local Projects
Tour will depart from 3200 Elk Street, Rock Springs
Attire is Business Casual.
Please contact the Commission Secretary for more information.

10:45 a.m. Wyoming Trucking Association Panel Discussion with Director Westby
1675 Sunset Drive, Rock Springs
Attire is Business Casual.

12:30 p.m. Business Meeting-WYDOT University, I-80 Room
3200 Elk Street, Rock Springs
Attire is Business Casual.
<https://us02web.zoom.us/j/81296025320>

Enclosed are the following meeting materials:

- Business meeting agenda
- Highway Patrol Report
- Aeronautics Report
- Chief Technology Officer Report
- April 17-18, 2024 Business Meeting minutes
- Chapters 1 and 29 Rules
- Support Services Report
- Monthly Budget Report
- Procurement Services Bids
- Award of Highway Contracts
- May 2024 STIP Addendum

WYDOT's guest WiFi password for February is **17BelleFourche**.

Your room reservations are at the Holiday Inn, 1675 Sunset Dr., Rock Springs. All reservations are under your individual name.

Room charges will be direct billed to WYDOT. Please bring your Commission ID card with you. The Holiday Inn front desk may ask for it to verify your identity.

Enclosures

AGENDA

WYOMING TRANSPORTATION COMMISSION

May 15-16, 2024

Commission Business Meeting

Video conference link for all events:

<https://us02web.zoom.us/j/81296025320>

Webinar ID: 812 9602 5320

Pass Code: 278731

Wednesday, May 15

1:00 p.m

1. Director's Report
2. Highway Patrol Report
3. Aeronautics Report
4. Chief Technology Officer's Report
5. Presentation on Rock Springs/Green River Service Road
6. Public Comment

Thursday, May 16

8:30 a.m.

Tour of Local Projects

10:45 a.m.

Panel Discussion with Director Westby

The order of agenda is subject to change. The State of Wyoming supports the Americans with Disabilities Act. Anyone needing aid should contact the Transportation Commission at 307-777-4007. Every effort will be made for reasonable accommodations.

May 13, 2024

12:30 p.m.

7. Pledge of Allegiance
8. Changes/Additions to Agenda
9. Minutes
 - A. April 17-18, 2024 Business Meeting
 - B. April 18, 2024 Executive Session
10. Chapters 1 and 29 Rules
11. Support Services Report
12. Chief Financial Officer's Report
 - A. Monthly Budget Report
 - B. Award of Procurement Services Bids
13. Chief Engineer's Report
 - A. Engineering and Planning Report
 - i) Award of Highway Contracts
 - ii) May 2024 STIP Addendum
 - B. Operations Report
14. June 2024 Business Meeting
15. General Matters
 - A. Legislator Comments
 - B. Commissioner Comments
 - C. July 2024 Meeting
 - D. August 2024 Meeting
16. Executive Session
**Executive Session may be held at any point during this meeting in regards to any agenda item.*
17. Adjourn

The order of agenda is subject to change. The State of Wyoming supports the Americans with Disabilities Act. Anyone needing aid should contact the Transportation Commission at 307-777-4007. Every effort will be made for reasonable accommodations.

May 13, 2024



COLONEL TIM CAMERON
Administrator

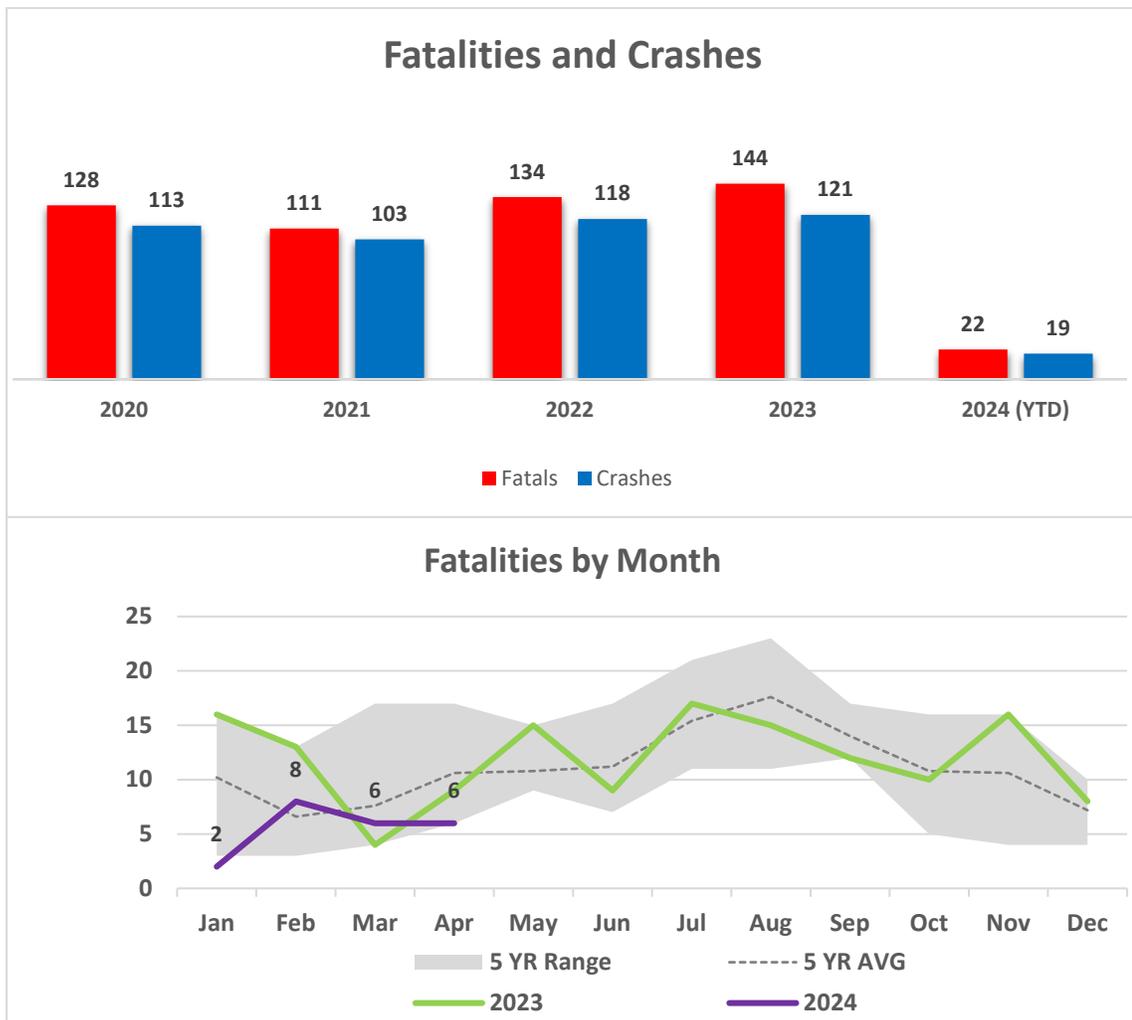
MARK GORDON
Governor
DARIN J. WESTBY, P.E.
Director, WYDOT

MEMORANDUM

TO: Wyoming Transportation Commission Members
FROM: Colonel Tim Cameron, Administrator
DATE: May 3, 2024
SUBJECT: WHP Fatal & Crash Summary Report through April 30, 2024.

1. Fatality Summaries

* Numbers reported at time of report, final numbers may change.



1.1 Total Number of Deaths in Type of Crash

Type of Crash	April 2024 Totals	April 2023 Totals	2024 Yearly Total (YTD)
Rollover	5	4	8
Multi-vehicle	0	2	10
Fixed Object	0	0	0
Motorcycle	1	0	3
All Terrain Vehicle	0	0	0
Snowmobile	0	0	0
Pedestrian	0	3	1
Bicyclists	0	0	0
Commercial**	0	4	4

**Number not included in total deaths (sub crash data).

1.2 Alcohol/Drug Related Deaths by Type of Crash

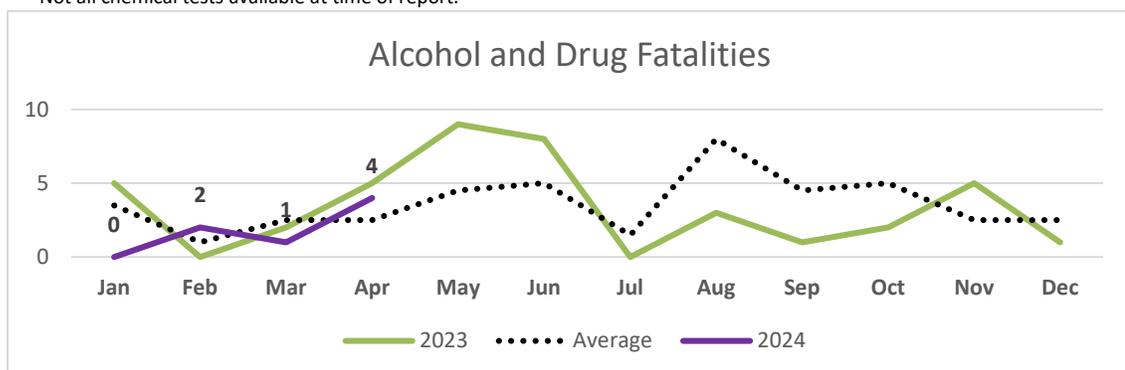
Type of Crash	April 2024 Totals	April 2023 Totals	2024 Yearly Total (YTD)	% of Impaired Involved Deaths by Crash Type 2024
Rollover	4	2	5	63%
Multi-vehicle	0	0	2	20%
Fixed Object	0	0	0	0%
Motorcycle	0	0	0	0%
All Terrain Vehicle	0	0	0	0%
Snowmobile	0	0	0	0%
Pedestrian	0	1	0	0%
Bicyclists	0	0	0	0%
Commercial***	0	0	0	

***Number not included in total deaths (sub crash data).

1.3 Alcohol/Drug Related Crashes and Deaths****

	April 2024 Totals	April 2023 Totals	2024 Yearly Total (YTD)
Crash	4	2	6
Death	4	2	7
Non-Restraint Use	4	2	7

****Not all chemical tests available at time of report.



1.4 Non-Use of Occupant Restraint Deaths

Type of Crash	April 2024 Totals	April 2023 Totals	2024 Yearly Total (YTD)
Rollover	4	4	7
Multi-vehicle	0	1	3
Fixed Object	0	0	0

1.5 Resident vs. Non-Resident Deaths - Failing to Use Proper Restraints

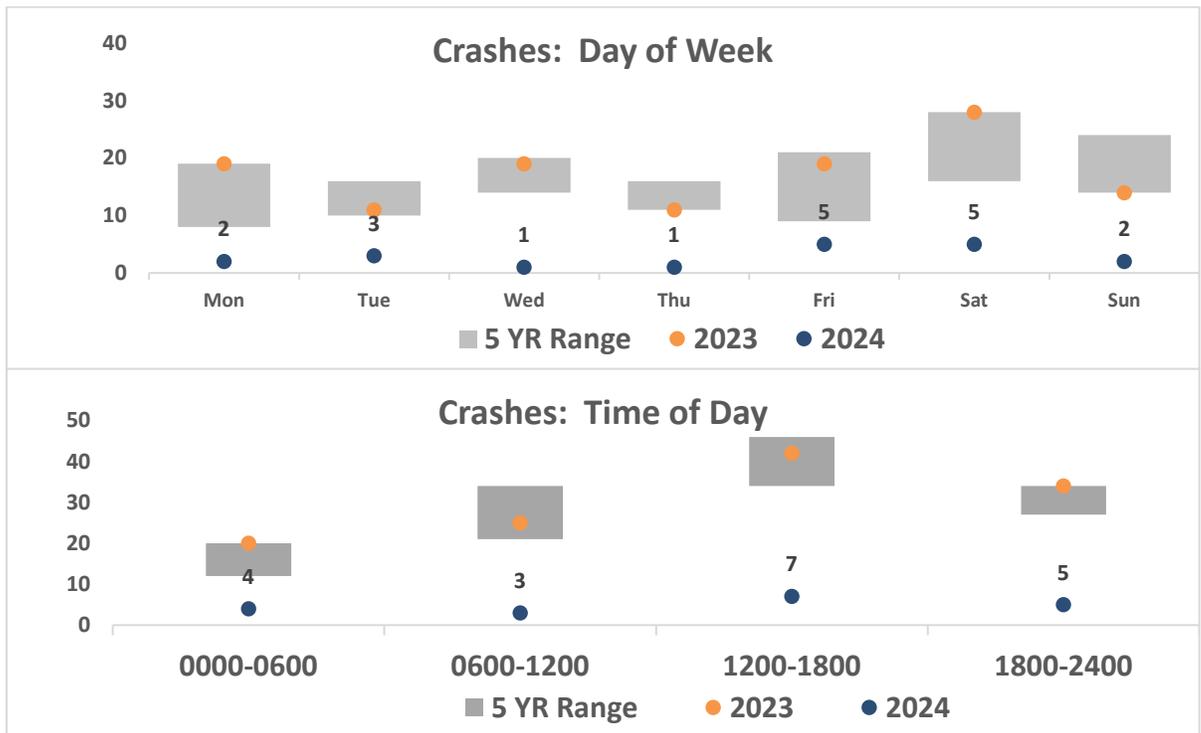
	April 2024 Totals	April 2023 Totals	2024 Yearly Total (YTD)
Resident	4	3	9
Non-Resident	0	2	1

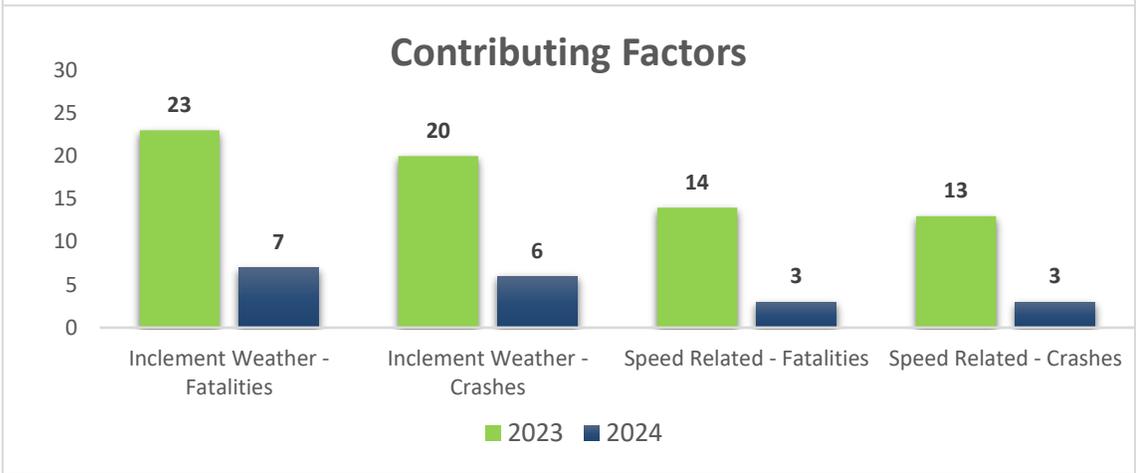
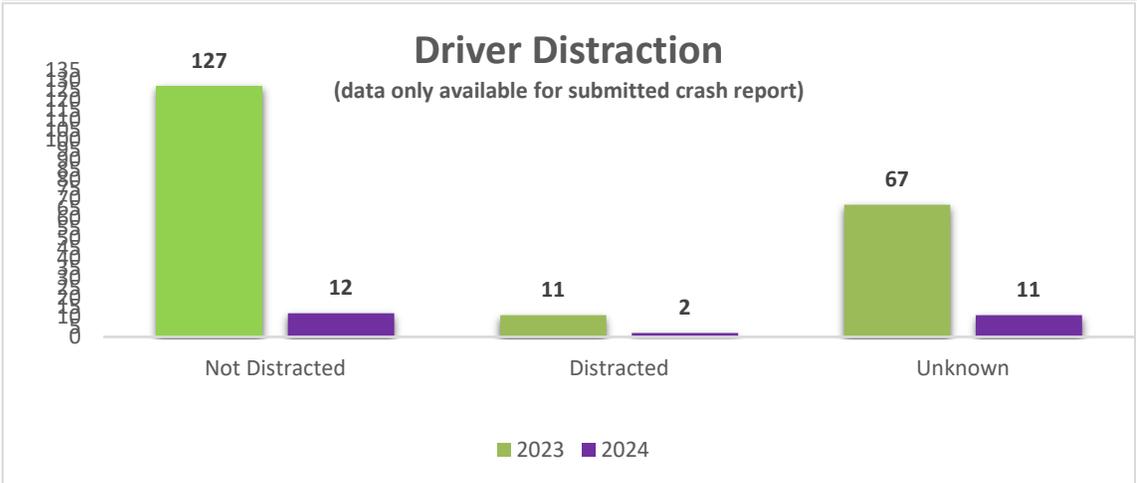
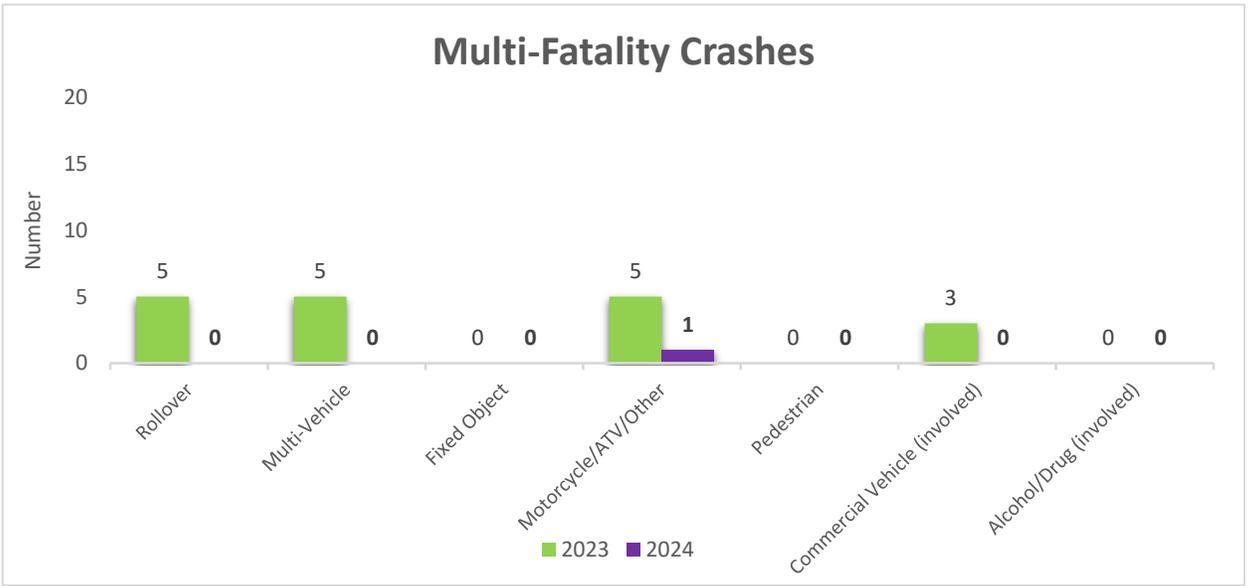
1.6 Deaths Under the Age of 21

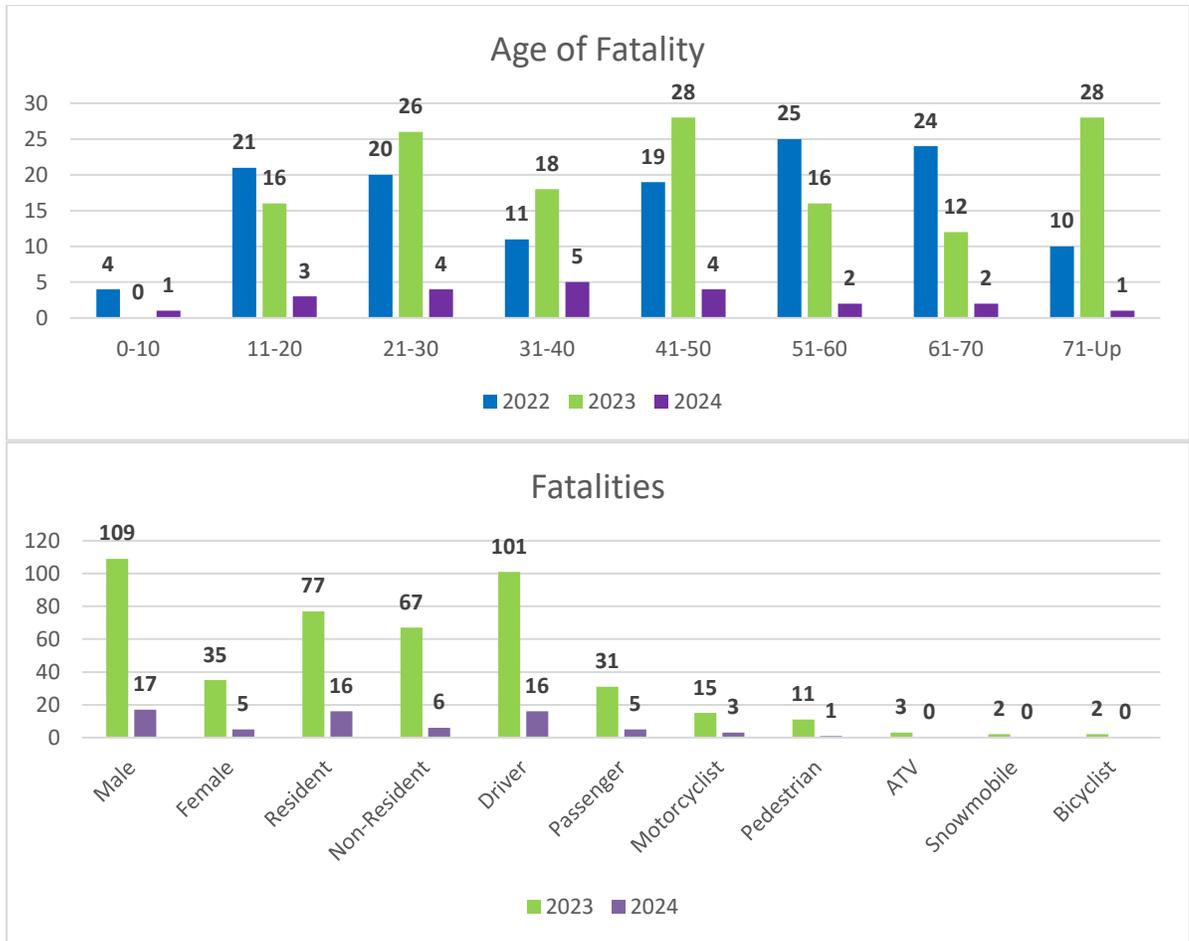
	April 2024 Totals	April 2023 Totals	2024 Yearly Total (YTD)
20 Years and Younger	2	0	4
Failed to Use Proper Restraints	0	0	0

1.7 Location of Fatal Crashes

Interstate Highway	Primary/Secondary Highway	City/County/Other Road
5	9	5







2 Additional Data

- a. 88% of people dying in rollover crashes were not wearing seat belts.
- b. 30% of people dying in multi-vehicle crashes were not wearing seat belts.
- c. 0% of people dying in fixed object crashes were not wearing seat belts.
- d. 73% of fatalities this year have been drivers.
- e. 23% of fatalities this year have been passengers.
- f. **75% of residents who died were not wearing seat belts (when available).**
- g. 17% of non-residents who died were not wearing seat belts (when available).
- h. 32% of fatalities involved alcohol and/or drug impairment.

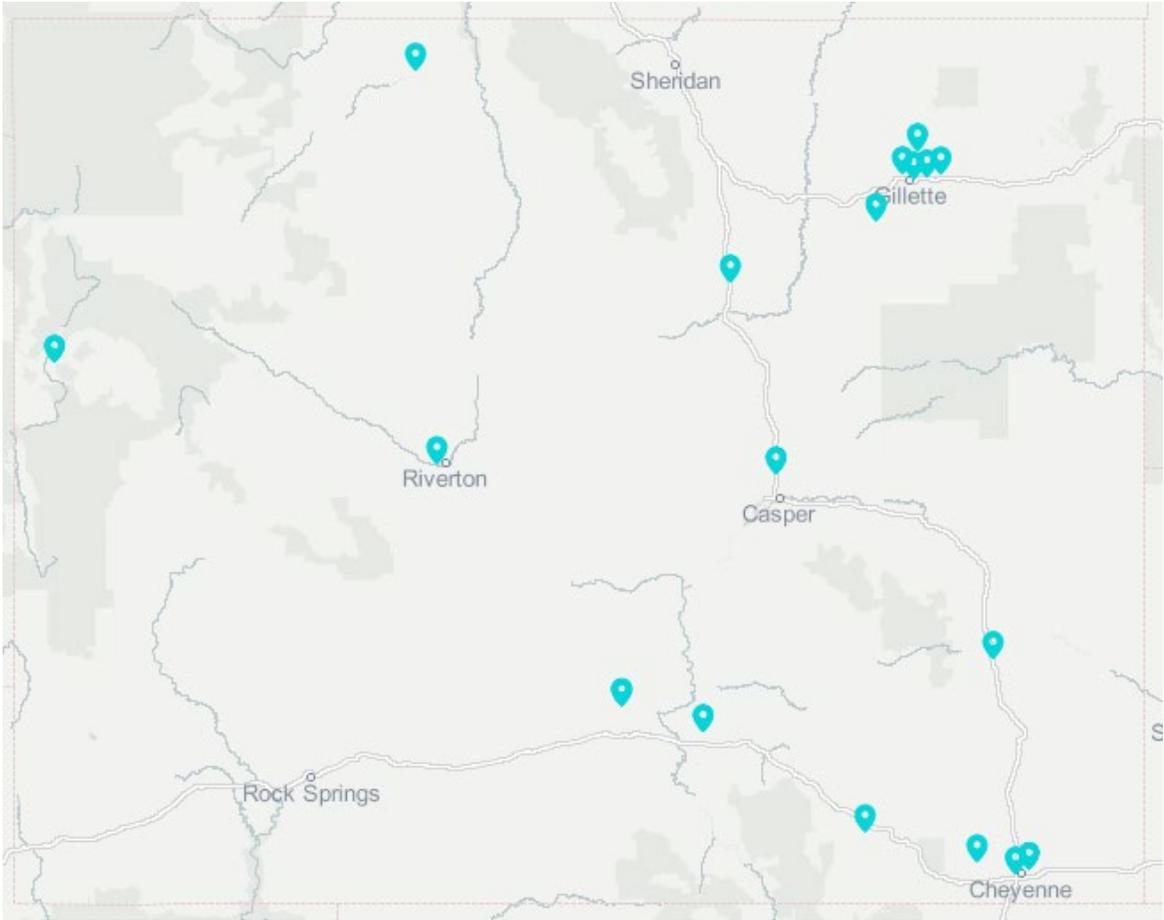
3 Patrol Investigated Crash Summary

Total of Patrol Investigated Crashes	2024 (YTD)*	2023 YTD	Yearly 2023	Yearly 2022
Crashes Investigated	1,586	2,372	5,917	6,038
Commercial Vehicles Involved – Total**	642	1,062	1,919	1,854

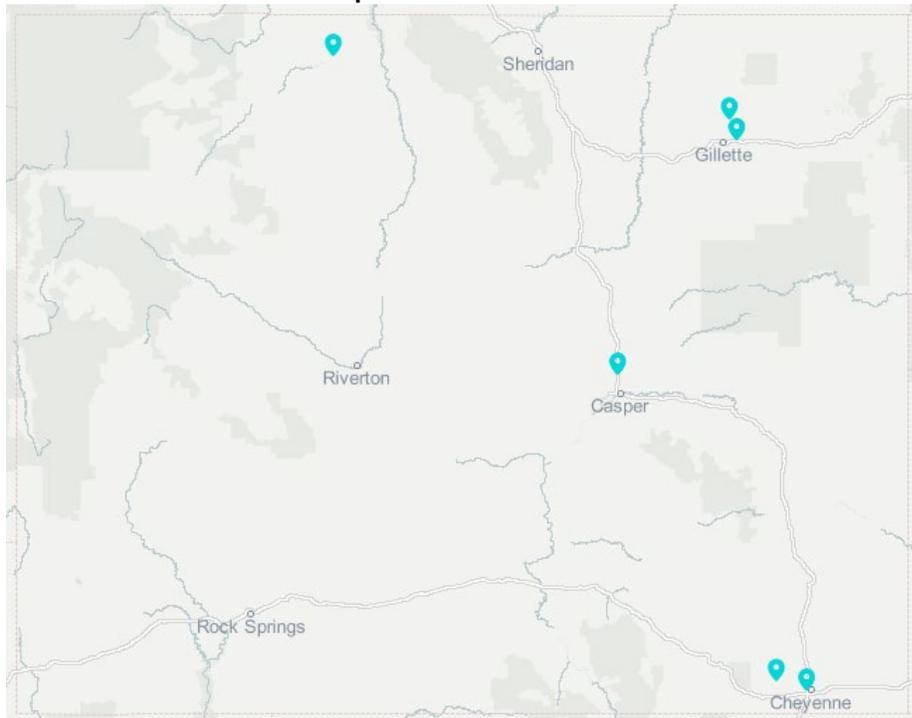
*Does not contain all crashes worked to date, some reports still pending.

**Total number of commercial vehicles involved. Some crashes could contain multiple commercial vehicles.

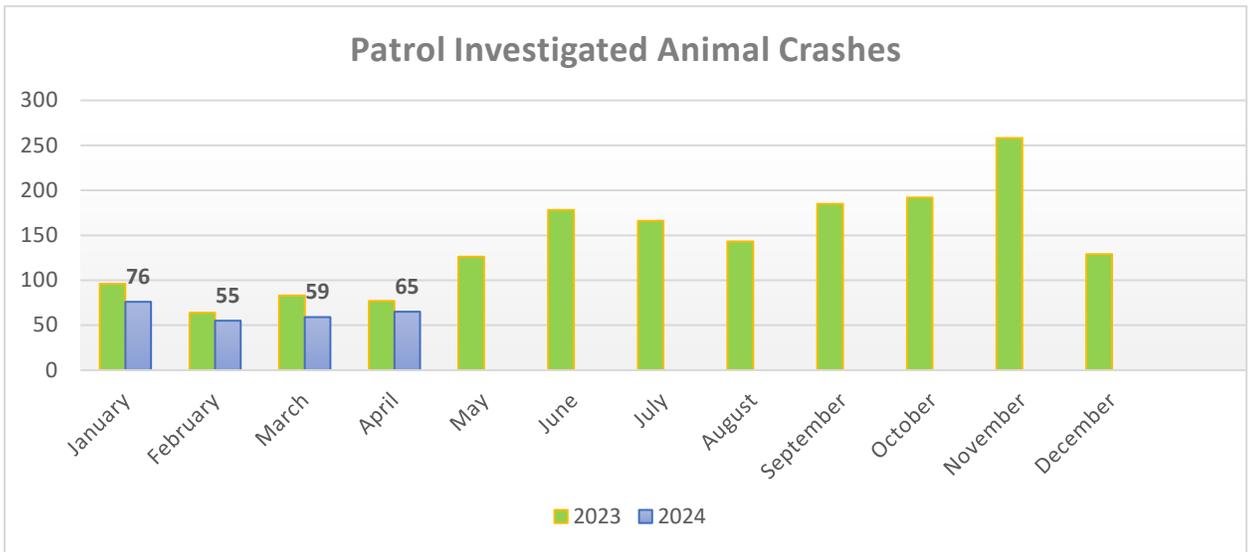
2024 (YTD) Crash Locations



April Crash Locations



Date of crash ↓	Route	Milepost	Number Of Parties	Commercial Vehicle	Protective Equipment	Residency	Number Of Vehicles
4/30/2024	WY 32	107.9	Fatalities - 1	-	Seat Belt in Use - No	WY	1
4/20/2024	BYPASS RD	.2	Fatalities - 1, Injured - 1	-	Seat Belt in Use - No	WY	1
4/19/2024	I 25 / US 87	9	Fatalities - 1, Injured - 1	-	Seat Belt in Use - Yes	NE	1
4/17/2024	WY 51	131	Fatalities - 1	-	Seat Belt in Use - No	WY	1
4/13/2024	I 25 / US 87	195.5	Fatalities - 1	-	Seat Belt in Use - No	WY	1
4/5/2024	HAPPY JACK WY 210	15	Fatalities - 1	-	Helmet in Use - No	WY	1



cc: Director Darrin Westby, Wyoming Department of Transportation
 Executive Staff Members, Wyoming Department of Transportation
 Lieutenant Colonel Josh Walther, Operations Commander
 Major James Thomas, Field Operations Commander
 Major Karl Germain, Support Services Commander
 Captain Tom Pritchard, Professional Standards and Conduct/Executive Protection
 File



Mark Gordon
Governor

WYOMING Department of Transportation

"Provide a safe and effective transportation system"

5300 Bishop Boulevard, Cheyenne, Wyoming 82009-3340



Darin J. Westby, P.E.
Director

Memorandum

Date: April 30, 2024

To: The Wyoming Transportation Commission

Via: Brian Olsen, Administrator, WYDOT Aeronautics Division

From: Bruce Witt, Flight Operations Manager, WYDOT Aeronautics Division

Subject: Aeronautics Flight Operations Passenger Summary Report for April, 2024 and
Fiscal Year To Date Report

The attached Aircraft Passenger Summary Report delineates the passenger loading and charges for the month of April, 2024 by Department. It provides a summary of this data as well as an individual breakdown for WYDOT.

Also attached is the Fiscal Year To Date report for Fiscal Year 2023 and Fiscal Year 2024.

WYDOT AERONAUTICS

Aircraft Passenger Summary Report

04/01/24 - 04/30/24

Summary of Charges By All Departments

Name/Department	No. Legs	No. Pax	Total Charges
001 - GOVERNOR	11	35	\$5,781.40
003 - STATE AUDITOR	5	5	\$525.22
004 - STATE TREASURER	5	5	\$525.22
005 - DEPARTMENT OF EDUCATION	5	5	\$525.22
045 - WYDOT	20	89	\$16,530.00
052 - BOARD OF MEDICINE	8	18	\$6,697.50
060 - STATE LANDS/FORESTRY	3	6	\$480.44
TOTALS	57	163	\$31,065.00

Aircraft used in this report:

N101WY
N102WY

CITATION
CITATION

WYDOT AERONAUTICS

Aircraft Passenger Summary Report

04/01/24 - 04/30/24

Department: 045 - WYDOT

Date	Aircraft	From	To	Charge
04/02/24	N102WY	CHEYENNE, WY	CASPER, WY	
			Total Charges This Leg:	712.50
04/02/24	N102WY	CASPER, WY	GILLETTE, WY	
			Total Charges This Leg:	427.50
04/02/24	N102WY	GILLETTE, WY	CHEYENNE, WY	
			Total Charges This Leg:	855.00
04/03/24	N102WY	CHEYENNE, WY	ROCK SPRINGS, WY	
			Total Charges This Leg:	997.50
04/03/24	N102WY	ROCK SPRINGS, WY	THERMOPOLIS, WY	
			Total Charges This Leg:	712.50
04/03/24	N102WY	THERMOPOLIS, WY	CHEYENNE, WY	
			Total Charges This Leg:	855.00
04/17/24	N102WY	CHEYENNE, WY	EVANSTON, WY	
			Total Charges This Leg:	1425.00
04/17/24	N102WY	EVANSTON, WY	THERMOPOLIS, WY	
			Total Charges This Leg:	1282.50
04/17/24	N102WY	THERMOPOLIS, WY	SHERIDAN, WY	
			Total Charges This Leg:	570.00
04/17/24	N102WY	SHERIDAN, WY	GILLETTE, WY	
			Total Charges This Leg:	570.00
04/17/24	N102WY	GILLETTE, WY	CHEYENNE, WY	
			Total Charges This Leg:	855.00
04/18/24	N101WY	CHEYENNE, WY	EVANSTON, WY	
			Total Charges This Leg:	1425.00
04/18/24	N101WY	EVANSTON, WY	THERMOPOLIS, WY	
			Total Charges This Leg:	855.00
04/18/24	N101WY	THERMOPOLIS, WY	SHERIDAN, WY	
			Total Charges This Leg:	570.00
04/18/24	N101WY	SHERIDAN, WY	GILLETTE, WY	
			Total Charges This Leg:	427.50
04/18/24	N101WY	GILLETTE, WY	CHEYENNE, WY	
			Total Charges This Leg:	997.50
04/28/24	N102WY	CHEYENNE, WY	CASPER, WY	
			Total Charges This Leg:	712.50
04/28/24	N102WY	CASPER, WY	POWELL, WY	
			Total Charges This Leg:	712.50
04/28/24	N102WY	POWELL, WY	SHERIDAN, WY	
			Total Charges This Leg:	570.00
04/28/24	N102WY	SHERIDAN, WY	CHEYENNE, WY	
			Total Charges This Leg:	997.50

WYDOT AERONAUTICS
Aircraft Passenger Summary Report
04/01/24 - 04/30/24

Totals for Department: 045 - WYDOT

	No.	No.	Total
045 - WYDOT	Legs	Pax	Charges
	20	89	\$16,530.00

WYDOT AERONAUTICS

Aircraft Passenger Summary Report

Fiscal Year To Date

Summary of Charges By All Departments

<u>Federal Fiscal Year 2024 To Date (October - April)</u>			
Name/Department	No. Legs	No. Pax	Total Charges
001 - GOVERNOR	64	207	\$45,293.89
003 - STATE AUDITOR	5	5	\$525.22
004 - STATE TREASURER	5	5	\$525.22
005 - DEPARTMENT OF EDUCATION	9	9	\$1,147.47
007 - ADJUTANT GENERAL	5	21	\$2,119.75
010 - AGRICULTURE	6	26	\$5,391.25
020 - DEQ	10	16	\$6,840.00
039 - WILDLIFE/NAT RES TRUST	4	4	\$437.69
040 - GAME & FISH	6	8	\$1,620.45
045 - WYDOT	138	425	\$105,125.54
048 - HEALTH	3	3	\$570.00
049 - FAMILY SERVICES	5	5	\$878.75
052 - BOARD OF MEDICINE	16	36	\$12,967.50
055 - OIL & GAS COMM	6	22	\$3,847.50
060 - STATE LANDS/FORESTRY	3	6	\$480.44
063 - GOV RESIDENCE	2	2	\$1,282.50
066 - TRVL & TOURISM	16	52	\$16,735.50
067 - UW	32	59	\$45,572.20
080 - CORRECTIONS	2	2	\$308.75
085 - WYO BUSN CNCL	11	53	\$19,193.50
101 - SUPREME COURT	21	45	\$16,688.75
201 - LEGIS SVC OFFICE	2	4	\$1,181.26
WY090 - WYOMING ENERGY AUTHORITY	3	3	\$1,638.75
TOTALS October 2023 - April 2024	374	1,018	\$290,371.88

<u>Federal Fiscal Year 2023 (October - April)</u>			
Name/Department	No. Legs	No. Pax	Total Charges
001 - GOVERNOR	56	173	\$59,342.32
002 - SECRETARY OF STATE	2	2	\$661.24
003 - STATE AUDITOR	2	2	\$671.78
007 - ADJUTANT GENERAL	5	20	\$2,434.42
010 - AGRICULTURE	4	18	\$2,992.50
020 - DEQ	28	58	\$20,805.00
024 - PARKS & CULT RES	2	2	\$671.78
039 - WILDLIFE/NAT RES TRUST	1	1	\$118.75
040 - GAME & FISH	16	45	\$16,329.23
045 - WYDOT	100	347	\$104,812.95
055 - OIL & GAS COMM	10	32	\$6,840.00
063 - GOV RESIDENCE	2	4	\$1,852.50

WYDOT AERONAUTICS

Aircraft Passenger Summary Report

Fiscal Year To Date

066 - TRVL & TOURISM	6	29	\$8,315.00
067 - UW	44	104	\$61,782.02
077 - ENTERPRISE TECH SERV	1	1	\$356.25
085 - WYO BUSN CNCL	3	3	\$1,028.03
101 - SUPREME COURT	12	68	\$10,830.00
TOTALS October 2022 - April 2023	294	909	\$299,843.77

Aircraft used in this report:

N101WY	CITATION	
N102WY	CITATION	

April 2024



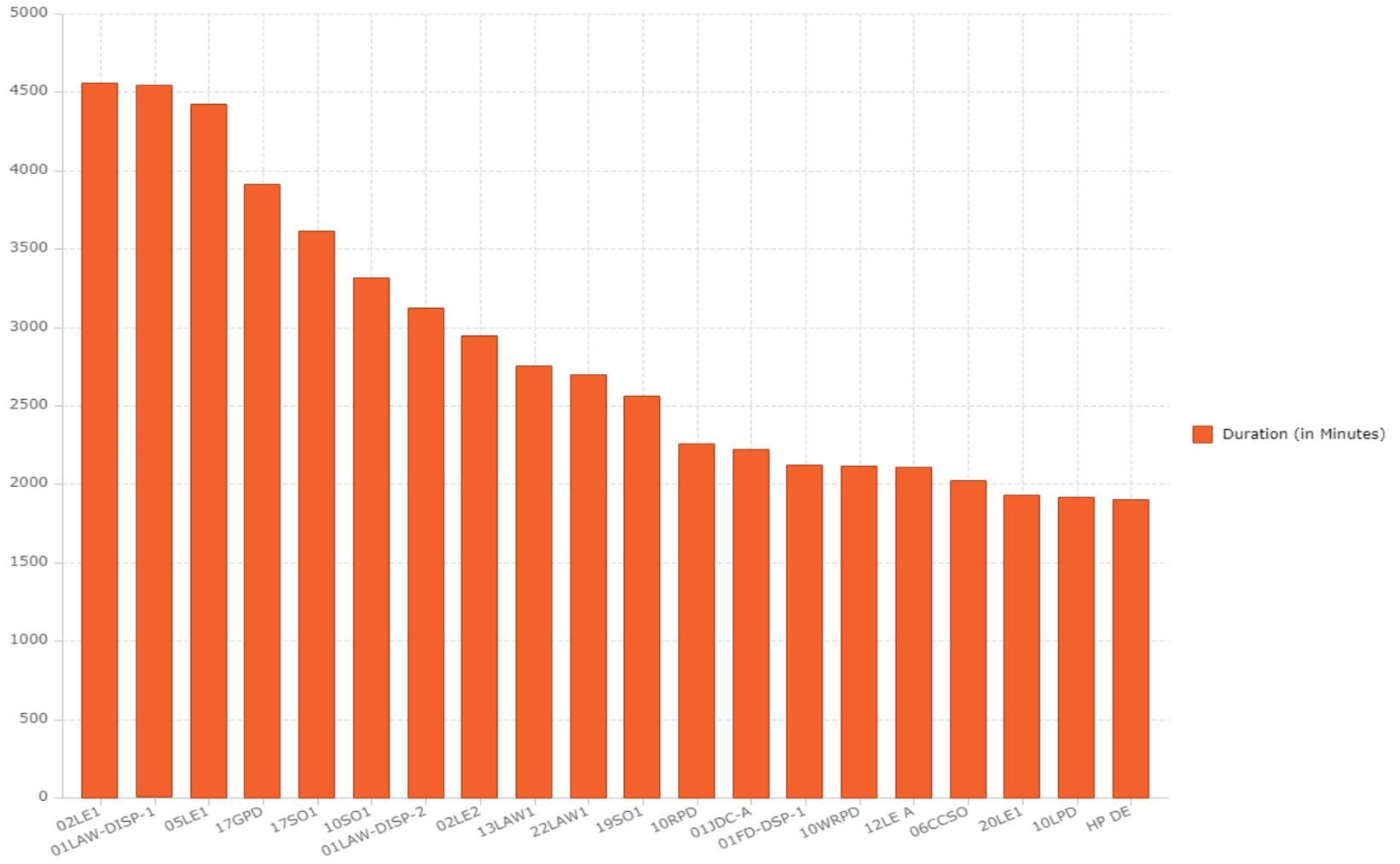
SYSTEM STATISTICS

MONTH	PTTs	AIRTIME (minutes)
February '24	1,705,733	144,420.58
March '24	1,733,790	145,466.45
April '24	1,659,762	137,316.95

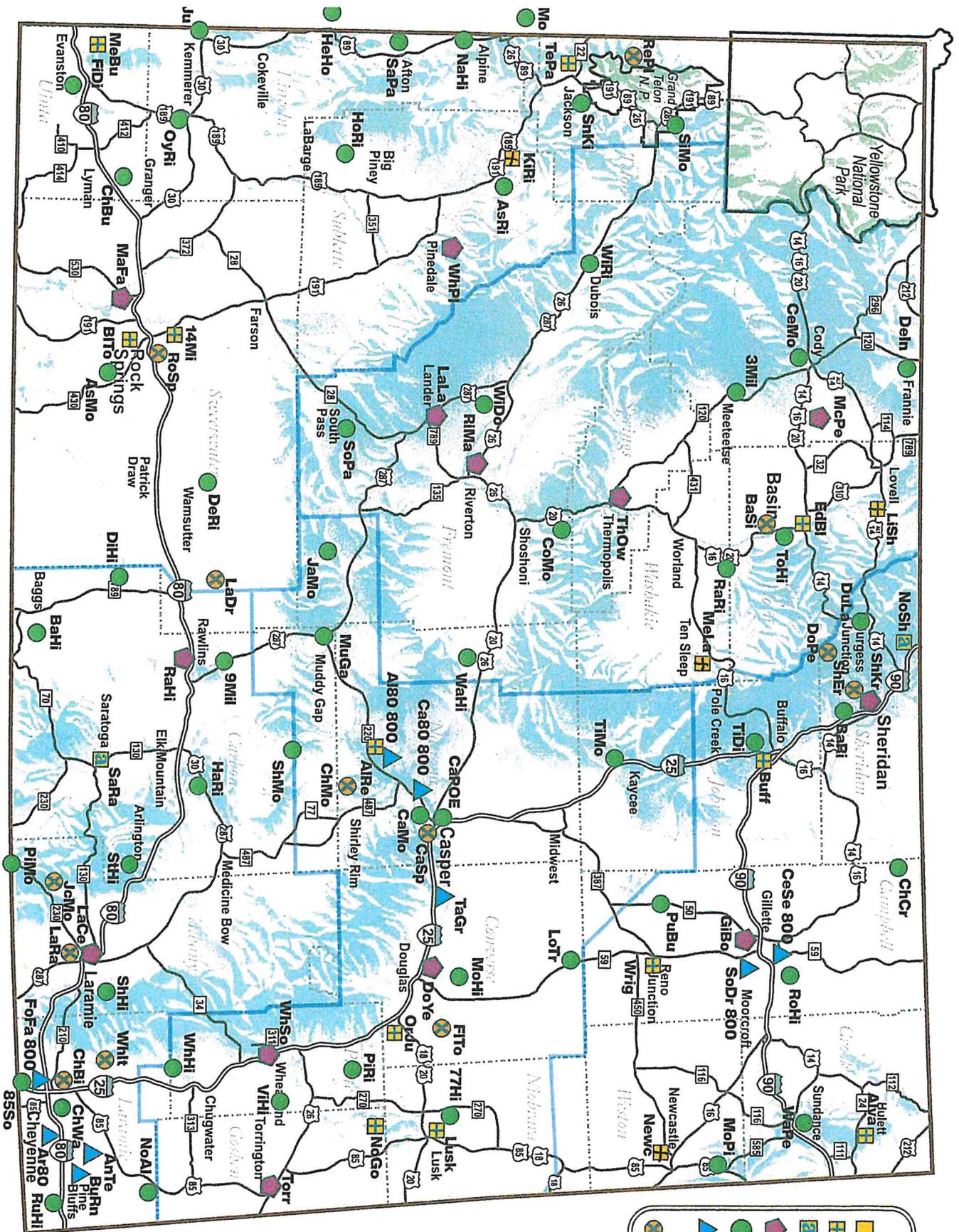
SYSTEM STATISTICS 1 YEAR AGO

MONTH	PTTs	AIRTIME (minutes)
February '23	1,703,592	151,453.6
March '23	1,711,335	147,569.5
April '23	1,641,842	140,986.7

TOP 20 TALKGROUPS



WyOLink Local Towers and Locations Site Map



KEY

- New Sites
- New Sites On Line
- New Sites w/ ARPA funds
- PCE Sites In Service
- Core Sites In Service
- 800MHz Locally Owned Sites In Service
- Microwave Only



TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met via Zoom and in person April 17-18, 2024 in Cheyenne. Chair Holmes convened the meeting at 1:30 p.m. on April 17th and 8:30 a.m. on April 18th. The following members were present both days, constituting a quorum.

Chair Susan Holmes, Sheridan
Vice Chair Jon Dolezal, Evanston
Commissioner Micheal Baker, Thermopolis
Commissioner Patrick Crank, Cheyenne
Commissioner Mark Hughes, Sundance
Commissioner Brandt Lyman, Rock Springs
Commissioner Jim Willox, Douglas
Commission Secretary Caitlin Casner
Director Darin J. Westby

Others present and participating in the meeting: Dennis Byrne, Chief Financial Officer (CFO); Mark Gillett, Chief Engineer; Tom DeHoff, Assistant Chief Engineer, Operations; Dave Sheppard, HDR, Inc.; Todd Mattson, HDR, Inc.; Keith Fulton, Assistant Chief Engineer, Engineering and Planning; Nathan Smolinski, Chief Technology Officer; MacKenzie Sewell, Assistant Attorney General; Brian Olsen, Aeronautics Administrator; Mariah Johnson, Aeronautics; Jim Boyd, Training Services; Rodney Freier, Budget Program Manager; Doug McGee, Public Affairs; Jordan Young, Public Affairs; Taylor Rossetti, Support Services Administrator; Richard Duran, Federal Highway Administration; John Davis, Management Services Manager; Nicholas Gronski, Procurement Services Manager; Justin Huntley, Facilities Program Manager; Sara DiRienzo, Transportation, Wildlife, and Gaming Policy Advisor to Governor Gordon; Senator Stephan Pappas; Kelli Little, Association of General Contractors-Wyoming (AGC-WY); Representative Kevin O'Hearn; Susan Elliott, Executive Assistant; Kimberly Chapman, Public Safety Communications Commission and Aeronautics Commission Secretary.

April 17, 2024

3. Mr. Rossetti presented the Support Services Report.

Director Westby reported on a recent job fair held at the Capitol, which seemed to be well attended. Mr. Rossetti added that job fairs have been held in other locations, and will update on the success of these events at a later date.

WYDOT University Overview: Mr. Boyd presented to the Commission regarding WYDOT University, including available learning topics, upcoming events, funding needs and allocations including per diem and travel costs, Individual Development Plans (IDPs), as well as employee onboarding, supervisor training, and the WY Lead Advancing Leaders Academy.

Employment Summary: WYDOT employed 1,847 personnel as of April 11, 2024, compared to 1,846 a month ago and 1,781 one year ago.

2. Highway Patrol Report: Mr. Rossetti presented the Fatal Crash Summary through March 31, 2024, which includes 13 fatal crashes involving 16 deaths. The fatalities include multi-vehicle crashes and commercial crashes.

There have been three fatal crashes deemed drug or alcohol related, resulting in two deaths through March 2024.

Of the 16 deaths this year, six were attributed to not using occupant restraints, rollover crashes, multi-car collisions, or fixed objects. Two perished that were under 21 years old.

Of the 13 fatal crashes so far this year, it is unknown whether 11 of those drivers had no distractions. Two drivers were distracted, and five were not.

Of the 13 fatal crashes that have occurred this year, four occurred on city/county roads, six occurred on primary/secondary highways, and three occurred on interstate highways.

The days of the week for fatal crashes in 2024 are as follows:

Sunday	2 crashes
Monday	2 crashes
Tuesday	2 crashes
Wednesday	0 crashes
Thursday	1 crash
Friday	3 crashes
Saturday	3 crashes

The times of day for fatal crashes in 2024 are as follows:

12:00 a.m. to 6:00 a.m.	3 crashes
6:00 a.m. to 12:00 p.m.	2 crashes
12:00 p.m. to 6:00 p.m.	6 crashes
6:00 p.m. to 12:00 a.m.	2 crashes

There were 1,266 patrol investigated crashes so far in 2024.

2. Mr. Olsen presented the Aeronautics Report, beginning with the March 2024 Aeronautics Flight Operations Passenger Summary Report.

Federal Update: Mr. Olsen reminded the Commission that the Fiscal Year 2024 appropriations have been approved, but because they were approved so late in the year, it has been a struggle to begin issuing grants. Mr. Olsen and staff are currently monitoring progress of the appropriations being made available so as to not miss anything during the upcoming construction season. Mr. Olsen advised the Congress is currently working on Fiscal Year 2025 appropriations as well as the FAA Reauthorization. The current Reauthorization runs through May 10, 2024. There has been discussion regarding the differences in the House and Senate versions. The House version tends to

favor smaller airports and general aviation, while the Senate version favors slightly larger airports and commercial service aspects of aviation. There are also differences over pilot training as well as some flights in and out of Reagan National. If the Reauthorization is not complete by May 10th, there may be a very short extension or the House and Senate may choose to revisit the issue at the end of the year, after elections.

Division and Airport Updates: Mr. Olsen advised that the Reno Air Races are still deciding on the city the Reno Air Races will be relocated to. The top three cities being considered are Casper, Wyoming, Pueblo, Colorado, and Roswell, New Mexico.

Division staff are finishing reviewing final contract documents to go out for bid. Some projects have already been released, and Aeronautics is starting to receive bids. Mr. Olsen is hopeful that WYDOT will receive FAA grants to fund projects.

The Aeronautics Commission will be meeting in Cody May 20-22, 2024 and will tour all of the airports in the Big Horn Basin. Mr. Olsen stated that during travel meetings for the Aeronautics Commission, members try to interact with local airports to discuss vision, ongoing projects, and any issues or challenges they may face.

Air Service News: Load factors in Wyoming in March have increased from seasonal lows, which were seen in January and February. Gillette ended the month at 82%, which is very good for March. Cheyenne, Rock Springs, Sheridan, and Rawlins all saw numbers above 75%. April bookings look to be at the same level as March, and advanced bookings for May and June look good as well.

Delta and United kicked off with first quarter earnings last week, and it appears that earnings are healthy. United experienced issues with the Boeing 737 MAX, which significantly decreased earnings. These increased numbers are revealing a healthier industry, and air fares increases are slowing compared to previous years. The average U.S. fare over the last three quarters dropped three to four percent year over year.

Air Service: Mariah Johnson presented to the Commission regarding the Air Service Enhancement Program, traffic and funding levels, local match and growth levels, benefits, the Capacity Purchase Agreement (CPA), tax revenues received through air service in Wyoming, and data accuracy and reporting when evaluating Wyoming air service. Also discussed were the ramifications of an airport closing due to loss of service or changes in service, including the Transportation Service Administration pulling out of the location.

4. Chief Technology Officer's Report: Mr. Smolinski presented the Chief Technology Officer's Report.

WyoLink: Mr. Smolinski summarized the WyoLink map provided to the Commission and briefly described current projects. Mr. Smolinski also summarized the Top 20 talk groups, and advised that this information is constantly analyzed and there are no concerns at this time.

Mr. Smolinski highlighted a recent meeting with the Wyoming Association of Fire Marshals to go over bidirectional amplifiers, which is what allows WyoLink to work inside of buildings,

basements, and locations such as correctional facilities. This meeting also addressed code changes that can prevent WyoLink from working properly and continuing to be available.

Public Safety Communications Commission (PSCC): The PSCC will be visiting the AT&T First Net laboratories in Boulder on May 7th and 8th.

On April 22nd, Mr. Smolinski will be testifying before the Joint Corporations Committee regarding the Telecom Act as well as funding and eligibility.

Mr. Smolinski advised the Commission of current reporting issues that occur during 911 outages, including base requirements for outage notifications. WYDOT is also partnering with several other Wyoming entities regarding funding levels and 911 fees.

Blowovers: Mr. Smolinski reminded the Commission regarding recent changes in blowover procedures, public education, and increasing incident reporting accuracy. It is anticipated that more accurate statistics will be available in calendar year 2024.

The meeting was adjourned by Chair Holmes at 3:36 p.m. on Wednesday, April 17, 2024.

April 18, 2024

5. Pledge of Allegiance: Chair Holmes led the attendees in the Pledge of Allegiance.

7A. March 20-21, 2024 Business Meeting Minutes: It was recommended by Secretary Casner, moved by Commissioner Baker and seconded by Commissioner Hughes to approve the March 20-21 Business Meeting minutes. The motion carried unanimously.

9A. Space Analysis: Mr. DeHoff introduced Dave Sheppard and Todd Mattson with HDR, Inc., who presented to the Commission regarding the recent WYDOT consolidated campus studies.

Mr. Mattson discussed planning objectives established at the beginning of the study as well as the consolidation of offsite programs and current usage of facilities by WYDOT. It is expected that any changes to facilities would improve employee safety and security as well as efficiency.

During the HDR study, offsite facilities were toured and evaluated and stakeholders were interviewed. Possible future construction sites and their pros and cons were also identified, and a reorganization of departments within existing facilities was suggested to increase floor utilization, consolidate departments, bring related workgroups together, and the separation of public and non-public areas.

Commissioners Crank and Lyman expressed concerns about the current lease at the Qwest building for the Transportation Management Center (TMC) and Highway Patrol dispatch. Mr. DeHoff addressed issues encountered in the current Qwest building and the fact that the building's management would like WYDOT to vacate by December 2026.

Senator Pappas suggested consulting the State Building Commission for procedures on moving forward and potentially assistance in obtaining an appropriation from the Legislature.

Commissioner Crank requested a cost benefit analysis and cost estimates regarding this project be presented to the Commission before a plan to move forward is approved. Mr. Crank also mentioned possibly renegotiating leases for more favorable terms. Transition and relocation costs and steps will also need to be presented to the Commission, as this has the potential to be disruptive to the WYDOT workforce.

Also discussed were growth factors for the next 20 years and the possibility of reducing the square footage per each full time employee. Mr. DeHoff also discussed updates needed, including HVAC, fire, electrical, and technological systems.

Mr. Sheppard presented to the Commission a cost summary, which included WYDOT Headquarter campus renovations, new construction, inflation factors, and escalation costs. Mr. Sheppard recommended that the Commission move forward with a level two architectural engineering plan.

Director Westby thanked HDR for their efforts for the consolidation study and emphasized the need for the Commission to take action on what has been presented at this meeting. Westby presented a possible path forward to the Commission, including coming back to the Commission at a later date with the requested additional data.

Commission recessed to break at 9:39 a.m.

Commission returned to public session at 9:45 a.m.

9B. Chapter 5 Rules Discussion: Mr. Davis presented the recommended updates and changes to the Chapter 5 rules.

It was recommended by Mr. Davis, moved by Commissioner, and seconded by Commissioner to adopt the changes to Chapter 5 rules and move them forward in the rule making process. The motion carried unanimously.

10. Director's Report: Director Westby reminded the Commission that the G. Clyde Larson award was recently presented to four employees in District 5. Chair Holmes, Commissioner Baker, Sara DiRienzo from the Governor's office, and several district employees attended the luncheon where the awards were presented. Fred Sherburne, Catarino Zapata, Craig Brown, and Logan Whipple were presented with plaques and a monetary reward, which came from the family of former Commissioner G. Clyde Larson. The four awardees assisted an individual with a medical emergency on Highway 14, and helped the Highway Patrol secure the scene and cleared a landing area for Life Flight to land. Westby thanked all involved, including District Engineer Pete Hallsten, who spoke very highly of the nominees and sent the nomination form to the Commission for consideration.

Westby summarized the recent employee town hall meetings. There were seven meetings across the state, and Westby considers the meetings to be very enlightening. During these meetings, Westby emphasized how impactful WYDOT as an agency is. Westby also discussed ways to increase desirability of public service, as well as the agency's Strategic Plan. There are three main focuses of the Strategic plan, which are employee recognition, retention, and recruitment, securing additional funding, and developing the WYDOT brand. Westby advised that the employees responsible for the Strategic Plan will begin meeting with individuals and departments to develop goals and metrics that align with the Plan.

During the town hall meetings, Westby also reminded employees that they are able to vote for individuals in the Legislature that represent their interests, which may include benefits and salary increases. Westby cautioned employees against lobbying, but encouraged them to advocate for themselves. The Employee Assistance Program (EAP) was also discussed, as well as the Wyoming Transportation Department Employee Association (WTDEA).

Commissioner Willox asked Mr. Westby if he felt that the town hall meetings provided more insight into the results of the Employee Satisfaction Survey. Westby stated that he did feel that more insight was provided on several employee concerns including the level of communication, as well as employee recognition needs and ways to increase satisfaction.

Mr. Westby advised that a legislative session summary will be made available to the Commission, which includes links to bills and more in-depth information about the most recent session.

Director Westby summarized the recent quarterly Director's Safety Review Board. This meeting occurs every quarter and provides updates on safety incidents. Westby is pleased with the continuing discussions between Headquarters and the districts to ensure that safety is a focus.

Mr. Westby explained that Wyoming had recently joined a lawsuit filed against a greenhouse gas carbon reduction plan. This plan was determined to be overreach by two Courts, and so at this time is not being pursued.

WYDOT has recently met with the Game and Fish regarding funding priorities and pursuing two different grants. Halleck Ridge and Dubois are the next projects on the priority list, and WYDOT hopes to gain the support of the local citizens and Tribes for the Dubois project.

Director Westby referenced a prior question from Commissioner Crank regarding wildlife project naming rights. At this time, this is allowed by the FHWA, but Westby will be working through questions regarding naming rights, including the length of the naming right as well as what donation dollar amount provides naming rights.

The Management Council recently met to establish interim legislative topics. When addressing the different committees, WYDOT will focus on educating the legislators about WYDOT, as well as funding history and future needs. Safety and improvements will also be emphasized, as well as the transition from preservation measures. Current topics such as gun free zones, peace officer

training, 911, housing policies, automobile industry minimum coverage, safety on the Reservation, and data ownership and technology will also be discussed with the relevant Committees.

In the coming weeks, WYDOT staff will be meeting with Game and Fish regarding a potential wildlife crossing north of Jackson. Staff will also be hosting the Western States Coalition Leadership Academy in Sheridan, where participants will present projects and finalize their time in the Academy.

Commissioner Crank asked Mr. Westby to update the Commission on the status of the electric vehicle/National Electric Vehicle Infrastructure (NEVI) program Request for Information (RFI). Westby advised that a Request for Proposal (RFP) is being drafted and interest has been expressed by companies to participate in the program. Commissioner Crank and Chair Holmes will be assisting in the development, review, and possible selection of NEVI proposals. Westby encouraged the Commission to contact Mr. Byrne or Mr. Gronski if they are interested in participating in future review and selection processes.

Mr. Crank asked Director Westby for a possible presentation on the construction of a frontage road between Rock Springs and Green River. Previous leadership of WYDOT was directed to study building this frontage road, and published a letter that stated building the road was not in Wyoming's best interest. Mr. Crank would like to discuss at a later time the pros and cons and estimated costs of building this proposed road. Senator Pappas suggested that the Commission visit the site of the proposed road while in Rock Springs for the Wyoming Trucking Association meeting.

Commission recessed to break at 10:43 a.m.

Commission returned to public session at 10:50 a.m.

11. Mr. Byrne presented the Chief Financial Officer's Report.

11A. Second Quarter Budget Revisions: Mr. Freier presented the second quarter budget revisions. It was recommended by Mr. Freier, moved by Commissioner Lyman, and seconded by Commissioner Dolezal to approve the second quarter budget revisions. The motion carried unanimously.

11B. Monthly Budget Report: Mr. Freier presented the monthly budget report. Overall, the budget report revealed that the Commission budget was 49 percent expended, and the legislative budget was 73 percent expended in Fiscal Year 2024.

11C. Award of Procurement Services Bids. It was recommended by Mr. Byrne, moved by Commissioner Willox, and seconded by Commissioner Hughes to move Bid Numbers 24-100NG, 24-103RE, 24-110RE, and Requisition 0000070745 to a consent list. The motion carried unanimously.

It was recommended by Mr. Byrne, moved by Commissioner Willox and seconded by Commissioner Dolezal to approve, by consent, the following bids and requisitions. The motion carried unanimously.

- Bid Number 24-100NG to furnish make up air units removal and replacement to the department located in Rock Springs. The bid was awarded to Vaughn's Plumbing and Heating Co. of Rock Springs, Wyoming, for the sum of \$347,950.00.
- Bid Number 24-103RE to furnish 40 new eight cubic yard stainless steel dump body for Class 8 tandem axle trucks to the department located in Cheyenne. The bid was awarded to Ameritech Equipment, Co. of Evansville, Wyoming, for the sum of \$703,080.00.
- Bid Number 24-110RE to furnish 40 new 13 foot self-unloading stainless steel abrasive spreaders to the department located in Cheyenne. The bid was awarded to Dukes A&W Enterprises, of Louisville, Kentucky, for the sum of \$854,320.00.
- Requisition 70745 to furnish safety portal and WIGLS annual maintenance, support, and hosting for use by the Department. The requisition was awarded to ITIS Corp. of Clovis, California, for the sum of \$209,260.00.

Mr. Byrne advised the Commission that the Procurement department will be reaching out to each individual Commissioner to gauge interest in participating in upcoming RFPs as well as comments and suggestions.

12. Chief Engineer's Report: Mr. Gillett updated the Commission regarding the Infrastructure Investment and Jobs Act (IIJA), including recent Notices of Funding Opportunities (NOFO). The first NOFO is for the prioritization process pilot program and is for Metropolitan Funding Organizations (MPOs). The purpose of the program is to develop a publicly accessible transparent data driven prioritization process for the ranking of software projects. This program provides up to \$10 million each fiscal year and over the life of IIJA is limited to \$2 million per award.

A Strategic Innovation for Revenue Collection Programs NOFO is also out. The purpose of this program is to test the feasibility of a road usage fee and other user based alternative revenue mechanisms to help maintain long term solvency of the Highway Trust Fund. This program provides up to \$15 million per fiscal year and is being made available for the first time. Due to the timing of the NOFO release, there is currently a balance of \$45 million available. The Strategic Innovation for Revenue Collection Programs is available to state and local governments, multi-jurisdictional groups, or any combination thereof.

Mr. Gillett advised the Commission that WYDOT recently received a \$1.5 Strengthening Mobility and Revolutionizing Transportation (SMART) grant, which will be used by the TMC to produce methods to collect real time work zone information and then disseminate that information back out to the traveling public. Mr. Gillett is optimistic that this project will enhance safety for employees and contractors.

The Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation Program (PROTECT) grant recipients were recently announced. WYDOT was not one of the recipients of this grant, which would have been used for a \$1.2 million purchase to install a new camera on the Photogrammetry and Surveys aircraft. However, the City of Laramie received a \$250,000 Reconnecting Communities pilot program grant to connect Laramie across I-80.

Mr. Gillett reminded the Commission that he and several other staff members attended the statewide crew leaders meetings in Casper. Mr. Gillett stated that the meeting was a success, with a well-planned out agenda of topics. Gillett thanked Marcus Anderson, State Maintenance Engineer, and his team for orchestrating and hosting this event.

Mr. Gillett advised that a lawsuit has been filed against WYDOT by McMillen Construction citing a breach of contract for differing site conditions concerning deer fence post hole excavation on the Dry Piney wildlife crossing project on US 189.

12Ai. Mr. Fulton presented the Engineering and Planning Report, beginning with the bid tabulations from the April 11, 2024 letting.

Federal Project NHPPI-I803153 to mill and overlay approximately 0.4 miles of reconstruction of eastbound lanes at Black Butte interchange; bridge rehabilitation at two structures (abutment and bridge deck repair with overlay); and bridge railing modifications at six locations on I-80 on both eastbound and westbound lanes for approximately 8.00 miles beginning at RM 130.00 between Rock Springs and Rawlins. Completion Date: June 30, 2026.

<i>Engineer's Estimate</i>	\$25,472,548.00	
McGarvin-Moberly Construction Co., Worland, WY	\$23,478,913.36	-7.8%
Avail Valley Construction-WY, LLC, Afton, WY	\$27,643,305.00	
Kilgore Companies, LLC dba Lewis & Lewis, Inc., Rock Springs, WY	\$28,052,353.20	

It was recommended by Mr. Fulton, moved by Commissioner Hughes and seconded by Commissioner Baker that McGarvin-Moberly Construction Co., of Worland, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as the responsive low bidder. The motion carried unanimously. FHWA concurred with this decision.

Federal Projects STP-P591008, ARSCT-P591A03, ARSCT-P591A04, and STP-E-P591009 for full depth reclamation, milling, overlay, sidewalk, bridge rehabilitation (concrete repair, pedestrian railing, deck repair and epoxy overlay) and precast box culvert installation; traffic signal, flashing beacon and lighting installations; and utility (water main and sewer service) installation on approximately 6.80 miles at various locations on Main Street between the I-25 and I-90 interchanges in the City of Buffalo. Completion Date: October 31, 2025.

<i>Engineer's Estimate</i>	\$13,684,743.00	
Croell, Inc., Sundance, WY	\$17,153,079.57	25.3%
Simon Contractors, Cheyenne, WY	\$17,283,470.32	
Riverside Contracting, Inc., Missoula, MT	\$21,458,784.25	
Oftedal Construction, Inc., Casper, WY	\$21,898,254.50	

It was recommended by Mr. Fulton, moved by Commissioner Hughes and seconded by Commissioner Dolezal that Croell, Inc., of Sundance, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The motion carried unanimously.

Federal Project STP-PM-B232018 for contract patching (mill and overlay) on approximately 24.99 miles at various locations in Transportation District 2. Completion Date: October 31, 2024.

<i>Engineer's Estimate</i>	\$6,190,301.00	
JTL Group, Inc. DBA Knife River, Cheyenne, WY	\$6,103,634.76	-1.4%
Croell, Inc., Sundance, WY	\$6,722,629.90	

It was recommended by Mr. Fulton, moved by Commissioner Lyman and seconded by Commissioner Dolezal that JTL Group, Inc. DBA Knife River of Cheyenne, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The motion carried unanimously. FHWA concurred with this decision.

Federal Projects NHPP-N283012 for milling and overlay on approximately 5.50 miles on US 26 beginning at RM 50.707 between Torrington and the Nebraska State Line. Completion Date: July 31, 2025.

<i>Engineer's Estimate</i>	\$3,017,183.00	
Simon Contractors, Cheyenne, WY	\$2,648,382.80	-12.2%
McGarvin-Moberly Construction Co., Worland, WY	\$2,657,105.81	
Croell, Inc., Sundance, WY	\$2,733,283.00	
JTL Group, Inc. DBA Knife River, Cheyenne, WY	\$2,830,208.00	

It was recommended by Mr. Fulton, moved by Commissioner Willox and seconded by Commissioner Baker that Simon Contractors, of Cheyenne, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The motion carried unanimously. FHWA concurred with this decision.

State Project SCP-TC-B243019 for contract patching (mill and overlay) on approximately 9.66 miles at various locations in Transportation District 3. Completion Date: October 31, 2024.

<i>Engineer's Estimate</i>	\$3,016,880.00	
Evans Construction Company, Jackson, WY	\$4,445,095.00	47.3%

It was recommended by Mr. Fulton, moved by Commissioner Lyman and seconded by Commissioner Baker to reject all bids and bring this project forward at a future date. The motion carried unanimously. *FHWA concurrence was not required as this is a state project.*

Federal Project HSIP-B242010 for guardrail and bridge rail upgrades (replacements) at various locations in Transportation District 2. Completion Date: November 30, 2024.

<i>Engineer's Estimate</i>	\$1,519,786.00	
S&L Industrial, Cowley, WY	\$1,467,062.80	-3.5%
K's Construction, Inc., Afton, WY	\$1,702,814.60	

It was recommended by Mr. Fulton, moved by Commissioner Baker and seconded by Commissioner Hughes that S&L Industrial, of Cowley, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The motion carried. FHWA concurred with this decision. *Commissioner Crank declared a conflict and did not vote.*

Federal Project HSIP-B249023 for sign upgrades at various locations in Transportation Districts 3 and 5. Completion Date: October 31, 2024.

<i>Engineer's Estimate</i>	\$253,765.00	
S&L Industrial, Cowley, WY	\$161,355.00	-36.4%
TK3 LLC, Cody, WY	\$299,925.00	
Keyhole Technologies, LLC, Casper, WY	\$457,700.00	

It was recommended by Mr. Fulton, moved by Commissioner Willox and seconded by Commissioner Lyman that S&L Industrial, of Cowley, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The motion carried. FHWA concurred with this decision. *Commissioner Crank declared a conflict and did not vote.*

Federal Project STP-GM-B244021 for pavement marking upgrades at various locations in Transportation District 4. Completion Date: October 31, 2024.

<i>Engineer's Estimate</i>	\$207,788.00	
S&L Industrial, Cowley, WY	\$169,169.00	-18.6%
Traffic Safety Services, Inc., Cheyenne, WY	\$244,466.00	
TK3 LLC, Cody, WY	\$272,372.00	

It was recommended by Mr. Fulton, moved by Commissioner Baker and seconded by Commissioner Hughes that S&L Industrial, of Cowley, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming,

be awarded the contract as low bidder. The motion carried. FHWA concurred with this decision. *Commissioner Crank declared a conflict and did not vote.*

12Aii. April FY 2024 State Transportation Improvement Program (STIP) Addendum: Mr. Fulton presented the April FY 2024 STIP Addendum.

It was recommended by Mr. Fulton, moved by Commissioner Willox and seconded by Commissioner Lyman to approve the April FY 2024 STIP addendum. The motion carried unanimously.

12Aiii. Commission Highway Design Projects Updates: Mr. Fulton provided status updates regarding projects I804276 Rawlins-Creston Junction/County Line East Eastbound Lanes and WL32304 Kemmerer South Crossing.

12B. Mr. DeHoff presented the Operations Report.

Mr. DeHoff thanked Jeff Mellor, Mike Callaway, Kadi Bradfield, Brent Kidsvater, and all of their team members for the Commissioner's sign shop and Traffic Operations Center tour. Mr. DeHoff will work with Mrs. Casner to possibly arrange a tour of the rigging shop at a later date.

Mr. DeHoff reminded the Commission that the maintenance supervisor conference was held the week of April 8th in Casper. There were over 200 attendees including WYDOT employees and external partners. Several breakout presentations were given throughout the conference, which were led by WYDOT employees, other state agencies, and external partners. Also during the conference, equipment challenges were held involving a loader, motor grader, backhoe, and skidsteer. Each district sent two employees per type of equipment and there was a competition with multiple tasks to accomplish. Director Westby and Mr. Gillett handed out awards to the equipment challenge winners. Mr. DeHoff also thanked Marcus Anderson and his staff for organizing the conference.

All Districts and programs are preparing their Fiscal Year 2025 budgets, which will be handed in to the Budget office on May 17th. Mr. DeHoff will meet with District and program staff regarding the proposed budgets.

Mr. DeHoff advised that staff is also completing PMI (Performance Measurement Instrument) evaluations, and final evaluations for the year will be given to employees soon.

Maintenance: There were some road closures due to snow in the last month, but at this time the snow removal is on track compared to the last five years. However, this could change depending on possible upcoming storms.

Crews are continuing to prepare equipment for summer operations, and are completing projects as weather permits.

There were no snow plow hits since the March 2024 Operations report. The total number of hits for this year is 13, compared to 25 last year.

Flooding: Mr. DeHoff will begin to update the Commission with flooding issues as they arise in the coming months. WYDOT team members are attending state and county meetings with Homeland Security and other emergency management services. During these meetings, snow pack is discussed as well as areas of concern and what can be done to prevent or mitigate any problems.

Highway 116 South: There has been an increase in damage along sections of Highway 116 South near Upton, due to increased hauling operations by many trucking companies. Several trucks weight 130,000 pounds and above, which is legal with a Class W permit. The District Engineer plans to place a weight restriction along this road, and on May 1st, letters will be sent out to all trucking companies informing them of this restriction. Staff has already contacted the Wyoming Trucking Association and the AGC-WYO to assist in spreading this information, as well as drafting press releases and digital message boards.

Maintenance crews will be patching this road as needed as a short term solution. For a long term solution, a mill and overlay project for road reconstruction is in the STIP.

Construction: Construction season has not officially begun, but there are 33 active projects across the state currently. There has been good progress due to favorable weather, but the contractors are careful to react to any changing conditions.

Traffic: Striping crews are finishing up winter maintenance on their trucks, but some crews have been out striping on days where there is an adequate temperature.

Electrical and sign crews are also completing projects as weather allows.

WYDOT continues to receive equipment, and should receive 60 trucks in the next six to eight months. The eighth and final rotary snow plow should be delivered to District 5 in the very near future.

Facilities: The Sundance rest area is currently closed, but should be opening in the next few days. All other facilities are open at this time.

Shirley Rim/Muddy Gap Housing: This project has gone out to bid and bids were opened on April 17th, but more information is not known at this time. Mr. DeHoff is hopeful that the housing will be in place in the Shirley Rim and Muddy Gap area by the coming winter, and that it will assist in recruitment efforts in that area. Several employees thanked Mr. DeHoff and the Commission for approving the new housing.

14A. Legislator Comments: Representative O'Hearn advised that the Commission should continue to analyze the proposed alternate route between Green River and Rock Springs, especially now that there are several businesses being established in that area. Senator Pappas reminded the

Commission of upcoming Legislative meetings, and encouraged Commissioners to attend any meetings they are able to.

Commission recessed to lunch at 11:58 a.m.

Commission returned to public session at 2:05 p.m.

Representative O'Hearn and Senator Pappas did not return to the meeting after lunch.

13. May 2024 Commission Meeting: Secretary Casner advised that the May 2024 meeting will be held in Rock Springs, in conjunction with the Wyoming Trucking Association annual meeting. Mrs. Casner will be in touch with all Commissioners to finalize travel and room arrangements.

14B. Commissioner Comments: Commissioner Baker advised that the Commission consider the impact of remote work on remodeling and new construction needs. Commissioner Lyman thanked the Concrete Association for hosting a dinner for the Commissioners at Little America, and asked the Commission to consider hosting award luncheons when traveling for meetings. Commissioner Hughes thanked Jim Boyd and Mariah Johnson for their presentations to the Commission, as well as HDR representatives Mattson and Sheppard for attending the meeting and their work on the consolidation study. Commissioner Crank thanked the Commissioners for their engagement and participation. Commissioner Willox echoed Commissioner Crank, and thanked staff for all their extra efforts. Commissioner Dolezal thanked all staff involved in Commission meetings for their assistance and follow up on questions. Chair Holmes thanked the sign shop for the tour, and expressed pride in Wyoming's work zone traffic safety compared to neighboring states.

15. Executive Session: It was moved by Commissioner Crank and seconded by Commissioner Willox to enter in to Executive Session to discuss matters concerning litigation to which the governing body is a party or proposed litigation to which the governing body may be a party, pursuant to Wyoming State Statute 16-4-405(a)(iii). The motion carried unanimously. *No action was taken during Executive Session.*

Commission recessed to Executive Session at 2:17 p.m.

Commission returned to public session at 2:24 p.m.

16. It was moved by Commissioner Crank and seconded by Commissioner Baker to adjourn the meeting at 2:25 p.m. on Thursday, April 18, 2024. The motion carried unanimously.

WYOMING DEPARTMENT OF TRANSPORTATION

STATEMENT OF REASONS

MOTOR VEHICLES AND LICENSING SECTION

CHAPTER 1, DRIVER'S LICENSES AND MOTOR VEHICLE SAFETY

Chapter 1, Driver's Licenses and Motor Vehicle Safety, is a new rule and regulation of the Wyoming Department of Transportation. These rules of practice and procedure are promulgated by authority of W.S. 24-2-105, W.S. 31-4-103, W.S. 31-7-103, W.S. 31-7-305, W.S. 31-7-310, W.S. 31-7-401, W.S. 31-7-501, W.S. 31-8-101, W.S. 31-8-203, and W.S. 31-9-103. These rules administer various matters relating to driver's licenses and commercial driver's licenses (CDL) in compliance with Federal Motor Carrier Safety Regulations in Title 49 of the Code of Federal Regulations (C.F.R.).

This revised rule and regulation applies legislative changes from the 2021, 2022, and 2023 Wyoming Legislature to comply with current statutes. Changes for 2021 pertain to updating visual acuity requirements (HB0020, codified as Chapter 38, *Session Laws of Wyoming, 2021*) and eliminating provisions formerly administering motor vehicle accident prevention courses for insurance premium reductions to comply with SF0112, codified as Chapter 138, *Session Laws of Wyoming, 2021*. Legislative changes for the 2022 session relate to provisions for commercial vehicle license disqualification for human trafficking convictions as required by HB0007, codified at Chapter 45, *Session Laws of Wyoming, 2022*. Changes for 2023 pertain to updating the photograph quality requirements for licenses and identification cards (SF0020, codified as Chapter 35, *Session Laws of Wyoming, 2023*).

For commercial driver's licenses, the "T" restriction has been eliminated and "O" restriction modified to comply with 49 C.F.R. 383 and 384. These changes respond to a corrective action required by a Federal Motor Carrier Safety Administration audit.

Other changes have been made to conform these rules to the Secretary of State's required format and improve readability.

Chapter 1

Driver's Licenses and Motor Vehicle Safety

Section 1. Authority. These rules of practice and procedure are promulgated by authority of W.S. 24-2-105, W.S. 31-4-103, W.S. 31-7-103, W.S. 31-7-305, W.S. 31-7-310, W.S. 31-7-401, W.S. 31-7-501, W.S. 31-8-101, W.S. 31-8-203, and W.S. 31-9-103.

Section 2. Purpose.

(a) **Statutory Interpretations.** These rules provide uniform, understandable interpretations of the undefined portions of the following:

- (i) W.S. 31-7-101 through W.S. 31-7-502, Driver's License Act;
- (ii) W.S. 6-3-615, Use of false identity, citizenship or resident alien documents, penalty;
- (iii) W.S. 31-9-101 through W.S. 31-9-415, Motor Vehicle Safety-Responsibility Act; and
- (iv) W.S. 31-4-103, Failure to maintain liability coverage; penalties; exceptions.

(b) **Implementation.** These rules also implement, as currently amended, the following:

- (i) W.S. 31-7-310, Rulemaking authority;
- (ii) Title 6 Code of Federal Regulations (C.F.R.) Part 37, Real ID driver's licenses and identification cards; and
- (iii) Title 49 C.F.R. Subchapter B, Federal Motor Carrier Safety Regulations, Parts 383, 384, and 390.

(c) **Applications and Examinations Guidance.** These rules also provide guidance regarding applications and examinations for obtaining the following:

- (i) Driver's licenses, commercial driver's licenses, and temporary and instructional permits;
- (ii) Extensions or expirations of valid driver's licenses;
- (iii) Grounds for cancellation or denial of licenses and permits;
- (iv) Grounds for disqualification, downgrade, and suspension;

- (v) Notices of intent to disqualify, suspend, deny, cancel, or revoke; and
- (vi) Procedures for providing hearings.

Section 3. Definitions. All definitions as set forth in W.S. 31-7-102 apply to these rules. As used in these rules and regulations, the following terms have the following meanings:

(a) “24/7 restricted driver’s license” means a restricted driver’s license issued by the Department pursuant to W.S. 31-7-501 through W.S. 31-7-502 and these rules.

(b) “Birth certificate” means an individual’s birth record that is permanently stored, electronically or physically, at the State Office of Vital Statistics or equivalent agency in a registrant’s state of birth.

(c) “Certified copy” referred to in W.S. 31-7-111(a) means:

(i) An original official document with original signatures, seals, and information entries; or

(ii) A reproduction of an original official document on file at a government agency that bears the following:

(A) Custodian certification that the document on file is valid;

(B) The certifying individual’s original signature; and

(C) The office seal (if applicable).

(d) “Commercial driver’s license (CDL) downgrade” means:

(i) A driver’s state-allowed change of their self-certification to **interstate only** while operating exclusively in transportation or operation excepted in Section 6 of these rules;

(ii) A driver’s state-allowed change of their self-certification to **intrastate only** while operating exclusively in transportation or operation excepted in Section 6 of these rules; or

(iii) The state’s removal of the CDL privilege from a driver’s license.

(e) “Deny or Denial” means the refusal to issue or renew a driver’s license or identification card (ID), as provided in W.S. 31-7-108 and W.S. 31-8-101(b) and by these rules.

(f) “Department” means the Wyoming Department of Transportation.

(g) “Domicile” as referred to in W.S. 31-7-117(c), means the residence of a parent or guardian with legal custody who signs an affidavit of extreme inconvenience.

(h) “Driver’s license record” may include one or more of the following:

(i) “Driving history record” means any record maintained by the Department as required by W.S. 31-5-1214(f) and W.S. 31-7-120;

(ii) “Verification record” means any document scanned as proof of identity, residence, or social security number as required by W.S. 31-7-111(a) and (b)(iv); or

(iii) “Medical record” means a medical or visual evaluation or federal medical examiners certificate held by the Department as required by law.

(i) “False document” means a document that a trained examiner determines to be altered, counterfeit, or otherwise fraudulent; a document presented by a person not legally possessing the document; or both.

(j) “Federal Motor Carrier Safety Regulations (FMCSR)” means Title 49 C.F.R. Parts 383, 390 through 397, and 399.

(k) “Ignition interlock restricted license” means a restricted driver’s license issued by the Department pursuant to W.S. 31-7-401 through W.S. 31-7-404 and these rules.

(l) “Individual” means any man, woman, or child or individual business or organization on whom the Department keeps records or maintains information.

(m) “Investigation” means:

(i) A review of medical or vision information submitted by a qualified medical professional to evaluate an individual’s ability to maintain ordinary and reasonable control of a motor vehicle based upon examination results. This review may also involve evaluating an individual’s character and habits.

(ii) “Fraud investigation” means a formal evaluation or inquiry of the following:

(A) Information from any driver’s license or ID applications;

(B) Identifying documents;

(C) Digital images, signatures, or driving records;

(D) Other information a trained examiner receives to determine authenticity, lawful status, or violations of state or federal laws and regulations; or

(E) Activities performed by Department employees while working that violate Department rules or state or federal law.

(n) “Manual transmission” (also known as stick shift, stick, straight drive, or standard transmission) means a transmission utilizing a driver-operated clutch activated by a pedal or lever and a gear-shift mechanism operated by hand or foot.

(o) “Moving violation” means a motor vehicle driver’s act of control or lack of control while the vehicle is moving that results in a conviction, including a conviction for violating a driver’s license restriction.

(p) “National Driver Register” means Public Law 86-660 of 1960 setting forth the National Driver Register. This law was expanded in 1966 under Public Law 89-563 and again in 1982 under Title 2, National Driver Register Act to Establish an Index on Adverse Driver Licensing Actions Taken by State Administrators.

(q) “Person” means an individual, organization, or entity, but does not include this state or an agency thereof.

(r) “Proof of identity document” or “legal identity document” means as defined in Title 6 C.F.R. Part 37.11(c) and W.S. 31-7-111, as currently amended.

(s) “Regular job” as referred to in W.S. 31-7-117(c), means any employment requiring a minimum 10-hour workweek.

(t) “Restrictions” means the following restrictions that may be placed and imposed on a driver’s license, commercial driver’s license (CDL), commercial learner’s permit (CLP), or permit in an encoded form (see **Driver’s License Restriction Codes Table**).

Driver's License Restriction Codes Table

<i>Licenses Issued On or After January 1, 2014</i>		<i>Licenses Issued On or After July 1, 2024</i>	
Encoded Form	Restriction Name	Encoded Form	Restriction Name
A	Automatic Transmission	A	Automatic Transmission
B	Corrective Lenses	B	Corrective Lenses
C	Mechanical Aids (such as special brakes, hand controls, or other adaptive devices)	C	Mechanical Aids (such as special brakes, hand controls, or other adaptive devices)
D	Prosthetic Aid	D	Prosthetic Aid
E	No Manual Transmission (CDL only)	E	No Manual Transmission (CDL only)
G	Daylight Driving Only	G	Daylight Driving Only
I	Limited Others (contact the Department for details about this restriction)	I	Limited Others (contact the Department for details about this restriction)
J	Valid without Photo and/or Signature	J	Valid without Photo and/or Signature
K	CDL Intrastate Only	K	Intrastate Only (CDL/CLP only)
L	Vehicles without Air Brakes (CDL only)	L	Vehicles without Air Brakes (CDL/CLP only)
M	Except Class A Bus (CDL only)	M	Except Class A Bus (CDL only)
N	Except Class A and B Bus (CDL only)	N	Except Class A and B Bus (CDL only)
O	No Tractor-Trailer Fifth Wheel Coupler (CDL only)	O	No Tractor-Trailer Commercial Motor Vehicle (CDL only)
P	No Passenger (CLP only)	P	No Passenger (CLP only)

Driver's License Restriction Codes Table (continued)

<i>Licenses Issued On or After January 1, 2014</i>		<i>Licenses Issued On or After July 1, 2024</i>	
Encoded Form	Restriction Name	Encoded Form	Restriction Name
R	Class M Only - Four-Wheel Recreation Vehicles Only	R	Class M Only - Four-Wheel Recreation Vehicles Only
T	Except Tractor-Trailer (CDL only)		
V	Must have Variance Letter or Skill Performance Evaluation (SPE) Certificate in Possession	V	Must have Variance Letter or SPE Certificate in Possession (CDL/CLP only)
X	No Cargo in Tank (CLP only)	X	No Cargo in Tank (CLP only)
Z	No Full Air Brake System (CDL only)	Z	No Full Air Brake System (CDL only)

(i) A CDL/CLP applicant who is at least 18 years old but not yet 21 years old shall have the CDL/CLP Intrastate Only (K) restriction imposed, except while operating under an FMCSR exemption.

(ii) A CDL applicant who is applying for a hazardous materials endorsement (HME) shall pass all required knowledge tests and comply with Transportation Security Administration requirements in 49 CFR Part 1572. If the HME applicant is at least 18 years old but not yet 21 years old, the CDL shall have the Intrastate Only (K) restriction imposed, except while operating under an FMCSR exemption.

(iii) A CDL/CLP applicant who has a medical or visual condition, as defined in FMCSR, that normally prohibits them from operating a commercial vehicle on the interstate shall operate a commercial vehicle with a CDL/CLP Intrastate Only (K) restriction unless the driver possesses a medical waiver issued by the Federal Motor Carrier Safety Administration (FMCSA).

(iv) An applicant who passes the CDL skills test with a truck or truck-tractor pulling a trailer or semi-trailer with a pintle hook or other non-fifth wheel connection shall have a No Tractor-Trailer Commercial Motor Vehicle (O) restriction imposed.

(v) An applicant who passes the CDL skills test using a combination vehicle that is **not** a truck-tractor semi-trailer combination, but is otherwise equipped with a fifth wheel, shall have a No Tractor-Trailer Commercial Motor Vehicle (O) restriction imposed.

(vi) An applicant who has applied for a CLP and passed a written examination

for a Tank Endorsement (N) shall have a No Cargo in Tank (CLP only) (X) restriction imposed.

(vii) An applicant who has applied for a CLP and passed a written examination for a Passenger Endorsement (P) shall have a No Passenger (CLP only) (P) restriction imposed.

(u) “School” as referred to in W.S. 31-7-117(c), means a primary place of education where an individual attends regularly scheduled classes, excluding places where only extracurricular activities take place.

(v) “Social security number” means the number assigned by the Social Security Administration or other tracking and identification numbers or letters deemed appropriate by the Department.

(w) “Third-party agreement” means an agreement provided by the Department and signed by an individual responsible for the third-party tester.

(x) “Third-party examiner” means a third-party tester’s payroll or volunteer employee whom the Department certifies to administer approved driver’s license skills tests.

(y) “Third-party tester” means any government entity, association, educational institution, or business entity engaged in using commercial motor vehicles that the Department certifies to administer approved driver’s license skills tests.

(z) “Trained examiner” means a Department employee who has completed and passed the American Association of Motor Vehicle Administrators Fraudulent Document Recognition Level 1 and Level 2 training courses to recognize altered, counterfeit, or fraudulent documents.

Section 4. Applications for Licenses, Permits, and Identification Cards (IDs).

(a) Proof of Identity.

(i) Applicants shall present proof of identity or legal identification documentation with each application and complete a Department-provided application.

(ii) Applicants without proof of identity or legal identification documentation, as defined in Section 3(r) of these rules, may present alternative documentation that the Department’s Driver Services Program manager shall approve before license, permit, or ID issuance.

(iii) If a trained examiner suspects a fraudulent proof of identity or legal identification document, the examiner shall seize the document, provide a receipt for the seized document (whenever possible), and contact local law enforcement.

(iv) If law enforcement refuses to receive the seized material, the examiner shall send the document to the Driver Services Fraud Unit for review. The Fraud Unit shall hold

the document while determining authenticity.

(A) If the document is authentic, and the person who presented the document possesses it legally, then the Fraud Unit shall return the document.

(B) If the document is false, or the person who presented the document does not possess it legally, then the Fraud Unit shall retain the document.

(b) Additional Identifying Information.

(i) In addition to the information specifically requested on the application, as called for by statute, applicants shall provide additional identifying information including natural eye and hair color as well as status of United States citizenship.

(ii) Applicants who are not United States citizens shall provide proof of “lawful status” or “temporary lawful status” in the United States, as defined in Title 6 C.F.R. Part 37.3.

(c) Medical History.

(i) Applicants shall answer medical history questions (covering the previous two years) as requested on the application.

(ii) Applicants answering affirmatively to any of the medical questions or listing any physical or mental disabilities may be required to have a qualified medical professional complete the Department-provided medical form.

(d) Social Security Number.

(i) All applicants for driver’s licenses, instruction permits, or IDs shall provide their social security number to the Department.

(ii) Non-commercial driver’s license or instruction permit applicants who do not have a social security number shall submit a sworn affidavit under penalty of perjury stating they do not have a social security number.

(iii) Commercial driver’s license (CDL) applicants who have a conscientious objection to disclosing their social security number may be issued a pseudo-number upon submitting a written request to the Department stating the basis for objection.

(e) CDL Applicants.

(i) All CDL applicants shall certify the type of driving they can perform and shall self-declare if they are exempt or non-exempt when applying.

(ii) Non-exempt applicants shall present a valid federal medical examiner’s

certificate from a qualified national registry doctor to the examiner.

(A) Applicants with expired federal medical examiner's certificates shall provide the Department with a new, valid federal medical examiner's certificate or, if no longer medically qualified or exempt, submit a new self-certification or have their commercial driving privilege removed from their driver's license.

(B) If an applicant does not comply with preceding (ii)(A), the Department shall downgrade the license to a non-commercial class license.

(C) An applicant with a valid federal medical examiner's certificate with a medical waiver shall present a letter or skill performance evaluation certificate upon application or renewal.

(iii) If an applicant has an exempt status, the applicant shall present a document showing they are operating under an exemption as allowed in Title 49 C.F.R. Parts 390.3(f), 391.2, 391.68, or 398.3.

(iv) CDL applicants who request to waive the knowledge test, skills test, or both under the Federal Motor Carrier Safety Regulations may be excused from one or more required tests if the Department can verify the applicant's qualifications. Applicants shall submit the appropriate waiver request for Department review.

(f) Expiration. Driver's licenses issued to applicants under the age of 21 shall expire on the applicant's twenty-first birthday except when the following occurs:

(i) A restricted Class C license, Class M license, or both shall expire 30 days after the licensee's sixteenth birthday; or

(ii) An intermediate license shall expire 30 days after the licensee's seventeenth birthday.

(g) Screening. All applicants shall be screened through the Problem Driver Pointer System (PDPS) and the Driver's License Number (DLN) Survey for licensing eligibility. PDPS and the DLN Survey shall show a status of "eligible" or "licensed" before license issuance.

(h) Immigrant Licenses and IDs.

(i) Licenses or IDs issued to immigrants without permanent 10-year resident status shall be temporary credentials valid only for the period authorized on the documents presented to and verified by the Department.

(ii) Credentials issued to temporary immigrants shall be identified with a suffix code of NR (non-resident) in the license's class field (for driver's licenses only), and/or "LIMITED TERM" shall be printed across the top of the credential.

Section 5. Name Changes. Name changes for adoptions, marital status changes, or other legal proceedings may be made when applying for any service.

(a) **Name Changes for Legal Proceedings.** Applicants shall present an original copy of the official document authorizing the name change (such as a marriage certificate, divorce decree, or court order) to the examiner upon application.

(b) **Name Change Requirements.** Name changes not authorized in legal proceedings may be granted if the name is not used for fraudulent purposes, does not infringe on the interests or rights of others, is not prohibited by any judicial or administrative adjudication, and is otherwise legal.

(c) **Affidavit of Name Change.**

(i) Applicants shall complete the Department's Affidavit of Name Change form, sign the affidavit in a trained examiner's presence, and provide a certified copy of their proof of identity document.

(ii) The affidavit described in subsection (c) shall include:

(A) The applicant's full first, middle, and last names as shown on the applicant's proof of identity document;

(B) The applicant's full first, middle, and last names as changed;

(C) The applicant's date and place of birth;

(D) The applicant's present mailing address and residential address (if different from the mailing address);

(E) The applicant's natural or adoptive mother's full name, including both married and maiden name (if applicable);

(F) The applicant's natural or adoptive father's full name, including both married and maiden name (if applicable);

(G) Any other names the applicant used during the preceding 10 years. The affidavit shall also list the dates and places (by state, county, and city) where each name was used;

(H) Each address where the applicant has resided during the last 10 years and the duration the applicant resided at each location;

(I) The applicant's current job title, employer, employer address, and physical work site address or location as well as all previous job titles and employers from the preceding 10 years, including each employer's address and physical work site address or

location;

(J) The applicant's certification that the requested name change and use of such name on any license or identification card (ID) issued by the Department, in whole or in part, meets the provisions provided in subsection (b) of this section; and

(K) The applicant's certification of understanding that it is unlawful to use a false or fictitious name on any application or affidavit and that any Department-issued license or ID shall be canceled for failing to give the required or correct information.

Section 6. Commercial Driver's License (CDL) Exemptions. Pursuant to W.S. 31-7-303, the following drivers are exempt from the general requirement under W.S. 31-7-106(a) to obtain a CDL:

(a) **Farmers and Ranchers.** Farmers and ranchers, including their employees and family members, are exempt when operating farm or ranch vehicles that are:

- (i) Used to transport agricultural products, farm machinery, or farm supplies to or from a farm or ranch;
- (ii) Not used in common contract motor carrier operations;
- (iii) Used anywhere within the state if registered in Wyoming as a farm vehicle; and
- (iv) Used within 150 air miles of a farm or ranch if travelling across state lines.

(b) **Firefighters and Other Emergency Response Personnel.** Emergency response personnel are exempt when operating commercial motor vehicles (such as fire trucks, hook and ladder trucks, foam or water transport trucks, police SWAT team vehicles, ambulances, or other vehicles used for emergency response) that are:

- (i) Necessary to preserve life or property or execute emergency governmental functions;
- (ii) Equipped with audible and visual signals; and
- (iii) Not subject to normal traffic regulation.

(c) **Snow and Ice Removal Drivers.** Drivers whom eligible units of local government employ to operate commercial motor vehicles within locality boundaries to remove snow or ice from roadways by plowing or salting are exempt if:

- (i) The properly licensed employee who ordinarily operates a commercial motor vehicle for these purposes is unable to operate the vehicle; or

(ii) The governmental entity determines that a snow or an ice emergency exists and additional assistance is required.

(d) **Military Personnel.** Military personnel who operate commercial motor vehicles for military purposes are exempt and include the following:

(i) Active duty military members;

(ii) Military reserve members;

(iii) Active duty National Guard members, including full-time duty or part-time training personnel as well as military technicians (civilians required to wear military uniforms); and

(iv) Active duty U.S. Coast Guard personnel.

(e) **Other Drivers.** Drivers not listed in subsections (a) through (d) who operate a vehicle or vehicle combination having a gross vehicle weight rating of 39,001 pounds or more shall obtain a non-commercial Class C license with a (Z) endorsement.

Section 7. Renewal-by-Mail Applications.

(a) **Exceptions.**

(i) An application or a renewal-by-mail notice may be sent to a Wyoming resident who is temporarily out of state.

(ii) Renewal-by-mail notices shall be sent to eligible licensees unless one or more of the following provisions apply:

(A) The applicant's license, operating privilege, or both has (or have) been canceled, revoked, denied, or disqualified in the five years immediately preceding the license expiration date;

(B) The applicant holds:

(I) A J-restricted (Valid without Photo and/or Signature) license, as provided in Section 8 of these rules;

(II) A commercial driver's license (CDL) with the Hazardous Materials Endorsement issued pursuant to W.S. 31-7-304(e); or

(III) A CDL and does not have a valid federal medical examiner's certificate as required by W.S. 31-7-304(f).

(C) The applicant is licensed as a temporary immigrant; or

(D) The applicant legally changed their name since the last license issuance.

(b) Military Personnel Applications. Applications for military personnel and their dependents shall be processed in the same manner as provided for in W.S. 31-7-119(c) and W.S. 31-7-119(g).

(i) Active duty military personnel applying in person for renewal of their Wyoming driver's license who present an expired license, not expired more than five years, shall be processed pursuant to W.S. 31-7-119(c) and W.S. 31-7-119(g) and not charged a fee.

(ii) If the licensee does not want the expiration waived when accompanied by an active duty military identification card (ID) for an imposed I-restricted (Limited Others) license, the licensee shall be treated as a non-military client.

(iii) Dependents of active duty personnel applying in person for renewal of their Wyoming driver's license who present an expired license shall be processed pursuant to W.S. 31-7-119(c) and W.S. 31-7-119(g) and charged the renewal fee.

(iv) Renewal applications for active duty military personnel or their dependents, whether received in person or by mail, shall have the active duty status verified electronically by the Department.

(v) Renewal-by-mail applications the Department receives from active duty military personnel or their dependents, whether postmarked before or after the license expiration date, shall be processed pursuant to W.S. 31-7-119(c) and W.S. 31-7-119(g). Active duty military personnel shall not be charged a fee to renew their Wyoming licenses.

(vi) Renewal-by-mail applications the Department receives from active duty military personnel or their dependents shall be accompanied by an updated digital photograph of the applicant if the last photograph on file with the Department is more than 10 years old.

(vii) If an applicant or a dependent no longer qualifies as active duty military and is applying in person or by mail for renewal of their Wyoming driver's license that was issued previously with an out-of-state address, the applicant shall present two documents with a valid physical Wyoming address, in accordance with W.S. 31-7-111(a), dated within 45 days of the application date.

(c) Expired Renewal-by-Mail Applications.

(i) Unless received from active duty military personnel or their dependents, renewal-by-mail applications the Department receives more than 30 days after the license expiration date shall be denied and returned with the applicant's enclosed fee.

(ii) Unless presented by active duty military personnel, any renewal-by-mail

application presented in person to a driver's license examiner after the license expiration date shall be denied, and the applicant shall be processed as a first-time applicant and charged the required fee.

Section 8. Photograph and Signature Requirements for Driver's Licenses and Identification Cards (IDs).

(a) Wyoming REAL ID. To be accepted by a Federal agency for official purposes, Wyoming REAL ID driver's licenses and IDs shall include the cardholder's signature and full facial digital photograph on the front of the card. Photograph and signature standards shall comply with Title 6 C.F.R. Part 37.17 and the American Association of Motor Vehicle Administrators (AAMVA) standards.

(i) Photograph. The photograph shall exhibit a full facial frontal pose with both eyes visible and shall be taken pursuant to the following standards:

(A) The photograph may be in black and white or in color.

(B) Lighting shall be equally distributed on the face.

(C) The face from crown to the base of the chin and from ear to ear shall be clearly visible and free from shadows.

(D) Veils, scarves, or headdresses shall not be permitted unless a person requests and is granted an exemption for medical or religious reasons. If an exemption is granted, such items shall not obscure any facial features and shall not generate shadows.

(E) The person shall not wear eyewear that obstructs the iris or pupil of the eyes nor take any action to obstruct a photograph of their facial features.

(F) When possible, the eyes shall appear with no dark shadows in the eye-sockets caused by the brow. The iris and pupil of the eyes shall be clearly visible.

(G) Care shall be taken to avoid "hot spots" (bright areas of light shining on the face).

(H) A new photograph shall be taken at each in-person renewal unless the person requests the previous photograph be used for medical reasons, as long as the previous photograph was taken within the previous 10 years.

(ii) Signature. The cardholder's signature shall be a digitally printed reproduction of the driver's original signature.

(b) Valid without Photo and/or Signature (J-Restricted) Licenses. At its discretion, the Department may issue a temporary, J-restricted (Valid without Photo and/or Signature)

license under certain circumstances. Any license issued as J-restricted shall have the words “FEDERAL LIMITS APPLY” on the license, and the license shall not comply with the REAL ID Act of 2005, Public Law 109-13, Title 8 United States Code §1101, *et seq.*

(i) Eligibility.

(A) A Valid without Photo and/or Signature (J) restriction may be issued if:

(I) A person applies to the Department for a renewal of a valid Wyoming driver’s license and is unable to return to Wyoming or if an equipment malfunction caused the license to be unusable, and the person has left the state for an extended period;

(II) A person complies with the vision requirements found in these rules;

(III) A person submits the required fee to the Department; and

(IV) The Problem Driver Pointer System and Driver’s License Number Survey do not show an ineligible status in any state.

(B) A licensee who holds a commercial driver’s license (CDL) shall not be issued a J-restricted license.

(ii) Requirements for Surrendering J-Restricted Licenses. Individuals holding a J-restricted license shall surrender it within 30 days after returning to Wyoming; obtain a Wyoming license with a photograph, signature, or both; and pay the required fee.

Section 9. Restricted Class C or Class M Licenses.

(a) Applications.

(i) A parent or guardian with legal custody shall sign any affidavit (application) for a restricted Class C, Class M, or both license(s) and shall include a Wyoming Highway Patrol (WHP) finding that extreme inconvenience exists.

(ii) The application shall also:

(A) Set forth the purpose(s) for which the applicant needs to drive;

(B) State the names and relationships of validly licensed drivers residing at the same domicile as the applicant and provide a statement of the reasons these licensed drivers cannot provide transportation for the applicant;

(C) State the class(es) of license desired; and

(D) Include statements from the school superintendent or principal and employer (if applicable) verifying enrollment and school hours, including extracurricular activities, and employment and work hours (if applicable).

(iii) Other circumstances WHP finds are an extreme inconvenience shall be limited to the need to provide transportation to individuals living in the applicant's domicile for medical or health purposes if:

(A) The medical or health reason is a long-term condition requiring transportation for at least six months; and

(B) A signed statement from a qualified medical specialist familiar with the medical or health condition is submitted describing the condition, its duration, and the need for transportation resulting from it.

(b) Expiration.

(i) Applicants failing to apply for a restricted license within 30 days of the affidavit's approval shall be required to submit another affidavit to WHP.

(ii) Restricted Class C and Class M licenses shall expire 30 days after the licensee's sixteenth birthday.

Section 10. Oaths. Authorized driver's license examiners may accept all oaths, affidavits, or verifications required to obtain a license or permit or to include the gift of life designation, next of kin designation, medical alert designation, or veteran's designation.

Section 11. Examinations.

(a) Vision Screening. Applicants for first-time and renewal driver's licenses and instruction permits may be required to pass a vision screening when issued a license or permit. The driver's license examiner may approve license issuance for the following:

(i) **Non-commercial drivers** if the vision screening given by an examiner, optometrist, or ophthalmologist dated within 12 months of the application shows:

(A) A minimum visual acuity of 20/40 with **both eyes**, with or without corrective lenses; and

(B) A total combined horizontal field of vision with **both eyes** of at least 120 degrees, or, if blind in one eye, at least 90 degrees in the other eye.

(ii) **Commercial drivers** if the vision screening given by an examiner, optometrist, or ophthalmologist dated within 12 months of the application shows:

(A) A minimum visual acuity of 20/40 with **each** eye, with or without

corrective lenses; and

(B) A minimum horizontal field of vision of 70 degrees in **each** eye.

(C) Commercial drivers who do not meet the vision standards in this section shall have the CDL/CLP Intrastate Only (K) restriction imposed based upon the required vision screening or federal medical examiner's certificate from a qualified national registry doctor.

(D) Commercial drivers with monocular vision who do not meet the vision standards outlined in this section but comply with the Federal Motor Carrier Safety Administration's (FMCSA) vision standard are eligible for interstate driving upon the Department's receipt of a federal medical examiner's certificate from a qualified national registry doctor that is valid for no more than 1 year from the date of issue of the certificate.

(iii) **Applicants with a visual acuity of 20/50 or worse**, with or without correction, that demonstrate the ability to operate a motor vehicle safely, and the license is issued with the appropriate restrictions based upon the vision screening and driving skills test results.

(iv) **Applicants who previously failed the vision screening** if they present a written vision statement from an optometrist or ophthalmologist dated within the last three months showing an acuity as outlined in immediately preceding paragraph (i) or (ii) with or without corrective lenses.

(v) **Applicants with an eye disease or condition** diagnosed in a vision screening from an optometrist or ophthalmologist and who have license restrictions in place as recommended by the optometrist or ophthalmologist.

(b) Knowledge and Driving Skills Tests. The driver's license examinations shall include a legal qualifications determination to hold a license. Applicants may also be required to pass a knowledge test of traffic regulations and regulatory signs and demonstrate the ability to operate a motor vehicle of the class and type for which application is made.

(i) Applicants who have not held a valid driver's license in the particular class or type being applied for in the preceding two years immediately before applying shall take all knowledge and driving skills tests the Department requires. This section shall not apply to CDL holders who have been downgraded in accordance with Section (4)(e)(ii)(B) of these rules on or after January 1, 2024, unless the CDL has been expired for two or more years in this or any other state.

(ii) A minimum grade of 80 percent shall be required to pass the knowledge test. Examiners shall give knowledge tests orally if determined necessary.

(iii) Vehicles used for the driving skills tests shall meet the requirements found in W.S. 31-5-901 through W.S. 31-5-1402. Any special mechanical devices on any motor vehicle shall be properly installed and inspected before the driving skills test is administered.

(iv) At the examiner's discretion, the driving skills test may be waived for a first-time applicant for a graduated driver's license if the applicant presents a certificate signed by the teacher and school administrator within the previous two years showing completion of a driver's education course approved by the Wyoming Department of Education or a driver training course certified by the Wyoming Department of Transportation.

(v) Commercial driver's license (CDL) applicants who are exempt from having a CDL, as provided in Section 6(d) of these rules, may qualify for a waiver of the knowledge test, driving skills test, or both by completing the Department's certification form. At a minimum, the certification shall verify that, during the two-year period immediately before application, the applicant:

- (A) Has not possessed more than one driver's license;
- (B) Has not had any driver's license or driving privileges suspended, revoked, or canceled;
- (C) Has not had any CDL or driving privileges disqualified;
- (D) Has not had more than one conviction for any serious traffic violations or a record of an at-fault or uninsured accident (as defined in W.S. 31-7-102[xli] and the Department's rules); and
- (E) Has at least two years of experience operating the same vehicle type and class for which application is being made within the preceding 12 months following discharge from the military, and was:
 - (I) Regularly employed within the last 12 months in a military position requiring commercial motor vehicle operation; and
 - (II) Exempted from CDL requirements in Title 49 C.F.R. Part 383.3(c).
- (F) To qualify for the knowledge test waiver, has one of the following military occupational specialties or occupational classifications:
 - (I) U.S. Army: 88M - Motor Transport Operator, 92F – Fueler, 14T - Patriot Launching Station Operator;
 - (II) U.S. Marine Corps: 3531 - Motor Vehicle Operator;
 - (III) U.S. Navy: EO - Equipment Operator; or
 - (IV) U.S. Air Force: 2TI - Vehicle Operator, 2FO – Fueler, 3E2 - Pavement and Construction Equipment Operator.

(vi) Applicants shall also provide all other information required by Federal Motor Carrier Safety Regulations (FMCSR).

(vii) When renewing a CDL, the licensee shall provide a vehicle representing the driver's license type and class for which application is being made so the Department can administer a driving skills test, if required. The written and driving skills testing requirements may be waived, except that testing requirements FMCSR mandate may not be waived, and written and driving skills tests shall not be waived if the licensee has had any driver's license or driving privileges disqualified, revoked, or canceled.

(viii) School Bus Endorsement applicants shall also pass the required test(s) for and be issued a Passenger (P) Endorsement. Testing for a School Bus Endorsement includes written and skills tests in a school bus as required by FMCSR.

(ix) At the examiner's discretion, applicants may be required to demonstrate their ability to operate a motor vehicle safely as required by W.S. 31-7-122.

Section 12. Third-Party Testing.

(a) Agreements.

(i) A third-party tester shall enter into an agreement with the Department to administer driving skills tests to applicants for commercial driver's licenses (CDLs).

(ii) The agreement shall include, but is not limited to, the following terms. The third-party tester shall permit:

(A) The Federal Motor Carrier Safety Administration (FMCSA), or its representative, and the Department to conduct random examinations, inspections, and audits of company records, facilities, and operations relating to the third-party testing program, with or without prior notice;

(B) The Department or FMCSA to conduct on-site inspections, audits, or both at least annually; and

(C) The transmission of schedules and testing scores, both pass and fail, via the Commercial Skills Test Information System (CSTIMS) as prescribed by the CSTIMS user manual. The Department may also test a sample of drivers examined by the third party to compare pass/fail results as deemed appropriate.

(b) Training and Certification.

(i) The third-party tester shall allow only those employees who complete the required Class A and B Third Party Training Certification Program and whom the Department certifies as third-party examiners to administer CDL skills tests and to issue skills test

certificates.

(ii) Third-party examiners shall meet the same qualification and training standards as Department driver's license examiners.

(iii) Third-party examiners shall complete training and certification provided by the Department's Driver Services Program and have a certificate on file with the Department.

(c) Affidavits.

(i) CDL applicants who pass the driving skills test administered by an authorized third-party examiner shall provide evidence to the Department that they successfully passed the driving skills test.

(ii) All affidavits presented in place of taking a driving skills test or submitting a CDL Test History form shall be signed by the person tested and dated within the validity period for the commercial learner's permit (CLP) the applicant held at the time of the test.

(iii) Affidavits shall not be accepted after the CLP expiration date.

(iv) A proper official of the legal entity having entered into a third-party tester agreement with the Department or a Wyoming driver's license examiner shall execute all affidavits.

(d) Examiner Requirements. Third-party examiners shall:

(i) Conduct a 10-test minimum on different applicants within one year to maintain active examiner status. If a third-party examiner fails to complete 10 different tests, the examiner must attend a state-conducted refresher course or successfully administer a skills test to a state-certified examiner;

(ii) Hold a current, valid Wyoming CDL of the type and class for which they will test and not have been suspended, disqualified, revoked, or canceled in the last five years;

(iii) Complete a nationwide criminal background check. The report results shall be filed with the Department; and

(iv) Shall not act as both the examiner and trainer-instructor of a skills test applicant.

(e) Truck Driver Training Schools. Schools intended to train truck drivers shall be eligible to become third-party testers upon complying with the following:

(i) Schools shall be licensed with the Wyoming Department of Education, Private School Non-degree Program and shall provide a copy of the license to the Wyoming Department of Transportation;

(ii) Third-party testers or examiners shall not charge any fee for skills tests administered, except those fees and tuition allowed by the Wyoming Department of Education;

(iii) Third-party examiners shall test only individuals registered as students with schools licensed to act as third-party testers;

(iv) Truck driving schools shall also comply with all provisions of preceding Section 12(a) through (d) of these rules; and

(v) Third-party examiners for truck driving schools shall recertify annually with the Department.

(f) **Certification Cancellation.**

(i) Third-party testers or examiners shall have their certification canceled if the Department determines Wyoming statutes, Department rules and regulations, or the third-party agreement (including Attachment A) as signed by the third-party tester have been violated.

(ii) Third-party testers may be recertified upon satisfying the Department that all violations have been corrected and all third-party examiners have been retrained and recertified in accordance with these rules.

(g) **Other Requirements.**

(i) All non-government third-party testers shall file a \$10,000 bond with the state and maintain the bond to retain Department certification.

(ii) All private institutions or departments not covered by Section 12(e) shall employ a minimum of 25 drivers for Department certification as a third-party examiner.

Section 13. Fees.

(a) **Commercial Driver's License (CDL) Testing Fees.**

(i) A CDL skills test shall not be scheduled or conducted until the Department receives the required fee.

(ii) The applicant shall forfeit the required CDL skills test fee and not be refunded upon:

(A) Failure to appear at the scheduled time and location;

(B) Failure to cancel 24 hours before the scheduled time unless factors beyond the person's control cause the failure to appear (such as road closures or documented medical emergencies);

(C) Failure of any portion of the required skills test; or

(D) Examiner rejection of the vehicle for faulty or unsafe equipment or equipment of the improper class or type. Failure to obtain, or the unavailability of, a vehicle of the proper class and type shall not be deemed as beyond the person's control, and the fee shall be forfeited.

(iii) A CDL skills test shall not be rescheduled until the Department receives an additional skills test fee.

(b) Acceptable Payment Types. The Department shall accept personal checks for required fees if the check is made payable to the Department, printed (not handwritten) with the name and current address of the check issuer, and for the required fee amount. The Department shall not accept two-party or payroll checks.

(c) Record Fees.

(i) The fee for a driver's license record shall be \$10. Additionally, the Department shall charge \$2.50 for processing a driver's license record on the same business day if it is not requested in person at a driver's license location.

(ii) The fee for a driver's license record requested and searched electronically shall be \$10.

(iii) Additional fees for programming costs shall be assessed as needed.

Section 14. Driver's License or Identification Card (ID) Not Delivered.

(a) Returned as Undelivered to Department. The Department shall hold a license or ID returned to the Department as undelivered for at least 60 days from the date the Department mailed it. If the Department receives no inquiry within the 60 days, the license or ID may be canceled.

(b) Licensee Notification. If a licensee notifies the Department within 60 days of the mail date that the license or ID was not received, another card shall be issued without fee if the person's address has not changed. The licensee shall wait 30 days after the card has been mailed before the Department can issue a replacement license or ID.

Section 15. Grounds for Suspension.

(a) Moving Violations. Moving violations used in one suspension action may be used in a subsequent suspension action if the record, by adding a new moving violation(s), shows at least four moving violations within a 12-month period (using the offense date of the violations).

(b) Repeat Violators.

(i) The license of any person may be suspended for up to 12 months if the licensee is a repeat violator. The Department shall consider a licensee a repeat violator when its records show that a person has been convicted of three or more moving violations within a 12-month period.

(ii) The Department shall take the following actions with repeat violators:

(A) Provide written notification to violators regarding their three moving violation convictions within a 12-month period (using the offense date of the violations) and identify the possible consequences of receiving additional moving violation convictions;

(B) Suspend the violator's license for 90 days upon receiving evidence of a conviction for a fourth moving violation (using the offense date of the violations) within a 12-month period; and

(C) Suspend the violator's license for an additional 90 days upon receiving evidence of subsequent conviction(s) totaling four or more moving violations within a 12-month period (using the offense date of the violations).

(c) Other Violations.

(i) Upon receiving a record of conviction, the Department shall suspend a driver's license for violations of W.S. 31-7-133 for 90 days.

(ii) Violators who fail to appear in court shall have their license suspended for up to 12 months or until they appear in court and comply with the citation conditions, whichever comes first.

(iii) Individuals suspended under the authority granted in W.S. 31-7-140 shall have their Wyoming driver's license suspended until cleared by the court issuing such action.

(iv) The Department shall suspend an individual's commercial driver's license (CDL) for 90 days for any CDL endorsement violations.

(v) A driver's license shall be reinstated upon payment of all state-required fees.

Section 16. Grounds for Disqualification, Denial, Downgrade, or Cancellation.

(a) Disqualification.

(i) Individuals disqualified under any of the commercial driver's license (CDL) provisions of W.S. 31-7-305 and W.S. 31-7-310 shall have the cancellation become effective on the same date as the disqualification. A person shall be disqualified from operating a commercial motor vehicle for the following:

(A) Department receipt of a Federal Motor Carrier Safety

Administration (FMCSA) disqualification for any violation listed under Title 49 C.F.R Part 383.52. This disqualification shall commence immediately upon notification from FMCSA and remain in effect for as long as one year or until the Department receives notification from FMCSA that the disqualification has ended.

(B) 60 days if convicted of two serious traffic violations in a **commercial motor vehicle** arising from separate incidents occurring within a three-year period.

(C) 120 days if convicted of three serious traffic violations in a **commercial motor vehicle** arising from separate incidents occurring within a three-year period.

(D) 60 days if convicted of two serious traffic violations in a **non-commercial** vehicle arising from separate incidents occurring within a three-year period only if the second conviction results in a suspension.

(E) 120 days if convicted of three serious traffic violations in a **non-commercial** vehicle arising from separate incidents occurring within a three-year period only if the second or third conviction results in a suspension.

(F) Department receipt of a FMCSA disqualification for any violation listed under W.S. 31-7-305.

(ii) Individuals with lifetime disqualification resulting wholly or in part from involvement with alcohol or controlled substances shall be ineligible for relicensing until 10 calendar years from the disqualification date. After 10 years, the following provisions apply:

(A) A CDL shall not be issued until the Department receives a written request and investigates; additionally, the applicant shall comply with any restrictions and conditions imposed after the investigation. When writing to request reapplication, the applicant shall be subject to applicable requirements as defined in Section 16(d) and (e) of these rules.

(B) No person shall be issued a new CDL until the Department ends or reduces the disqualification, and the applicant is otherwise eligible for a CDL.

(I) Lifetime disqualification for using a motor vehicle while committing any felony involving the manufacturing, distributing, or dispensing of a controlled substance or possession with intent to manufacture, distribute, or dispense a controlled substance shall not be reduced to 10 years.

(II) Lifetime disqualifications for using a commercial motor vehicle in the commission of any felony involving human trafficking under W.S. 6-2-702, W.S. 6-2-703, or any similar federal regulation shall not be reduced to 10 years.

(C) Individuals with a CDL canceled by disqualification, but who are otherwise eligible, may be issued a non-commercial driver's license.

(D) All applicants who have been disqualified from operating a commercial motor vehicle and subsequently reinstated shall pass all required knowledge and skills tests and pay the required fees.

(b) Denials and Cancellations. Individuals shall be denied license issuance or have an existing license canceled for any of the following reasons:

(i) The person is not legally, physically, or mentally qualified to hold a license; legal age or immigration status; previous disqualification, cancellation, denial, suspension, or revocation; failure to meet statutory requirements; or other reasons as may be described by Department policy, procedure, or other legal actions.

(ii) The Department receives a written medical statement from a qualified medical professional that the person is not medically, physically, or mentally capable of safe motor vehicle operation.

(A) This includes persons afflicted with a medical disorder resulting in loss, interruption, or lapse of consciousness, motor function, or both.

(B) The cancellation or denial shall not be reconsidered until the Department receives a written statement from a qualified medical profession stating the affliction no longer exists or is medically controlled.

(iii) The Department receives a written vision statement from an optometrist or ophthalmologist indicating the person's:

(A) Best visual acuity, with or without corrective lenses, is worse than 20/100 with both eyes;

(B) Best visual acuity, with or without corrective lenses, is worse than 20/100 in the carrier lenses, and the bioptic telescope or other low-vision aid does not correct the visual acuity to at least 20/40;

(C) For non-commercial drivers, total combined horizontal field of vision with both eyes is less than 120 degrees, or, if blind in one eye, less than 90 degrees in the other eye; or

(D) For commercial drivers, horizontal field of vision is less than 70 degrees in each eye.

(iv) A person proves unable to demonstrate ordinary and reasonable skills to operate a motor vehicle safely as evidenced by investigation results. Upon the examiner's recommendation, the person may:

(A) Apply for and receive an instruction permit, subject to any restrictions and conditions imposed by the Department;

(B) Hold the instruction permit for at least three months; and then

(C) Request, in writing, the Department investigate again to determine if a license will be issued.

(v) The Department receives a report from the U.S. Citizenship and Immigration Services (USCIS) indicating a non-U.S. citizen is not complying with immigration laws. In this instance, the license shall remain canceled, and the person shall not be allowed to reapply until the Department receives evidence from the USCIS that the applicant is eligible for a license.

(c) Downgrades. Upon receiving notice from FMCSA that a driver is prohibited from operating a commercial motor vehicle because of an alcohol and controlled substance program violation, the Department shall initiate the downgrade process to remove the commercial learner's permit (CLP) or CDL privilege from the driver's license within 60 days.

(d) Investigations.

(i) The Department shall investigate the driving ability, character, and habits of anyone who applies for reinstatement after revocation if revocation resulted from conviction involving alcohol or controlled substances or documented evidence the Department holds that the person has an alcohol or a substance abuse problem.

(ii) If Department investigation reveals any documented incidents in the interlock data log or convictions violating revocation, disqualification, or ignition interlock requirements and restrictions, within the six months immediately preceding the scheduled investigation's date, the Department may:

(A) Deny issuance of a new license;

(B) Deny application for at least six months; and

(C) Require the person to do the following:

(I) Provide evidence of completing or current attendance in an approved treatment or counseling program for alcohol, controlled substances, or both within the six-month denial period;

(II) Not receive any convictions or violations involving use of alcohol or controlled substances during the five-year term of any license issued after the investigation is completed; and

(III) Observe any other restrictions or conditions imposed by the Department.

(iii) Investigations may consist of a driving skills test in a vehicle representing the license type and class the applicant holds or for which the applicant is applying and any requirements or restrictions from an investigation completed under subsections (a) through (c) of this section.

(iv) The Department shall investigate the driving ability, character, and habits of anyone who applies for reinstatement of commercial driving privileges after a lifetime disqualification. If a Department investigation reveals any of the following, the request shall be denied:

(A) The applicant has not yet served a full 10 years from the start date of the last lifetime disqualification;

(B) The applicant is no longer licensed in this state and has been convicted in another jurisdiction of an offense listed in Title 49 C.F.R. Part 383.51 that would result in an additional lifetime disqualification if still residing in Wyoming;

(C) The applicant fails to complete the documentation required by the Department within six months of receiving the applicant's request; or

(D) If any convictions resulting in the disqualification are related to alcohol or controlled substances and the applicant fails to provide evidence of successful completion of an appropriate rehabilitation program approved by the Department.

(v) The Department shall investigate a driver's driving ability, character, and habits at the specific request of a law enforcement based upon observed impairment of the driver's mental, physical, or visual ability.

(e) Reinstatement.

(i) Licenses shall be denied or non-resident operating privileges shall not be restored until one of the following requirements is satisfied. The individual shall:

(A) Submit a current evaluation for alcohol, controlled substances, or both by a counselor certified by the Wyoming Department of Health, Substance Abuse Division, or an equivalent out-of-state agency with evidence of satisfactory completion or current attendance in a recommended treatment course or counseling program;

(B) Provide verifiable evidence of their substantial compliance with W.S. 31-7-401 through W.S. 31-7-404 for the previous six months; or

(C) Provide verifiable evidence of their substantial compliance with W.S. 31-7-501 through W.S. 31-7-502 for the previous six months.

(ii) Individuals who violate restrictions imposed by the Department shall have their license canceled and cannot apply for a new license until proof is submitted that:

(A) The person has completed an approved inpatient program for alcohol, controlled substances, or both since the last known incident; or

(B) The person is currently enrolled and making satisfactory progress in a treatment program for alcohol, controlled substances, or both since the last known incident.

(iii) Individuals who have had a license revoked for a reason other than Section 16, subsections (b) through (c), shall be denied a license until the Department completes an investigation, and the person complies with any restrictions imposed by the Department resulting from the investigation.

(iv) Individuals whose CLP or CDL has been downgraded under Section 16(c) are required to complete the FMCSA prescribed return-to-duty process to have their commercial privileges reinstated as follows:

(A) If, before the Department completes and records the downgrade, the Department receives notification the CLP or CDL holder is no longer prohibited from operating a commercial motor vehicle, the Department shall terminate the downgrade process without removing the CLP or CDL privilege from the driver's license; or

(B) If, after the Department completes and records the downgrade, the Department receives notification the driver is no longer prohibited from operating a commercial motor vehicle, the Department shall reinstate the driver's CLP or CDL privilege.

(v) Any applicant whose commercial privileges have been downgraded for more than two years shall pass all required knowledge and skills tests and pay the required fees to obtain a CDL. This requirement shall not apply to applicants downgraded according to Section (4)(e)(ii)(B) of these rules on or after January 1, 2024.

Section 17. Surrender of License or Permit. A suspended, canceled, or revoked license or permit shall be considered surrendered when given to any Department Driver Services employee or law enforcement officer or when addressed and mailed to the Wyoming Department of Transportation, 5300 Bishop Boulevard, Cheyenne, Wyoming, 82009-3340, with an "Attention: Driver Services" line.

Section 18. Right to Contested Case Hearings or Record Reviews.

(a) Notification.

(i) Individuals whose driver's license is disqualified, suspended, revoked, canceled, or denied shall be notified of the right to request a contested case hearing or record review.

(ii) The notification shall advise the person that:

(A) If the only reason for requesting a hearing is to receive limited driving privileges, then the request shall initiate a Department record review.

(B) If the request is for any purpose other than to receive limited driving privileges, then it shall initiate a contested case hearing before the Office of Administrative Hearings.

(b) Record Review Requests. Requests for record reviews of disqualifications, suspensions, revocations, cancellations, or denials for which limited driving privileges are not granted pursuant to W.S. 31-7-105 shall be denied.

Section 19. Requests for Contested Case Hearings or Record Reviews. All requests for a contested case hearing or record review arising from any driver's license related action shall be made in writing and addressed to the Wyoming Department of Transportation, 5300 Bishop Boulevard, Cheyenne, Wyoming, 82009-3340 or sent electronically.

(a) Notification.

(i) A request for a contested case hearing or record review shall be considered timely if received electronically or postmarked within 20 days of the date the Department provided notice of the Department's intended action (to suspend, revoke, cancel, disqualify, or deny a driver's license) and is accompanied by the required fee.

(ii) If the Department receives a request for a hearing or record review electronically, payment shall be made within 48 hours after the payment link is sent by the Department.

(iii) If, during the investigation process, the Department determines additional information is necessary after accepting the hearing request, the requestor may be required to provide information as the Department directs before referral to the Office of Administrative Hearings.

(b) Computation of Time.

(i) The Department shall allow five days from the date the notice of intent was mailed to the person's last known address on file with the Department. The Department considers the order as received five days after mailing it unless law enforcement gives notice in accordance with W.S. 31-6-102.

(ii) If law enforcement does not give notice in person, the 20-day period to request a contested case hearing or record review shall begin on the sixth day after the Department gives notice of its intent, and the period shall conclude at midnight on the twentieth day thereafter unless that day is a Saturday, Sunday, or legal holiday. In such cases, the period runs until midnight on the following business day.

(iii) If law enforcement gives notice in person, the 20-day period to request a

contested case hearing or record review shall begin immediately, and the period shall conclude at midnight on the twentieth day thereafter unless that day is a Saturday, Sunday, or legal holiday. In such cases, the period runs until midnight on the following business day.

(c) Late Requests.

(i) Except as provided in this subsection (c), no contested case hearing shall be granted unless the request is made in a timely manner.

(ii) Upon receiving a late request for a contested case hearing, the Department may grant a late hearing if satisfactory written evidence and documentation is submitted showing the lateness resulted from external factors beyond the petitioner's control.

(iii) Upon receiving a late request for a record review, the Department may grant a probationary driver's license for limited driving privileges if:

(A) The petitioner holds an unexpired, permanent driver's license;

(B) The petitioner is otherwise entitled to limited driving privileges; or

(C) The Department receives satisfactory written evidence indicating that failure to grant the limited driving privileges will cause undue hardship.

(iv) If the Department denies a late request for a contested case, it shall refund the required fee.

(d) Stay of Action.

(i) When a contested case hearing or timely record review is granted, the proposed action shall be stayed. The stay shall be effective the day the Department grants a contested case hearing or record review. Stays shall not be granted retroactively.

(ii) Stays shall continue as follows:

(A) For a contested case, until a contested case hearing is conducted before the Office of Administrative Hearings and a final order has been entered; or

(B) For a timely record review, the suspension dates are stayed for up to 30 days from the date the record review is granted or a probationary driver's license for limited driving privileges is issued, as long as the individual still holds a permanent driver's license that is not expired or has not otherwise been withdrawn.

Section 20. Probationary Licenses.

(a) Conditions.

(i) Upon receiving a record review request, the Department shall issue an order granting a probationary license for one suspension action in a five-year period if the person:

(A) Holds an unexpired, permanent driver's license and is otherwise eligible for a probationary license;

(B) Pays the required fee;

(C) Files and maintains an SR-22, when required, for a three-year period. A SR-22, when required, shall be on file with the Department before a probationary license is issued, and the probationary license shall be canceled if the Department receives a SR-26; and

(D) Submits a current evaluation for alcohol, controlled substances, or both by a counselor certified by the Wyoming Department of Health, Substance Abuse Division, when required.

(I) The evaluation shall recommend, at a minimum, an alcohol and substance abuse class meeting the Wyoming Substance Abuse Standards.

(II) The probationary license shall be issued when the person is enrolled in a class to be completed no later than 30 days after the suspension start date, upon proof of successful class completion, or both.

(III) Instead of the class, the counselor may recommend more extensive treatment. If treatment is recommended, the person shall submit proof of current enrollment and satisfactory progress in a treatment program for alcohol, controlled substances, or both since the last known incident.

(ii) Upon receiving an adverse counselor's report, the Department shall deny or cancel the probationary license.

(b) Orders Granting Probationary Licenses.

(i) The Department shall issue a probationary license if the person is otherwise entitled to hold such a license and all required documents and fees have been received.

(ii) Orders granting a probationary driver's license shall include the following information, terms, and conditions:

(A) The probationary license start and end dates;

(B) The days, times, and reasons when the person is authorized to drive;

(C) Applicants shall pay additional fees for probationary licenses that

require changes or reissuing because of their need to drive for circumstances not contained in the original application;

(D) The holder shall always carry the probationary license and order when operating a motor vehicle; and

(E) Conviction for violating any traffic law, other than for parking, shall result in immediate probationary license cancellation without further hearing.

Section 21. Undue Hardship.

(a) Conditions.

(i) Subject to W.S. 31-7-105, an undue hardship exists if a person establishes that being unable to drive shall result in the inability to provide the person or person's dependents with the basic necessities of life (such as food, clothing, and shelter) and access to education.

(ii) Undue hardship does not exist if another licensed driver in the household is able to perform the required driving.

(b) Eligibility. The undue hardship applies only to individuals having the hardship for purposes of driving if the individual holds a current Wyoming driver's license or current out-of-state license and is suspended in Wyoming.

Section 22. Appeals to the Office of Administrative Hearings. Individuals denied a probationary license after a Department record review or adversely affected by a Department record review decision are entitled to appeal the decision to the Office of Administrative Hearings. Persons appealing have 20 days from the date the Department denies the probationary license or gives notice of its record review decision to request a hearing before the Office of Administrative Hearings, or the opportunity for a hearing is waived. An appeal under this section shall be treated as an appeal for a contested case under W.S. 31-7-105(e).

Section 23. Driver's License Records. Driver's license records include only those records as defined in Section 3 of these rules.

(a) Content of Records.

(i) Unless otherwise provided by statute, the Department shall make available a 3/10 year driving record in accordance with the provisions of W.S. 31-5-1214(f), W.S. 31-7-120, W.S. 16-4-202(a), and the Driver's Privacy Protection Act.

(ii) The driving history record shall reflect at least the following actions:

(A) All mandatory convictions, suspensions, revocations, or disqualifications;

(B) Uninsured accidents and accident suspensions; and

(C) Moving violations, moving violation suspensions, administrative per se suspensions, implied consent suspensions, financial responsibility requirements, and any other authorized administrative actions.

(b) Record Release and Exceptions. No “Driving History Record,” as defined under “Driver’s License Records” in Section 3 of these rules, shall be released except:

(i) Upon an individual record holder’s expressed written request;

(ii) To a third party upon presentation of a signed release from the record holder;

(iii) Upon written request by law enforcement, a government agency, or court to carry out official functions; or

(iv) Those permitted disclosures allowed in Wyoming Department of Transportation Rules and Regulations, Motor Vehicles and Licensing, Chapter 7, Motor Vehicle Records and Privacy.

(c) Verification and Medical Records. Records defined in these rules (Section 3, Driver’s License Records) as “Verification Records” or “Medical Records” shall not be released as part of any other record request, except upon the record holder’s expressed written consent as allowed in the Department’s Rules and Regulations, Motor Vehicles and Licensing, Chapter 7.

Section 24. Disabled Placard Applications. Eligible individuals, as defined by W.S. 31-2-213(d)(ii), or any person or agency responsible for transporting eligible persons shall complete an application for a disabled placard. The eligible person’s proof of identity shall be required upon placard issuance.

(a) Applicant Information. The application shall include the following:

(i) The applicant’s name, date of birth, address, and phone number;

(ii) Information about whether the applicant is requesting placards (and the number of placards) or is obtaining vehicle plates from the county treasurer; and

(iii) The applicant’s signature and the date.

(b) Medical Section. A physician, physician’s assistant, or an advanced practice registered nurse shall complete the medical section, and the application shall be submitted to the Department.

(c) Eligibility.

(i) Disabled placard issuance may result in a driver's license review to determine the eligible person's ability to operate a motor vehicle safely and verify the license reflects the proper restrictions for the stated condition. The medical information submitted on the application for a disabled placard is subject to the terms and conditions set forth in Section 16 of these rules.

(ii) Eligible individuals may appear in person at a driver's license exam office or apply by mail when applying for a disabled placard. If the eligible person is unable to appear but already exists as a client in the driver information system, a placard may be issued on the applicant's behalf to a family member or representative. The eligible person shall sign the application presented.

(iii) Permanent disabled placard issuance requires the applicant to be a Wyoming resident. Non-residents who meet the qualification outlined in W.S. 31-2-213(g) shall be issued a temporary disabled placard.

Section 25. Reinstatement After Child Support Suspensions. Upon receiving notice from the court or the Department of Family Services, the Department of Transportation shall reinstate the obligor's Wyoming driver's license and driving privileges upon payment of the \$5 reinstatement fee if the license privileges are not suspended, canceled, disqualified, or revoked for any other reason. The Department shall send the license, if valid and on file, to the obligor's last known address on record with the Department.

Section 26. Ignition Interlock Restricted Licenses.

(a) Requirements.

(i) Ignition interlock restricted licenses shall not be issued to individuals holding a commercial driver's license (CDL) or who are otherwise ineligible by statute to hold an ignition interlock restricted license.

(ii) An application for an ignition interlock restricted license shall be made only after the Department receives a disposition from a court of an alcohol related conviction for W.S. 31-5-233, W.S. 31-5-234, or other law prohibiting driving while under the influence as defined in W.S. 31-5-233(a)(v).

(iii) Persons required to apply for an ignition interlock restricted license according to W.S. 31-7-402(e) and residing in another state may meet the ignition interlock license requirement by completing the Department's ignition interlock program as long as the Department's terms are met for the period required by Wyoming law.

(iv) Applications for ignition interlock restricted licenses shall be made if the Department receives notice from the 24/7 administrator, pursuant to W.S. 31-7-502(b), that a person has failed to comply with the 24/7 Sobriety Program requirements or otherwise ceases to participate in the program before completing it after being given the opportunity to pursue the

administrative procedures provided by W.S. 31-7-105.

(b) License Restrictions. When eligible applicants complete all requirements for an ignition interlock restricted license and provide the Department with a certificate of installation from the ignition interlock service provider, the Department may issue the license if the applicant is otherwise eligible. Such licenses shall contain:

(i) An expiration date with a period not to exceed five years; and

(ii) The restriction IIR on the license, which states: “Must operate a vehicle equipped with an approved Ignition Interlock Device.”

(c) Fees.

(i) Applicants shall pay any required reinstatement fees upon ignition interlock restricted license issuance and provide proof of financial responsibility.

(ii) In addition to any required reinstatement fees, applicants shall pay \$100. This fee does not pertain to any ignition interlock restricted license applicant who qualifies as an indigent person as allowed in Section 26(d).

(iii) Persons applying for removal of the ignition interlock restriction after completing a revocation period shall meet the requirements of preceding Section 16(a) of these rules before removal of the ignition interlock restriction.

(d) Indigent Persons. Indigent persons may be eligible for partial payment by the Department. All the following shall apply:

(i) Anyone requesting assistance under W.S. 31-7-401(b)(vii) at the time of application shall be an active participant in the federal Supplemental Nutrition Assistance Program (SNAP) of the Wyoming Department of Family Services at the time of installation.

(ii) After complying with Section 26(d) of this rule, an individual may receive reimbursement from the Department for:

(A) One half the installation cost if presented with a receipt from the ignition interlock service provider for the individual’s total costs; and

(B) One half the monthly service fee costs if presented with a receipt from the ignition interlock service provider for the individual’s total costs.

(iii) Receipts for reimbursement shall be processed through the Department’s Financial Services Program for payment to the individual.

(iv) The individual shall remain an active participant with the Department of Family Services to receive reimbursement.

(v) Eligibility for reimbursement shall continue while the individual remains an active participant in SNAP with the Wyoming Department of Family Services.

(vi) When the Department becomes aware of an individual's ineligibility, the Department shall notify the individual of such ineligibility.

Section 27. 24/7 Restricted Licenses.

(a) Requirements.

(i) Individuals required to hold a 24/7 restricted license, or those who are otherwise ineligible to hold an ignition interlock restricted license, shall not be issued a commercial driver's license.

(ii) For offenses on or after July 1, 2019, applications for 24/7 restricted licenses shall be made only after the Department receives a disposition from a court of an alcohol related conviction for W.S. 31-5-233, W.S. 31-5-234, or other law prohibiting driving while under the influence as defined in W.S. 31-5-233(a)(v).

(iii) Applicants shall provide the Department verifiable proof they have been ordered to participate in the 24/7 Sobriety Program as an alternative to a mandated ignition interlock requirement and they have enrolled in the program.

(b) License Contents. When eligible applicants complete all 24/7 restricted license requirements, the Department shall issue the license. Such licenses shall contain:

(i) An expiration date with a period not to exceed five years; and

(ii) The restriction 24/7 on the license, which states: "Must maintain compliance with court ordered 24/7 Sobriety Program as an alternative to IIR."

(c) Fees.

(i) Applicants shall pay any required reinstatement fees upon 24/7 restricted license issuance and provide proof of financial responsibility.

(ii) In addition to any required reinstatement fees, applicants shall pay \$100. This fee does shall not pertain to applicants who qualify as indigent persons as allowed in Section 27(d).

(iii) Persons applying for removal of the 24/7 restriction after completing a revocation period shall meet the requirements of preceding Section 16(d) of these rules before 24/7 restriction removal.

(d) Indigent Persons. The Department may waive the \$100 fee required in subsection

(c)(ii) of this section for indigent persons, as defined by Section 26(d); however, all other requirements of Section 27 shall be met. Anyone requesting assistance under W.S. 31-7-501(c) upon application shall be an active participant in the federal Supplemental Nutrition Assistance Program (SNAP) of the Wyoming Department of Family Services.

Section 28. Temporary Motorcycle License. Upon application, the Department may issue a 90-day temporary motorcycle license, subject to the following restrictions and conditions.

(a) Examination and Issuance. The applicant shall pass a written examination, be issued a paper temporary for a 90-day period, and pay the required fee.

(b) Renewal. The applicant may renew the temporary motorcycle license one time for an additional required fee. After having held two temporary motorcycle licenses, an applicant shall retake any required written tests before being issued another temporary motorcycle license.

Section 29. Motor Vehicle Safety Responsibility.

(a) Proof of Financial Responsibility. In addition to mandatory revocations or suspensions under W.S. 31-7-127 and W.S. 31-7-128, proof of financial responsibility shall be required and maintained for all suspensions under W.S. 31-9-202.

(b) Insurance Cards.

(i) In addition to the requirements established in W.S. 31-8-201, all insurance providers shall indicate and identify on the face of the insurance card:

(A) The insurance provider's National Association of Insurance Commissioners code; and

(B) If the provider uses a bar code on its insurance cards, the bar code shall comply with American National Standards Institute two-dimensional bar code standards available through the following: <http://www.ansi.org>. This rule includes no amendments to the standard subsequent to the effective date of September 1, 2023.

(ii) In addition to the requirements established in W.S. 31-8-201, all commercial insurance providers shall also include on the insurance card's face a statement indicating "Commercial," "Commercial Exempt," or other similar language indicating the vehicle is covered under a commercial or fleet policy.

(iii) The insurance card may be carried in an electronic form as provided in W.S. 31-8-201(c).

(c) Insurance Verification System.

(i) Sellers of motor vehicle liability policies for vehicles owned in Wyoming

shall comply with the provisions of the State of Wyoming Financial Responsibility Verification Program Web Services Program Guide for Insurers. This guide is available at cost by contacting the Wyoming Department of Transportation, Driver Services Program, 5300 Bishop Boulevard, Cheyenne, Wyoming, 82009-3340.

(ii) This compliance requirement does not apply to:

(A) Self-insurers pursuant to W.S. 31-9-414;

(B) Self-insurers pursuant to W.S. 31-9-415;

(C) Government vehicles as described by W.S. 31-4-103(d)(ii);

(D) Vehicles meeting the requirements of W.S. 31-9-408 and W.S. 31-9-409; or

(E) Commercial vehicles as described by W.S. 31-4-103(d)(iv).

(d) Right to Hearing. Any party entitled to a contested case hearing in a matter involving the Department shall proceed under the provisions of the Wyoming Administrative Procedures Act, W.S. 16-3-101 through W.S. 16-3-115, as amended, and the provisions of the Department's Rules and Regulations, General Section, Chapter 3, Appeals and Hearings, as amended.

Wyoming Department of Transportation
Chapter 1

Driver's Licenses and Motor Vehicle Safety

CHAPTER 1

~~Section 1.~~ **Section 1. Authority.** These rules of practice and procedure are promulgated by authority of W.S. 24-2-105, W.S. 31-4-103(f), W.S. 31-7-103, W.S. 31-7-305, W.S. 31-7-310, W.S. 31-7-401, W.S. 31-7-501, W.S. 31-8-101, W.S. 31-8-201, W.S. 31-8-203, and W.S. 31-9-103.

~~These rules of practice and procedure are promulgated by authority of W.S. 24-2-105, W.S. 31-4-103(f), W.S. 31-7-103, W.S. 31-7-305, W.S. 31-7-310, W.S. 31-7-401, W.S. 31-8-201, and W.S. 31-9-103.~~

~~Section 2.~~ **Section 2. Purpose.**

(a) Statutory Interpretations. These rules ~~are intended to provide a uniform, and understandable interpretation~~ interpretations of the undefined portion of the following: Driver's License Act, W.S. 31-7-101 through W.S. 31-7-140; the Uniform Commercial Driver's License Act, W.S. 31-7-301 through W.S. 31-7-313; Ignition Interlock Restricted Licenses, W.S. 31-7-401 through W.S. 31-7-404; and Use of False Identity, Citizenship, or Resident Alien Documents, W.S. 6-3-615. These rules include applications and examinations for obtaining driver's licenses, commercial driver's licenses, and temporary and instructional permits; extension or expiration of valid driver's licenses; grounds for cancellation or denial of licenses and/or permits; grounds for suspension and/or disqualification; notices of intent to suspend, deny, disqualify, revoke, or cancel; and procedures for providing hearings.

(b) — ~~These rules also provide a uniform and understandable interpretation of the undefined portions of W.S. 31-4-103 and W.S. 31-9-101 through W.S. 31-9-415.~~

(c) — ~~These rules are also provided to implement the Federal Motor Carrier Safety Regulations in Title 49 of the Code of Federal Regulations (CFR) and W.S. 31-7-310 as currently amended.~~

(d) — ~~These rules are additionally provided to implement Title 6 CFR, Chapter 1, Part 37, as currently amended.~~

(i) W.S. 31-7-101 through W.S. 31-7-502, Driver's License Act;

(ii) W.S. 6-3-615, Use of false identity, citizenship or resident alien documents, penalty;

(iii) W.S. 31-9-101 through W.S. 31-9-415, Motor Vehicle Safety-Responsibility Act; and

(iv) W.S. 31-4-103, Failure to maintain liability coverage; penalties; exceptions.

(b) Implementation. These rules also implement, as currently amended, the following:

(i) W.S. 31-7-310, Rulemaking authority;

(ii) Title 6 Code of Federal Regulations (C.F.R.) Part 37, Real ID driver's licenses and identification cards;

(iii) Title 49 C.F.R. Subchapter B, Federal motor carrier safety regulations, Parts 383, 384, and 390.

(c) Applications and Examinations Guidance. These rules also provide guidance regarding applications and examinations for obtaining the following:

(i) Driver's licenses, commercial driver's licenses, and temporary and instructional permits;

(ii) Extensions or expirations of valid driver's licenses;

(iii) Grounds for cancellation or denial of licenses and permits;

(iv) Grounds for disqualification and suspension;

(v) Notices of intent to disqualify, suspend, deny, cancel, or revoke; and

(vi) Procedures for providing hearings.

~~Section 3.~~ **Section 3. Definitions.** All definitions as set forth in W.S. 31-7-102 apply to these rules. As used in these rules and regulations, the following terms have the following meanings:

~~(a) — All definitions as set forth in W.S. 31-7-102 apply to these rules.~~

~~(b) — As used in these rules and regulations, the following terms have the following meanings:~~

(a) "24/7 restricted driver's license" means a restricted driver's license issued by the Department pursuant to W.S. 31-7-501 through W.S. 31-7-502 and these rules.

(b) (†) "Birth Certificate" means ~~the~~ an individual's birth record, ~~related to a birth that~~ which is permanently stored either electronically or physically at the State Office of Vital Statistics or equivalent agency in a registrant's state of birth.

(c) (ii) “Certified copy” referred to in W.S. 31-7-111(a) means:

(i) (A) An original official document with original signatures, seals, and information entries of information; or

(ii) (B) ~~Any A reproduction of an original official document that has been reproduced from an original document on file at a government agency that bears the following: ; as long as the reproduced copy bears a certification by the custodian that it is a true and accurate copy of the document on file, bears the original signature of the certifying person, and bears the seal of the office (if the office has a seal).~~

(A) Custodian certification that the document on file is valid;

(B) The certifying individual’s original signature; and

(C) The office seal (if applicable).

(d) (iii) “~~CDL~~ Commercial driver’s license (CDL) downgrade” means:

(i) (A) ~~The state allows a driver to~~ A driver’s state-allowed change ~~his or her of their~~ self-certification to ~~interstate, but~~ **interstate only** while operating exclusively in transportation or operation excepted in Section 6 of these rules;:

(ii) (B) ~~The state allows the driver to~~ A driver’s state-allowed change ~~his or her of their~~ self-certification to ~~intrastate only, but~~ **intrastate only** while operating exclusively in transportation or operation excepted in Section 6 of these rules; ; or

(iii) (C) ~~The state removes state’s removal of the CDL (Commercial Driver’s License) privilege from the driver~~ a driver’s license.

(e) (iv) “Deny or Denial” means the refusal to issue or renew a ~~driver~~ driver’s license or identification (~~ID~~) card (ID), as provided in W.S. 31-7-108 and W.S. 31-8-101(b) and by these rules.

(f) (v) “Department” means the Wyoming Department of Transportation.

(g) (vi) “Domicile” as referred to in W.S. 31-7-117(c), means ~~the domicile~~ residence of the a parent or guardian having with legal custody and signing the who signs an affidavit of extreme inconvenience.

(h) (vii) ~~“Driver License Record”~~ “Driver’s license record” may include one or more of the following:

(i) (A) “Driving history record” means any record maintained by the Department as required by W.S. 31-5-1214(f) and W.S. 31-7-120;:

(ii) ~~(B)~~ “Verification record” means any ~~document(s)~~ document scanned as proof of identity, ~~proof of~~ residence, or ~~proof of~~ social security number as required by W.S. 31-7-111(a) and (b)(iv); or

(iii) ~~(C)~~ “Medical record” means a ~~medical evaluation, or~~ visual evaluation, or federal medical examiners certificate (~~DOT Medical card or long form~~) held by the Department; as required by law.

(i) ~~(viii)~~ “False document” means a document that a trained examiner determines to be altered, counterfeit, or otherwise fraudulent; ~~or~~ a document presented by a person not legally possessing the document; or both.

(j) ~~(ix)~~ —“FMCSR” “Federal Motor Carrier Safety Regulations (FMCSR)” means ~~Federal Motor Carrier Safety Regulations,~~ Title 49 C.F.R. Parts 383, 390 through 397, and 399.

(k) ~~(x)~~ “Ignition interlock restricted license” means a restricted driver’s license issued by the Department pursuant to W.S. 31-7-401 through W.S. 31-7- 404 and these rules.

(l) ~~(xi)~~ “Individual” means any man, woman, or child or individual business or organization on whom the Department keeps records or maintains information.

(m) ~~(xii)~~ “Investigation” means:

(i) ~~(A)~~ —~~The A~~ review of medical or vision information submitted by a qualified medical ~~or vision~~ professional to ~~include evaluating the~~ evaluate an individual’s ability to ~~demonstrate~~ maintain ordinary and reasonable control of a motor vehicle ~~as evidenced by the~~ based upon examination results ~~of an examination~~. This review may also involve evaluating ~~the~~ an individual’s character and habits.

(ii) ~~(B)~~ “Fraud investigation” means ~~the a~~ a formal evaluation or inquiry of the following: ~~the information on a person’s application for a driver’s license or identification card; identifying documents; a digital image, signature, or driving record; or any other information received by a trained examiner to determine authenticity; lawful status; or violations of federal regulations, state law, or state rules and regulations. It shall also include the formal inquiry into questionable activities of Department employees in the performance of their job duties for violations of Department rules and regulations or state or federal law.~~

(A) Information from any driver’s license or ID applications;

(B) Identifying documents;

(C) Digital images, signatures, or driving records;

(D) Other information a trained examiner receives to determine authenticity, lawful status, or violations of state or federal laws and regulations; or

(E) Activities performed by Department employees while working that violate Department rules or state or federal law.

(n) (xiii) “Manual transmission” (also known as stick shift, stick, straight drive, or standard transmission) means a transmission utilizing a driver-operated clutch that is activated by a pedal or lever and a gear-shift mechanism operated either by hand or foot.

(o) (xiv) “Moving violations violation” means ~~an a motor vehicle driver’s act of control or lack of control by the driver of a motor vehicle while the vehicle is in motion~~ moving that results in a conviction, including a conviction for ~~driving in violation of the~~ violating a driver’s license restriction on a driver license.

(p) (xv) “National Driver Register” means Public Law 86-660 of 1960 setting forth the National Driver Register. This law was expanded in 1966 under Public Law 89-563 and again in 1982 under Title 2, National Driver Register Act to Establish an Index on Adverse Driver Licensing Actions Taken by State Administrators.

(q) (xvi) “Person” means an individual, organization, or entity, but does not include this state or an agency thereof.

(r) (xvii) “Proof of identity document” or “legal identity document” means as defined in Title 6 CFR, Chapter 1, C.F.R. Part 37.11(c) and W.S. 31-7-111, as currently amended.

(s) (xviii) “Regular job” as referred to in W.S. 31-7-117(c), means any employment ~~that requires~~ requiring a minimum of ~~10 hours of work within a one week period~~ 10-hour workweek.

(t) (xix) “Restrictions” means the following restrictions that may be placed and imposed and placed on the a driver’s license, CDL, commercial learner’s permit (CLP), or permit in an encoded form **(see Driver’s License Restriction Codes Table):**

~~(A) — “Restrictions” for licenses issued on or after October 1, 2010, are Corrective Lenses B; Mechanical Aids (special brakes, hand controls, or other adaptive devices) C; Prosthetic Aid D; Automatic Transmission E; Outside Mirrors F; Daylight Driving Only G; Limit to Employment Only H; Limited Others (the Department can be contacted for details about this restriction) I; Valid Without Photo and/or signature J; CDL Intrastate Only K; Vehicles Without Air Brakes (CDL only) L; Except Class “A” Bus (CDL only) M; Except Class “A” and “B” Bus (CDL only) N; Except Tractor Trailer (CDL only) O; Class “M” Only, 4 Wheel Recreation Vehicles Only R; Must have variance letter or SPE certificate in possession V; Annual Vision Y; or Annual Medical Z.~~

~~(B) — “Restrictions” for licenses issued on or after January 1, 2014, are Automatic Transmission A; Corrective Lenses B; Mechanical Aids (special brakes, hand controls, or other adaptive devices) C; Prosthetic Aid D; No Manual Transmission (CDL only) —~~

~~E; Daylight Driving Only G; Limited Others (the Department can be contacted for details about this restriction) I; Valid Without Photo and/or signature J; CDL/CLP (Commercial Learner's Permit) Intrastate Only K; Vehicles Without Air Brakes (CDL/CLP only) L; Except Class "A" Bus (CDL only) M; Except Class "A" and "B" Bus (CDL only) N; No Tractor/Trailer Fifth Wheel Coupler (CDL only) O; No Passenger (CLP only) P; Class "M" Only, 4 Wheel Recreation Vehicles Only R; Except Tractor/Trailer (CDL only) T; Must Have Variance Letter or SPE Certificate in Possession (CDL/CLP only) V; No Cargo in Tank (CLP only) X; or No Full Air Brake System (CDL only) Z.~~

Driver's License Restriction Codes Table

<u>Licenses Issued On or After January 1, 2014</u>		<u>Licenses Issued On or After July 1, 2024</u>	
<u>Encoded Form</u>	<u>Restriction Name</u>	<u>Encoded Form</u>	<u>Restriction Name</u>
<u>A</u>	<u>Automatic Transmission</u>	<u>A</u>	<u>Automatic Transmission</u>
<u>B</u>	<u>Corrective Lenses</u>	<u>B</u>	<u>Corrective Lenses</u>
<u>C</u>	<u>Mechanical Aids (such as special brakes, hand controls, or other adaptive devices)</u>	<u>C</u>	<u>Mechanical Aids (such as special brakes, hand controls, or other adaptive devices)</u>
<u>D</u>	<u>Prosthetic Aid</u>	<u>D</u>	<u>Prosthetic Aid</u>
<u>E</u>	<u>No Manual Transmission (CDL only)</u>	<u>E</u>	<u>No Manual Transmission (CDL only)</u>
<u>F</u>	<u>Outside Mirrors</u>	<u>F</u>	<u>Outside Mirrors</u>
<u>G</u>	<u>Daylight Driving Only</u>	<u>G</u>	<u>Daylight Driving Only</u>
<u>H</u>	<u>Limit to Employment Only</u>	<u>H</u>	<u>Limit to Employment Only</u>
<u>I</u>	<u>Limited Others (contact the Department for details about this restriction)</u>	<u>I</u>	<u>Limited Others (contact the Department for details about this restriction)</u>
<u>J</u>	<u>Valid without Photo and/or Signature</u>	<u>J</u>	<u>Valid without Photo and/or Signature</u>
<u>K</u>	<u>CDL Intrastate Only</u>	<u>K</u>	<u>CDL/CLP Intrastate Only</u>
<u>L</u>	<u>Vehicles without Air Brakes (CDL only)</u>	<u>L</u>	<u>Vehicles without Air Brakes (CDL/CLP only)</u>

Driver's License Restriction Codes Table

Licenses Issued On or After January 1, 2014

<u>Encoded Form</u>	<u>Restriction Name</u>
<u>M</u>	<u>Except Class A Bus (CDL only)</u>
<u>N</u>	<u>Except Class A and B Bus (CDL only)</u>
<u>O</u>	<u>No Tractor-Trailer Fifth Wheel Coupler (CDL only)</u>
<u>P</u>	<u>No Passenger (CLP only)</u>
<u>R</u>	<u>Class M Only or Four-Wheel Recreation Vehicles Only</u>
<u>T</u>	<u>Except Tractor-Trailer (CDL only)</u>
<u>V</u>	<u>Must have Variance Letter or Skill Performance Evaluation (SPE) Certificate in Possession</u>
<u>X</u>	<u>No Cargo in Tank (CLP only)</u>
<u>Z</u>	<u>No Full Air Brake System (CDL only)</u>

Licenses Issued On or After July 1, 2024

<u>Encoded Form</u>	<u>Restriction Name</u>
<u>M</u>	<u>Except Class A Bus (CDL only)</u>
<u>N</u>	<u>Except Class A and B Bus (CDL only)</u>
<u>O</u>	<u>No Tractor-Trailer Commercial Motor Vehicle (CDL only)</u>
<u>P</u>	<u>No Passenger (CLP only)</u>
<u>R</u>	<u>Class M Only or Four-Wheel Recreation Vehicles Only</u>
<u>V</u>	<u>Must have Variance Letter or SPE Certificate in Possession (CDL/CLP only)</u>
<u>X</u>	<u>No Cargo in Tank (CLP only)</u>
<u>Z</u>	<u>No Full Air Brake System (CDL only)</u>

(i) ~~(H)~~ — ~~An A CDL/CLP applicant for a commercial driver's license who is at least 18 years of age old but has not attained the age of not yet 21 years old shall be restricted to a commercial driver's license (CDL/CLP) have the CDL/CLP Intrastate Only (K) restriction (K) imposed, except while operating under an FMCSR exemption allowed by FMCSR 49 CFR 391.~~

(ii) A CDL applicant who is applying for a hazardous materials endorsement (HME) shall pass all required knowledge tests and comply with Transportation Security Administration requirements in 49 CFR Part 1572. If the HME applicant is at least 18 years old but not yet 21 years old, the CDL shall have the Intrastate Only (K) restriction imposed, except while operating under an FMCSR exemption.

(iii) ~~(H)~~ — ~~An A CDL/CLP applicant for a commercial driver's license who has a medical or visual condition, —as defined in FMCSR 49 CFR 391—, that normally prohibits him or her them from operating a commercial vehicle on the interstate shall be~~

~~restricted to operating~~ operate a commercial vehicle with a CDL/CLP Intrastate Only ~~(K)~~ restriction ~~(K)~~, unless ~~he or she~~ the driver possesses a medical or vision waiver issued by the Federal Motor Carrier Safety Administration.

~~(III) — An applicant who passes the skills test for a commercial license with a truck or truck/tractor pulling a trailer or semi-trailer that has a gross combination weight rating of 26,001 pounds or more but the truck or truck-tractor has a gross vehicle weight rating of less than 26,001 pounds shall be restricted to Except Tractor Trailer (CDL only) — (T).~~

~~(iv)~~ ~~(IV)~~ An applicant who passes the CDL skills test ~~for a commercial license with a truck or truck/tractor~~ truck-tractor pulling a trailer or semi-trailer with a pintle hook or other non-fifth wheel connection shall ~~be restricted to have a No Tractor-Trailer Fifth Wheel Coupler (CDL only) — (O)~~ No Tractor-Trailer Commercial Motor Vehicle (O) restriction imposed.

~~(v)~~ An applicant who passes the CDL skills test using a combination vehicle that is **not** a truck-tractor semi-trailer combination, but is otherwise equipped with a fifth wheel, shall have a No Tractor-Trailer Commercial Motor Vehicle (O) restriction imposed.

~~(vi)~~ ~~(V)~~ An applicant who has applied for a ~~Commercial Learner's Permit (CLP)~~ CLP and passed a written examination for a Tank ~~endorsement (N) will be restricted on the CLP to,~~ Endorsement (N) shall have a No Cargo in Tank (CLP only) — (X) (X) restriction imposed.

~~(vii)~~ ~~(VI)~~ An applicant who has applied for a ~~Commercial Learner's Permit (CLP)~~ CLP and passed a written examination for a Passenger ~~endorsement (P) will be restricted on the CLP to~~ Endorsement (P) shall have a No Passenger (CLP only) — (P) (P) restriction imposed.

~~(u)~~ ~~(xx)~~ “School” as referred to in W.S. 31-7-117(c), means ~~the person's a~~ an individual primary place of education where ~~he or she~~ an individual attends regularly scheduled classes, ~~but does not include~~ excluding places ~~or locations~~ where only extracurricular activities take place.

~~(v)~~ ~~(xxi)~~ “Social security number” means the ~~social security~~ number assigned by the Social Security Administration, or other tracking and identification numbers or letters deemed appropriate by the Department.

~~(w)~~ ~~(xxii)~~ “Third-party agreement” means ~~the~~ an agreement provided by the Department and signed by ~~the person~~ an individual responsible for the third-party tester.

~~(x)~~ ~~(xxiii)~~ “Third-party examiner” means ~~an individual who is a~~ third-party tester's payroll or volunteer employee ~~of a third-party tester and who has been certified by whom~~ the Department certifies to administer approved driver's license skills tests ~~on the behalf of the third-party tester.~~

~~(y)~~ ~~(xxiv)~~ “Third-party tester” means a any government entity, association, educational institution, or business entity engaged in ~~the use of~~ using commercial motor vehicles;

certified by that the Department certifies to administer approved ~~Driver License~~ driver's license skills tests.

(z) ~~(xxv)~~ "Trained examiner" means a Department employee who has completed and passed the American Association of Motor Vehicle Administrators Fraudulent Document Recognition Level 1 and Level 2 training ~~course~~ courses to recognize altered, counterfeit, or fraudulent documents.

~~Section 4.~~ **Section 4. Applications for Licenses, Permits, and Identification Cards (IDs).**

(a) Proof of Identity.

~~(a)~~ (i) ~~Each applicant~~ Applicants shall present a proof of identity or legal identification ~~document~~ documentation with each application and complete ~~an~~ a Department-provided application form furnished by the Wyoming Department of Transportation.

~~(i)~~ (ii) ~~Any applicant that does not have a~~ Applicants without proof of identity or legal identification ~~document~~ documentation, as defined in Section 3~~(b)(xvii)~~(r) of these rules, may present alternative documentation that the Department's Driver Services Program manager ~~must be approved by the manager of Driver Services~~ shall approve before ~~any applicant can be completed~~ license, permit, or ID issuance.

~~(ii)~~ (iii) ~~An applicant who presents a~~ If a trained examiner suspects a fraudulent proof of identity or legal identification document, the examiner shall seize the document, provide a receipt for the seized document (whenever possible), and contact local law enforcement. ~~document(s) suspected by a trained examiner to be false shall have the document(s) seized. Whenever possible, the applicant shall be given a receipt for the seized document(s). Examiners shall contact local law enforcement upon seizing the suspicious document(s).~~

~~(iii)~~ (iv) ~~If the law enforcement agency refuses to receive the seized document(s), the document(s)~~ material, the examiner shall be sent send the document to the Driver Services ~~fraud unit located in Cheyenne~~ Fraud Unit for review. The Fraud Unit shall hold the document while determining and held until authenticity is determined as described in the following:

(A) ~~If it is determined that the document(s) seized~~ the document is ~~(are)~~ authentic and the person who presented the ~~document(s)~~ document possesses ~~the document(s)~~ it legally, then the ~~document(s)~~ will be returned to that person Fraud Unit shall return the document.

(B) ~~If it is determined that the document(s) seized~~ the document is ~~(are)~~ false or the person who presented the ~~document(s)~~ document does not possess ~~the document(s)~~ it legally, then the ~~Driver Services fraud unit in Cheyenne will~~ Fraud Unit shall retain and not return the document(s) document.

(b) Additional Identifying Information.

~~(b)~~ (i) In addition to the information specifically requested on the application, ~~form~~ as called for by statute, ~~the applicant is required to fill out~~ applicants shall provide additional identifying information including; natural eye and hair color as well as status of United States citizenship.

~~(i)~~ Natural eye and hair color; and

~~(ii)~~ Indicate whether he or she is a citizen of the United States.

(ii) (A) If not a citizen of the Applicants who are not United States citizens shall, the person must provide proof of “lawful status” or “temporary lawful status” in the United States, as defined in Title 6, CFR, Chapter 4, C.F.R. Part 37.03.

(c) Medical History.

~~(c)~~ (i) ~~The applicant~~ Applicants shall answer the medical history questions pertaining to medical history within (covering the previous 2 two years) as requested on the application. Any applicant answering in the affirmative to any of the medical questions or listing any physical or mental disabilities may be required to have a qualified doctor complete the medical form furnished by the Department.

(ii) Applicants answering affirmatively to any of the medical questions or listing any physical or mental disabilities may be required to have a qualified medical professional complete the Department-provided medical form.

(d) Social Security Number.

~~(d)~~ (i) All applicants for a driver's license licenses, instruction ~~permit~~ permits, or ~~identification card~~ IDs shall provide ~~the Department~~ their social security number to the Department.

(i) (ii) ~~Any applicant applying for a noncommercial~~ Non-commercial driver's license or instruction permit applicants who does do not have a social security number shall be required to submit a sworn affidavit under penalty of perjury stating he or she does they do not have a social security number.

(ii) (iii) ~~Any applicant applying for a commercial~~ Commercial driver's license (CDL) applicants who has have a conscientious objection to disclosing his or her their social security number may be issued a pseudo-number upon submitting a written request to the Department stating the basis for his or her objection.

(e) CDL Applicants.

~~(e)~~ (i) All CDL applicants for a ~~commercial driver's license~~ are required at the

~~time of application to~~ shall certify the type of driving they can perform and shall self-declare if they are exempt or non-exempt interstate status when applying.

~~(i) (ii) If the applicant is in a non-exempt status, the applicant must~~ Non-exempt applicants shall present a valid federal medical examiner's certificate, medical examiner's certificate from a qualified national registry doctor to the examiner.

~~(A)~~ Applicants with expired federal medical examiner's certificates shall provide the Department with a new, valid federal medical examiner's certificate or, if no longer medically qualified or exempt, submit a new self-certification or have their commercial driving privilege removed from their driver's license.

~~(B)~~ If an applicant does not comply with preceding (ii)(A), the Department shall downgrade the license to a non-commercial class license.

~~(C)~~ An applicant with a valid federal medical examiner's certificate with a medical waiver shall present a letter or skill performance evaluation certificate upon application or renewal.

~~(ii) (iii)~~ If the an applicant is in has an exempt status, the applicant must shall present a document showing he or she is they are operating under an exemption as allowed in Title 49 CFR C.F.R. Parts 390.3(f), 391.2, 391.68, or 398.3.

~~(iii)~~ If an applicant's federal medical examiner's certificate is expired, the applicant shall:

~~(A)~~ Provide the Department a new valid federal medical examiner's certificate;

~~(B)~~ Provide a document showing that he or she is operating under an exemption as allowed in 49 CFR 390.3(f), 391.2, 391.68, or 398.3; or

~~(C)~~ If no longer medically qualified or exempt, have his or her CDL privilege removed from his or her driver's license.

~~(iv)~~ If an applicant does not comply with preceding (iii), the Department shall downgrade the license to a non-CDL class license.

~~(v)~~ If an applicant has a valid federal medical examiner's certificate with a medical or vision waiver, the letter or skill performance evaluation certificate shall be presented at the time of the application or renewal.

~~(f) (iv)~~ Any applicant applying for a commercial driver's license requesting CDL applicants who request to waive the knowledge test, skills test shall complete the certification form provided by the Department. Commercial applicants meeting the requirements of FMCSR-383 test, or both under the Federal Motor Carrier Safety Regulations may be excused from taking

~~the driving skills test~~ one or more required tests if the Department can verify the applicant's qualifications. Applicants shall submit the appropriate waiver request for Department review.

~~(g) Commercial driver's license applicants required to take a driving skills test shall sign the Commercial Driver's License Skills Test Form (FSCDL 101-A) to certify the class and type of vehicle used for the driving skills test.~~

~~(h)~~ (f) Expiration. ~~Any driver's license~~ Driver's licenses issued to ~~an applicant~~ applicants under the age of 21 shall expire on the applicant's twenty-first birthday except when the following occurs:

(i) A restricted Class "C" ~~and/or C~~ license, Class "M" license, ~~which or both~~ shall expire 30 days after the licensee's sixteenth birthday; or

(ii) An intermediate license shall expire 30 days after the licensee's seventeenth birthday.

~~(i)~~ (g) Screening. All applicants shall be screened through the Problem Driver Pointer System (PDPS) and the Driver's License Number (DLN) Survey for licensing eligibility. PDPS and the DLN Survey shall show a status of "eligible" or "licensed" before ~~the person may be issued a license~~ issuance.

~~(h)~~ Immigrant Licenses and IDs.

~~(i)~~ (i) ~~Any license~~ Licenses or IDs issued to a ~~nonresident alien~~ immigrants without permanent 10-year resident status shall be a temporary ~~license~~ credentials valid only for the period authorized on ~~the U.S. Immigration and Naturalization Service~~ documents presented to and verified by the Department.

~~(k)~~ (ii) ~~Any license issued to a nonresident alien~~ Credentials issued to temporary immigrants shall be identified with a suffix code of NR (~~nonresident alien non-resident~~) in the license's class field ~~of the license~~ (for driver's licenses only), and/or "LIMITED TERM" shall be printed across the top of the credential.

~~Section 5.~~ **Section 5. Name Changes.** Name changes for adoptions, marital status changes, or other legal proceedings may be made when applying for any service.

(a) Name Changes for Legal Proceedings. ~~Changes of name because of adoption, change in marital status, or other legal proceeding may be made when applying for any service. An original copy of the official document authorizing the name change~~ Applicants shall present an original copy of the official document authorizing the name change (such as a marriage certificate, divorce decree, or court order) shall be presented to the examiner at the time of upon application.

(b) Name Change Requirements. ~~Changes of name~~ Name changes not authorized in a legal ~~proceeding~~ proceedings may be granted if ~~the use of the name is not used~~ for any

fraudulent ~~purpose~~ purposes, does not infringe on the interests or rights of others, is not prohibited by any judicial or administrative adjudication, and is otherwise legal. ~~The applicant shall complete an "Affidavit of Name Change" form provided by the Department. The affidavit shall be notarized and accompanied by a certified copy of the person's proof of identity document(s).~~

(c) Affidavit of Name Change.

(i) Applicants shall complete the Department's Affidavit of Name Change form, sign the affidavit in a trained examiner's presence, and provide a certified copy of their proof of identity document.

(e) (ii) The affidavit described in ~~Subsection~~ subsection (b c) shall include:

~~(i)~~ (A) The applicant's full first, middle, and last names, as shown on the applicant's proof of identity document; ;

~~(ii)~~ (B) The applicant's full first, middle, and last names as changed; ;

~~(iii)~~ (C) The applicant's date and place of birth; ;

~~(iv)~~ (D) The applicant's present mailing address and ~~physical residential address or residence~~ physical residential address (if different from the mailing address); ;

~~(v)~~ (E) The applicant's natural or adoptive mother's full name, including ~~her~~ both married and maiden name (if applicable); ;

~~(vi)~~ (F) The applicant's natural or adoptive father's full name, including both married and maiden name (if applicable); ;

~~(vii)~~ (G) Any other names ~~that~~ the applicant ~~has~~ used during the preceding 10 years. The affidavit shall also ~~show~~ list the date dates and places (by state, county, and city) where each name was used; ;

~~(viii)~~ (H) Each address where the applicant has resided during the last 10 years and the ~~length of time~~ duration the applicant resided at each location; ;

~~(ix)~~ (I) The applicant's current job title, ~~and employer, (including the employer address, and physical work site address or location of both the employer and the job work site), and the~~ as well as all previous job title(s) titles and employer(s) employers from the applicant has had during the preceding 10 years, (including the each employer's address and physical work site address or location of both the employer and job work site); ;

~~(x)~~ (J) The applicant's certification that the requested name change and use of such name on any license or identification card (ID) issued by the Department, in whole or in part; , meets the provisions provided in subsection (b) of this section; and

~~(A) — Is not for any wrongful or fraudulent purpose;~~

~~(B) — Does not and shall not infringe on the interest, rights, or privacy of any other person;~~

~~(C) — Is not prohibited by or in violation of any judicial or administrative adjudication.~~

~~(xi) (K) The applicant's certification that he or she understands of understanding that it is unlawful to use a false or fictitious name on any application or affidavit and that any Department-issued license or identification card ID shall be canceled for failing to give the required or correct information.~~

~~Section 6. Section 6. Commercial Driver's License (CDL) Exemptions. Pursuant to W.S. 31-7-303, the following drivers are exempt from the general requirement under W.S. 31-7-106(a) to obtain a CDL:~~

~~Pursuant to W.S. 31-7-303, drivers are exempted from the general requirement under W.S. 31-7-106(a) to obtain a commercial driver's license. Drivers listed in the following are still required to obtain a Class C license with the Z endorsement on their driver's license unless they are exempted by W.S. 31-7-107(a):~~

~~(a) Farmers and Ranchers. Operators of a farm or ranch vehicle that is: Farmers and ranchers, including their employees and family members, are exempt when operating farm or ranch vehicles that are:~~

~~(i) — Controlled and operated by a farmer or rancher, including operation by employees or family members;~~

~~(ii) (i) Used to transport agricultural products, farm machinery, and/or or farm supplies to or from a farm or ranch;~~

~~(iii) (ii) Not used in the operations of a common contract motor carrier operations;~~

~~(iv) (iii) Used anywhere within the state of Wyoming, if registered in the state of Wyoming as a farm vehicle; and~~

~~(v) (iv) Used within 150 air miles of the a farm or ranch if travelling across state lines.~~

~~(b) Firefighters and Other Emergency Response Personnel. Firefighters and other persons who operate emergency response personnel are exempt when operating commercial motor vehicles (such as fire trucks, hook and ladder trucks, foam or water transport trucks, police SWAT team vehicles, ambulances, or other vehicles used for emergency response) that are:~~

~~necessary to preserve life or property or execute emergency governmental functions, are equipped with audible and visual signals, and are not subject to normal traffic regulation. These vehicles include fire trucks, hook and ladder trucks, foam or water transport trucks, police-SWAT team vehicles, ambulances, or other vehicles used in response to emergencies.~~

(i) Necessary to preserve life or property or execute emergency governmental functions;

(ii) Equipped with audible and visual signals; and

(iii) Not subject to normal traffic regulation.

(c) Snow and Ice Removal Drivers. ~~A driver employed by an~~ Drivers whom eligible ~~unit units~~ of local government ~~operating a~~ employ to operate commercial motor ~~vehicle~~ vehicles within the locality boundaries of that unit to remove snow or ice from ~~a roadway~~ roadways by plowing or salting; are exempt if:

(i) The properly licensed employee who ordinarily operates a commercial motor vehicle for these purposes is unable to operate the vehicle; or

(ii) The governmental entity determines that a snow or an ice emergency exists and additional assistance is required.

(d) Military Personnel. ~~Active duty military~~ Military personnel; ~~members of the military reserves; members of the national guard on active duty, including personnel on full time national guard duty, personnel on part time national guard training, and national guard military technicians (civilians required to wear military uniforms); and active duty U.S. Coast Guard personnel.~~ who operate commercial motor vehicles for military purposes are exempt and include the following:

(i) Active duty military members;

(ii) Military reserve members;

(iii) Active duty National Guard members, including full-time duty or part-time training personnel as well as military technicians (civilians required to wear military uniforms); and

(iv) Active duty U.S. Coast Guard personnel.

(e) Other Drivers. Drivers not listed in subsections (a) through (d) who operate a vehicle or vehicle combination having a gross vehicle weight rating of 39,001 pounds or more shall obtain a non-commercial Class C license with a (Z) endorsement.

~~Section 7.~~ **Section 7. Applications for Renewal-by-Mail Applications.**

(a) Exceptions.

(i) An application or a renewal-by-mail notice may be sent to a Wyoming resident who is temporarily out of state.

(a) (ii) ~~An application for renewal by mail~~ Renewal-by-mail notices shall be ~~mailed sent to an eligible licensee~~ licensees unless one or more of the following provisions apply:

(i) (A) ~~The applicant's license, and/or operating privilege, or both has (or have) been canceled, revoked, denied, or disqualified in the 4- five years immediately preceding the license expiration date the license expires; or~~

(ii) (B) The applicant holds:

(A) (I) ~~A "valid without photo, and/or valid without signature" J-restricted (Valid without Photo and/or Signature) license, as provided in Section 8 of this chapter of rules and regulations of these rules; or~~

(B) (II) ~~A commercial driver's license (CDL) with the Hazardous Materials endorsement~~ Endorsement issued pursuant to W.S. 31-7-304(e); or

(C) (III) ~~A commercial driver's license CDL and does not have a valid federal medical examiner's certificate as required by W.S. 31-7-304(f); or~~

(iii) (C) The applicant is licensed as a temporary immigrant; or

(A) ~~Is licensed as a nonresident alien; or~~

(B) (D) ~~Has~~ The applicant legally changed his or her their name since the last license was last issued issuance.

(b) ~~An application for renewal by mail may be mailed to a Wyoming resident who is temporarily out of state.~~

(e) (b) Military Personnel Applications. Applications for military personnel and their dependents shall be processed in the same manner as provided for in W.S. 31-7-119(c) and W.S. 31-7-119(g).

(i) ~~Unless received from active duty military personnel or their dependents, applications for renewal by mail mailed to the Department postmarked later than the expiration date of the license shall be denied and returned with the applicant's enclosed fee.~~

(ii) ~~Applications for renewal by mail mailed to the Department by active duty military personnel or their dependents, whether postmarked before or after the expiration date of the license, shall be processed pursuant to W.S. 31-7-119(c) and W.S. 31-7-119(g). Active duty~~

~~military personnel shall not be charged a fee to renew their Wyoming licenses.~~

~~(d) — Unless presented by active duty military personnel, any application for a renewal by mail presented in person to a driver’s license examiner after the license has expired shall be denied, and the applicant shall be processed as a first-time applicant and charged the required fee.~~

(i) Active duty military personnel applying in person for renewal of their Wyoming driver’s license who present an expired license, not expired more than ~~four (4)~~ five years, shall be processed pursuant to W.S. 31-7-119(c) and W.S 31-7-119(g) and not charged a fee.

(ii) ~~If the licensee does not want the I-restriction imposed on the license indicating, “Expiration waived when accompanied by active duty military ID card,” expiration~~ expiration waived when accompanied by an active duty military identification card (ID) for an imposed I-restricted (Limited Others) license, will be the licensee shall be treated as a non-military client.

(iii) Dependents of active duty personnel applying in person for renewal of their Wyoming driver’s license who present an expired license shall be processed pursuant to W.S. 31-7-119(c) and W.S. 31-7-119(g) and charged the renewal fee.

(iv) Renewal applications for active duty military personnel or their dependents, whether received in person or by mail, shall have the active duty status verified electronically by the Department.

(v) Renewal-by-mail applications the Department receives from active duty military personnel or their dependents, whether postmarked before or after the license expiration date, shall be processed pursuant to W.S. 31-7-119(c) and W.S. 31-7-119(g). Active duty military personnel shall not be charged a fee to renew their Wyoming licenses.

(vi) Renewal-by-mail applications the Department receives from active duty military personnel or their dependents shall be accompanied by an updated digital photograph of the applicant if the last photograph on file with the Department is greater than 10 years old.

(vii) If an applicant or a dependent no longer qualifies as active duty military and is applying in person or by mail for renewal of their Wyoming driver’s license that was issued previously with an out-of-state address, the applicant shall present two documents with a valid physical Wyoming address, in accordance with W.S. 31-7-111(a), dated within 45 days of the application date.

(c) Expired Renewal-by-Mail Applications.

(i) Unless received from active duty military personnel or their dependents, renewal-by-mail applications the Department receives more than 30 days after the license expiration date shall be denied and returned with the applicant’s enclosed fee.

(ii) Unless presented by active duty military personnel, any renewal-by-mail application presented in person to a driver’s license examiner after the license expiration date shall be denied, and the applicant shall be processed as a first-time applicant and charged the required fee.

Section 8. “Valid Without Photo” and/or “Valid Without Photograph and Signature” Requirements for Driver’s Licenses and Identification Cards (IDs).

(a) Wyoming REAL ID. To be accepted by a Federal agency for official purposes, Wyoming REAL ID driver’s licenses and IDs shall include the cardholder’s signature and full facial digital photograph on the front of the card. Photograph and signature standards shall comply with Title 6 C.F.R. Part 37.17 and the American Association of Motor Vehicle Administrators (AAMVA) standards.

(i) Photograph. The photograph shall exhibit a full facial frontal pose with both eyes visible and shall be taken pursuant to the following standards:

(A) The photograph may be in black and white or color.

(B) Lighting shall be equally distributed on the face.

(C) The face from crown to the base of the chin and from ear to ear shall be clearly visible and free from shadows.

(D) Veils, scarves, or headdresses shall not be permitted unless a person requests and is granted an exemption for medical or religious reasons. If an exemption is granted, such items shall not obscure any facial features and shall not generate shadows.

(E) The person shall not wear eyewear that obstructs the iris or pupil of the eyes nor take any action to obstruct a photograph of their facial features.

(F) When possible, the eyes shall appear with no dark shadows in the eye sockets caused by the brow. The iris and pupil of the eyes shall be clearly visible.

(G) Care shall be taken to avoid “hot spots” (bright areas of light shining on the face).

(H) A new photograph shall be taken at each in-person renewal unless the person requests the previous photograph be used for medical reasons, as long as the previous photograph was taken within the previous 10 years.

(ii) Signature. The cardholder’s signature shall be a digitally printed reproduction of the driver’s original signature.

(b) Valid without Photo and/or Signature (J-Restricted) Licenses. At its discretion, the Department may issue a temporary, J-restricted (Valid without Photo and/or Signature) license

under certain circumstances. Any license issued as J-restricted shall have the words “FEDERAL LIMITS APPLY” on the license, and the license shall not comply with the REAL ID Act of 2005, Public Law 109-13, Title 8 United State Code § 1101, *et seq.*

~~(a) At its discretion, the Department may issue a temporary “valid without photo” and/or “valid without signature” license under certain circumstances.~~

(i) Eligibility.

~~(b) (A) The “valid A valid without photo” Photo and/or “valid without signature” license Signature (J) restriction may be issued if:~~

~~(i) (I) A person applies to the Department for a renewal of a valid Wyoming driver’s license and is unable to return to Wyoming or if an equipment malfunction caused the license to be unusable, and the person has left the state for an extended period;~~

~~(ii) (II) The A person complies with the vision requirements found in W.S. 31-7-119(g) these rules;~~

~~(iii) (III) The A person submits the required fee to the Department;~~
and

~~(iv) (IV) The Problem Driver Pointer System (PDPS) and Driver’s License Number (DLN) Survey does do not show an ineligible status in any state.~~

~~(e) (B) A licensee who holds a commercial driver’s license (CDL) shall not be issued a “valid without photo” and/or “valid without signature” J-restricted license.~~

~~(d) (ii) Requirements for Surrendering J-Restricted Licenses. Any person Individuals holding a “valid without photo” and/or “valid without signature” J-restricted license shall surrender it within 30 days after returning to Wyoming; obtain a Wyoming license with a photograph, and/or signature, or both; and pay the required fee.~~

~~Section 9.~~ **Section 9. Restricted Class “C” or “Class M” Licenses.**

(a) Applications.

~~(a) (i) Any affidavit for a restricted Class “C” and/or “M” license shall be signed by the A parent or guardian having with legal custody and shall sign any affidavit (application) for a restricted Class C, Class M, or both license(s) and shall include a Wyoming Highway Patrol (WHP) finding by the Highway Patrol that extreme inconvenience actually exists exists. The affidavit shall also:~~

(ii) The application shall also:

~~(i) (A) Set forth the purpose or purposes purpose(s) for which the~~

applicant needs to drive;

(ii) (B) State the names and ~~relationship~~ relationships of persons-~~possessing valid driver's licenses~~ validly licensed drivers residing at the same domicile as the applicant and a statement of the reasons these licensed drivers cannot provide transportation for the applicant;

(iii) (C) State the class(es) of license desired; and

(iv) (D) Include statements from the school superintendent or principal and ~~and/or employer~~ (if applicable) verifying enrollment, ~~employment,~~ and school hours, ~~(including extracurricular activities), and/or~~ and employment and work hours (if applicable).

(v) (iii) ~~Any other circumstance that~~ Other circumstances the Highway Patrol WHP finds ~~is~~ are an extreme inconvenience shall be limited to the need to provide transportation to individuals living in the applicant's domicile for medical or health purposes if:

(A) The medical or health reason is a long-term condition requiring transportation for at least ~~6~~ six months; and

(B) A signed statement from a qualified medical ~~doctor or vision~~ specialist familiar with the medical or health condition is submitted describing the condition, its duration, and the need for transportation resulting from it.

(b) Expiration.

~~(b)~~ (i) ~~Any applicant~~ Applicants failing to apply for a restricted license within 30 days of the affidavit's approval shall be required to submit another affidavit to ~~the Highway Patrol WHP.~~

~~(c)~~ (ii) Restricted Class "C" and Class "M" licenses shall expire 30 days after the licensee's sixteenth birthday.

~~Section 10.~~ **Section 10.** **Oaths.** Authorized driver's license examiners may accept all oaths, affidavits, or verifications required to obtain a license or permit or to include the gift of life designation, next of kin designation, medical alert designation, or veteran's designation.

~~Each oath, affidavit, or verification required to obtain a license or permit, or to include the gift of life designation, next of kin designation, or veteran's designation, may be submitted to or administered by any authorized driver's license examiner.~~

~~Section 11.~~ **Section 11.** **Examinations.**

(a) Vision Screening. ~~All Applicants for~~ All Applicants for first-time and renewal driver's license applicants, ~~as well as applicants for licenses and~~ as well as applicants for licenses and instruction permits, may be required to pass a vision screening when issued a license or permit. ~~Applicants may also be required to pass a knowledge test of traffic regulations and traffic regulatory signs and/or demonstrate ability to~~

~~operate a motor vehicle of the class and type for which application is made. The driver's license examinations shall include a determination of legal qualifications to hold a driver's license. Any applicant who has not held a valid driver's license in the preceding 2 years, immediately prior to application, must take all knowledge tests and driving skills tests as required by the Department. The driver's license examiner may approve license issuance for the following:~~

(i) **Non-commercial drivers** if the vision screening given by an examiner, optometrist, or ophthalmologist dated within 12 months of the application shows:

(A) A minimum visual acuity of 20/40 with **both eyes**, with or without corrective lenses; and

(B) A total combined horizontal field of vision with **both eyes** of at least 120 degrees, or, if blind in one eye, at least 90 degrees in the other eye.

(ii) **Commercial drivers** if the vision screening given by an examiner, optometrist, or ophthalmologist dated within 12 months of the application shows:

(A) A minimum visual acuity of 20/40 with **each** eye, with or without corrective lenses; and

(B) A minimum horizontal field of vision of 70 degrees in **each** eye.

(C) Commercial drivers that do not meet the vision standards in this section shall have the CDL/CLP Intrastate Only (K) restriction imposed based upon the required vision screening or federal medical examiner's certificate from a qualified national registry doctor.

(D) Commercial drivers with monocular vision that do not meet the vision standards outlined in this section, but comply with the Federal Motor Carrier Safety Administration's (FMCSA) vision standard are eligible for interstate driving upon the Department's receipt of a federal medical examiner's certificate from a qualified national registry doctor that is valid for no more than one year from the date of certificate issuance.

(iii) **Applicants with a visual acuity of 20/50 or worse**, with or without correction, that demonstrate the ability to operate a motor vehicle safely, and the license is issued with the appropriate restrictions based upon the vision screening and driving skills test results.

(iv) **Applicants who previously failed the vision screening** if they present a written vision statement from an optometrist or ophthalmologist dated within the last three months showing an acuity as outlined in immediately preceding paragraph (i) or (ii) with or without corrective lenses.

(v) **Applicants with an eye disease or condition** diagnosed in a vision screening from an optometrist or ophthalmologist and who have license restrictions in place as recommended by the optometrist or ophthalmologist.

(b) Knowledge and Driving Skills Tests. The driver's license examinations shall include a legal qualifications determination to hold a license. Applicants may also be required to pass a knowledge test of traffic regulations and regulatory signs and demonstrate the ability to operate a motor vehicle of the class and type for which application is made.

(i) Applicants who have not held a valid driver's license in the particular class or type being applied for in the preceding two years immediately before applying shall take all knowledge and driving skills tests the Department requires. This section shall not apply to CDL holders who have been downgraded in accordance with Section 4(e)(ii)(B) of these rules on or after January 1, 2024, unless the CDL has been expired for two or more years in this or any other state.

(ii) A minimum grade of 80 percent shall be required to pass the knowledge test. Examiners shall give knowledge tests orally if determined necessary.

(b) (iii) ~~Any vehicle~~ Vehicles used for the driving skills test shall meet the requirements found in W.S. 31-5-901 through W.S. 31-5-1402. Any special mechanical devices on any motor vehicle shall be properly installed and inspected before the driving skills test is administered.

(e) (iv) At the examiner's discretion, the driving skills test may be waived for a first-time applicant for a ~~classified~~ graduated driver's license if the applicant presents a certificate signed certificate of by the teacher and school administrator within the previous two years showing completion from of a driver's education course approved by the Wyoming Department of Education or a driver training course certified by the Department of Transportation.

(d) (v) ~~An applicant for a commercial driver's license,~~ Commercial driver's license (CDL) applicants who ~~was~~ are exempt from having a ~~commercial driver's license (CDL)~~, as provided in Section 6(d) of these rules, may qualify for a waiver of the knowledge test, driving skills test, or both by completing a the Department's certification form provided by the Department. At a minimum, the certification shall verify that, during the ~~2~~ two-year period immediately ~~prior to~~ before application, the applicant:

(i) (A) Has not possessed more than one driver's license;

(ii) (B) Has not had any driver's license or driving privileges suspended, revoked, or canceled;

(iii) (C) Has not had any ~~commercial driver's license~~ CDL or driving privileges disqualified;

(iv) (D) Has not had more than one conviction for any serious traffic violations, or a record of an at-fault or uninsured accident (as defined in W.S. 31-7- 102[xli] and the *Rules and Regulations of the Wyoming Department of Transportation* Department's rules);

and

(v) (E) Has at least ~~2 years~~ two years of experience operating a the same vehicle of the type and class for which application is being made, immediately within the preceding 12 months following discharge from the military, and was:

(A) (I) Regularly employed within the last ~~90 days~~ 12 months in a military position requiring ~~the commercial motor vehicle operation; and of a commercial motor vehicle (CMV);~~

(B) (II) ~~Was exempted~~ Exempted from CDL requirements in Title 49 CFR C.F.R. 383.3(c), and,

(C) ~~Was operating a vehicle representative of the commercial motor vehicle the applicant expects to operate, for at least two years immediately preceding discharge from the military.~~

(F) To qualify for the waiver of the knowledge tests, has one of the below military occupational specialty or occupational classification:

(I) U.S. Army: 88M - Motor Transport Operator, 92F – Fueler, 14T - Patriot Launching Station Operator;

(II) U.S. Marine Corps: 3531 - Motor Vehicle Operator;

(III) U.S. Navy: EO - Equipment Operator ; or

(IV) U.S. Air Force: 2TI - Vehicle Operator, 2FO – Fueler, 3E2 - Pavement and Construction Equipment Operator.

(vi) ~~The applicant~~ Applicants shall also provide all other information required by ~~the FMCSR~~ Federal Motor Carrier Safety Regulations (FMCSR).

(e) (vii) When renewing a CDL, the licensee shall provide a vehicle representing the driver's license type and class for which application is being made so the Department can administer a driving skills test, if required. The written and driving skills testing requirements may be waived, upon the renewal of a commercial driver's license, except that: testing requirements FMCSR mandate may not be waived, and written and driving skills tests shall not be waived if the licensee has had any driver's license or driving privileges disqualified, revoked, or canceled.

(i) ~~Testing requirements mandated by the FMCSR may not be waived;~~

(ii) ~~A driving skills test may not be waived if the licensee has had any driver's license or driving privileges revoked, canceled, or disqualified.~~

~~(iii) — The licensee shall provide a vehicle representative of the type and class of driver's license for which he or she is applying in order for the Department to administer a driving skills test.~~

~~(f) (viii) Any applicant for a School Bus endorsement~~ Endorsement applicants shall also pass the required test(s) for and be issued a Passenger (P) ~~endorsement~~ Endorsement. Testing for a School Bus ~~endorsement~~ Endorsement includes a written test and a skills test tests in a school bus as required by FMCSR.

(ix) At the examiner's discretion, applicants may be required to demonstrate their ability to operate a motor vehicle safely as required by W.S. 31-7-122.

~~(g) — Vision requirements:~~

~~(i) — The driver's license examiner may approve issuing the license:~~

~~(A) — If the vision screening given by an examiner, optometrist, or ophthalmologist shows an acuity of at least 20/40 or better with both eyes, with or without corrective lenses;~~

~~(B) — If the applicant has previously failed the vision screening and presents a written vision statement from an optometrist or ophthalmologist dated within the last 3 months showing an acuity of 20/40 or better, with both eyes, with or without corrective lenses;~~

~~(C) — If the vision screening shows an applicant's visual acuity to be 20/50 or worse, with or without correction, he or she shall demonstrate the ability to operate a motor vehicle safely; and the license shall be issued with the appropriate restrictions based upon the vision screening and the results of the driving skills test;~~

~~(D) — If the vision screening from an optometrist or ophthalmologist shows the applicant has an eye disease or condition, the examiner shall place restrictions on the license as recommended by the optometrist or ophthalmologist;~~

~~(E) — If the applicant has a total combined horizontal field of vision, with both eyes, of at least 120 degrees, or if blind in one eye, at least 90 degrees in the other eye.~~

~~(h) — The knowledge test(s) may be given orally if the driver's license examiner determines it is necessary. A minimum grade of 80 percent shall be required to pass the knowledge test.~~

~~(i) — At the examiner's discretion, any applicant may be required to demonstrate his or her ability to operate a motor vehicle safely as required by W.S. 31-7-122.~~

~~Section 12.~~ **Section 12.** **Third-Party Testing.**

(a) Agreements.

~~(a)~~ (i) A third-party ~~examiner~~ tester shall enter into an agreement with the Department ~~in order to administer driving skills tests to applicants for commercial driver's licenses (CDLs). The agreement shall include, but is not limited to, the following terms:~~

~~(i)~~ (ii) The agreement shall include, but is not limited to, the following ~~term~~ terms. The third-party ~~examiner~~ tester shall permit:

(A) The Federal Motor Carrier Safety Administration (FMCSA), or its representative, and the Department to conduct random examinations, inspections, and audits of company records, facilities, and operations relating to the third-party testing program, with or without prior notice;

(B) The Department or FMCSA to conduct on-site inspections, ~~and/or~~ audits, or both at least annually; and

~~(C) Transmit~~ The transmission of schedules and testing scores, both pass and fail, via the Commercial Skills Test Information System (CSTIMS) as prescribed by the CSTIMS user manual; ~~or the~~ The Department may also test a sample of drivers examined by the third party to compare pass/fail results, ~~or both,~~ as deemed appropriate; ~~and~~

~~(ii) The Department reserves the right to cancel agreements with third party examiners that fail to comply with state or federal standards for the commercial driver's license testing program or with any other terms of these rules, the third party agreement, or Attachment A to that agreement.~~

(b) Training and Certification.

(i) The third-party tester shall allow only those employees who complete the required Class A and B Third Party Training Certification Program and whom the Department certifies as third-party examiners to administer CDL skills tests and to issue skills test certificates.

~~(ii)~~ (ii) ~~The third party examiner~~ Third-party examiners shall meet the same qualification and training standards as Department driver's license examiners.

(iii) Third-party examiners shall complete training and certification provided by the Department's Driver Services Program and have a certificate on file with the Department.

(c) Affidavits.

~~(e)~~ (i) ~~Any applicant for a commercial driver's license~~ CDL applicants who ~~passes~~ pass the driving skills test administered by an authorized ~~third party~~ third-party examiner shall provide evidence to the Department that ~~he or she has~~ they successfully passed the driving skills test. ~~All affidavits presented in place of taking a driving skills test or submitting a Commercial Driver's License Test History form shall be signed by the person tested and dated~~

~~within 6 months of the time the affidavit is presented to the Department. All affidavits shall be executed by a proper official of the legal entity having entered into a third-party examiner agreement with the Department or by a Wyoming driver's license examiner.~~

(ii) All affidavits presented in place of taking a driving skills test or submitting a CDL Test History form shall be signed by the person tested and dated within the validity period for the commercial learner's permit (CLP) the applicant held at the time of the test.

(iii) Affidavits shall not be accepted after the CLP expiration date.

(iv) A proper official of the legal entity having entered into a third-party tester agreement with the Department or a Wyoming driver's license examiner shall execute all affidavits.

(d) Examiner Requirements. Third party examiners shall:

~~(d) (i) Third-party examiners shall conduct~~ Conduct a 10-test minimum of 10-
~~tests on different applicants within a 1- year period to maintain active examiner status.~~
If a ~~third-party~~ third-party examiner fails to complete 10 different tests, the ~~person~~ examiner
must attend a state-conducted refresher course ~~conducted by the state~~, or successfully administer
a skills test to a ~~state-certified~~ state-certified examiner-;

~~(e) (ii) Third-party examiners shall have~~ Hold a current, valid Wyoming CDL of
the type and class for which they will ~~be testing~~ test and not have been suspended, disqualified,
revoked, or canceled, ~~or disqualified~~ in the last 5 five years;

(iii) Complete a nationwide criminal background check. The report results shall be filed with the Department; and

(iv) Shall not act as both the examiner and trainer-instructor of a skills test applicant.

~~(f) (e) Truck Driver Training Schools. A school~~ Schools intended to train truck drivers shall be eligible to become a third- party ~~tester~~ testers upon complying with the following:

(i) ~~The school~~ Schools shall be licensed with the Wyoming Department of Education, Private School Non-degree Program; and shall provide a copy of the license to the Wyoming Department of Transportation;

(ii) ~~All third-party examiners shall complete training and certification provided by the Wyoming Department of Transportation Driver Services Program and have a certificate on file with the Department;~~

~~(iii) (ii) A third-party tester~~ Third-party testers or examiner examiners shall not charge any fee for skills tests administered, except those fees and tuition allowed by the

Wyoming Department of Education;

~~(iv)~~ (iii) ~~A third-party examiner~~ Third-party examiners shall test only individuals registered as students with ~~the school~~ schools licensed to act as a third-party ~~tester~~ testers;

~~(v)~~ (v) ~~A third-party examiner shall not act as both an examiner and trainer-instructor of a student registered with a school licensed to act as a third-party tester;~~

~~(vi)~~ (iv) ~~A truck~~ Truck driving ~~school~~ schools shall also comply with all provisions of preceding Section 12(a) through ~~(e-d)~~ of these ~~regulations~~ rules; and

~~(vii)~~ (v) ~~A third-party tester~~ Third-party examiners for a truck driving ~~school~~ schools shall ~~re-certify~~ recertify annually with the Department.

(f) Certification Cancellation.

~~(g)~~ (i) Third-party testers or examiners shall have their certification canceled if the Department determines ~~that~~ Wyoming statutes, Department rules and regulations, or the third-party agreement ~~or~~ (including Attachment A) as signed by the third-party tester have been violated.

~~(h)~~ (ii) ~~A third-party tester~~ Third-party testers may be re-certified upon satisfying the Department that all violations have been corrected and all third-party examiners have been ~~re-trained~~ retrained and ~~certified~~ recertified in accordance with these rules.

~~(i)~~ (i) ~~All third-party examiners shall complete a nationwide criminal background check. The results of the report shall be filed with the Department.~~

(g) Other Requirements.

~~(j)~~ (i) All non-government third-party ~~examiners~~ testers shall file a \$10,000 bond with the state of Wyoming in the amount of \$10,000 and maintain the bond to retain Department certification ~~by the Department~~.

(ii) All private institutions or departments not covered by Section 12(e) shall employ a minimum of 25 drivers for Department certification as a third-party examiner.

~~Section 13.~~ **Section 13.** **Fees.**

(a) Commercial Driver's License (CDL) Testing Fees.

~~(a)~~ (i) ~~A commercial driver's license driving~~ CDL skills test shall not be scheduled ~~and/or~~ or conducted until the Department receives the required fee.

~~(i)~~ (ii) The applicant shall forfeit the required ~~commercial driver's license~~

~~driving CDL skills test fee shall be forfeited by the applicant and not be refunded upon:~~

~~(A) Failure to appear at the scheduled time and location; or failure to cancel 24 hours in advance of the scheduled time, unless the failure to appear was caused by factors beyond the person's control, such as road closures and/or documented medical emergencies. Failure to obtain or the unavailability of a vehicle of the proper class and type shall not be deemed as beyond the person's control, and the fee shall be forfeited.~~

(B) Failure to cancel 24 hours before the scheduled time unless factors beyond the person's control cause the failure to appear (such as road closures or documented medical emergencies);

~~(B C) Failure of any portion of the required driving skills test; or~~

~~(C D) Rejection Examiner rejection of the vehicle by the examiner because of for faulty or unsafe equipment or equipment of the improper class and/or or type. Failure to obtain, or the unavailability of, a vehicle of the proper class and type shall not be deemed as beyond the person's control, and the fee shall be forfeited.~~

~~(D) A third or subsequent cancellation of the driving skills test.~~

~~(ii-iii) A commercial driver's license driving CDL skills test shall not be rescheduled until the Department receives an additional skills test fee.~~

(b) Acceptable Payment Types. The Department shall accept personal checks for required fees if: the check is made payable to the Department, printed (not handwritten) with the name and current address of the check issuer, and for the required fee amount. The Department shall not accept two-party or payroll checks.

~~(i) The personal check is made payable to the Department;~~

~~(ii) The personal check is printed (not handwritten) with the name and current address of the person issuing the check; and~~

~~(iii) The personal check is for the amount of the required fee(s) only.~~

~~(c) The Department shall not accept two party or payroll checks.~~

(c) Record Fees.

~~(d) (i) The fee for a driver's license record shall be \$5 \$10. Additionally, the Department shall charge \$2.50 for processing a driver's license record on the same business day if it is not requested in person at a driver's license location.~~

~~(e) (ii) The fee for a driver's license record requested and searched by electronic-medium electronically shall be \$5 \$10.~~

(f) (iii) Additional fees for programming costs shall be assessed as needed ~~for programming costs~~.

~~Section 14.~~ **Section 14.** **Driver Driver's License or Identification Card (ID) Not Delivered.**

(a) Returned as Undelivered to Department: ~~A~~ The Department shall hold a license or identification card ID returned to the Department as undelivered shall be held for at least 60 days from the date it was mailed by the Department mailed it. If the Department receives no inquiry within the 60 days, the license or ~~identification card shall~~ ID may be subject to cancellation canceled.

(b) Licensee Notification. If a licensee notifies the Department within 60 days of the mail date that ~~he or she the license or ID did was not receive a license or identification card received,~~ another card shall be issued without fee if the person's address has not changed. The licensee ~~must~~ shall wait 30 days after the card has been mailed before the Department can issue a replacement license or ~~identification card~~ ID.

~~Section 15.~~ **Section 15.** **Grounds for Suspension.**

(a) Moving Violations. Moving violations used in one suspension action may be used in a subsequent suspension action if the record, by adding a new moving violation(s), shows at least four moving violations within a 12-month period (using the offense date of the violations).

(b) Repeat Violators.

(a) (i) The license of any person may be suspended for up to 12 months if the licensee is a ~~repeated~~ repeat violator. The Department shall consider a licensee a ~~repeated~~ repeat violator when its records show that a person has been convicted of ~~3~~ three or more moving violations within a ~~one-year~~ 12-month period. ~~The Department shall take the following action with repeated violators:~~

(ii) The Department shall take the following actions with repeat violators:

(i) (A) Notify the person, in writing, that he or she has been convicted of 3 Provide written notification to violators regarding their three moving violations within a one-year 12-month period (using the offense date of the violations) and identify the possible consequences of receiving additional moving violation convictions;

(ii) (B) Suspend the violator's license for 90 days upon receiving evidence of a conviction for a fourth moving violation (using the offense date of the violations) within a one-year 12-month period; and

(iii) (C) Suspend the violator's license for an additional 90 days upon receiving evidence of subsequent conviction(s) totaling 4four or more moving violations within

a ~~one-year~~ 12-month period (using the offense date of the violations).

~~(b) — Moving violations used in one suspension action may be used in a subsequent suspension action if the record, with addition of a new moving violation or violations, shows at least 4 moving violations within a one-year period (using the offense date of the violations).~~

(c) Other Violations.

~~(e)~~ (i) Upon receiving a record of conviction, the Department shall suspend a driver's license for violations of W.S. 31-7-133 for 90 days.

~~(d) — The Department shall suspend commercial driver's licenses for 90 days for violations of any CDL endorsements.~~

~~(e)~~ (ii) ~~Any person~~ Violators who ~~fails~~ fail to appear in court shall have ~~his or her~~ their license suspended for up to 12 months; or until ~~he or she appears~~ they appear in court and ~~complies~~ comply with the citation conditions ~~of the citation~~, whichever comes first.

~~(f)~~ (iii) ~~Any person~~ Individuals suspended under the authority granted in W.S. 31-7-140 shall have ~~his or her~~ their Wyoming driver's license suspended until cleared by the court issuing such action. ~~The driver's license shall be reinstated after all fees required by the State have been paid.~~

(iv) The Department shall suspend an individual's commercial driver's license (CDL) for 90 days for any CDL endorsement violations.

(v) A driver's license shall be reinstated upon payment of all state-required fees.

~~Section 16.~~ **Section 16. Grounds for Cancellation, Denial, or Disqualification, Denial, Downgrade, or Cancellation.**

~~(a) — Any person shall be denied the issuance of a license or have an existing license canceled for any of the following:~~

~~(i) — The person is not legally, physically, or mentally qualified to hold a license because of~~

~~(A) — Legal age;~~

~~(B) — Nonresident status;~~

~~(C) — Previous disqualification, cancellation, denial, suspension, or revocation;~~

~~(D) — Failure to meet statutory requirements; or~~

~~(E) — Other reasons as may be described by Department policy, procedure, or other legal actions.~~

~~(ii) — Upon receipt by the Department of a written medical statement from a qualified medical professional that the person is not medically, physically, or mentally capable of safely operating a motor vehicle.~~

~~(iii) — Upon receipt by the Department of a written vision statement from an optometrist or ophthalmologist indicating the person's:~~

~~(A) — Best visual acuity with or without corrective lenses is worse than 20/100 with both eyes;~~

~~(B) — Best visual acuity with or without corrective lenses is worse than 20/100 in the carrier lenses, and the bioptic telescope or other low vision aid does not correct the visual acuity to at least 20/40 or,~~

~~(C) — Total combined horizontal field of vision, with both eyes, is less than 120 degrees, or if blind in one eye, less than 90 degrees in the other eye.~~

~~(iv) — Upon receipt by the Department of a medical statement from a qualified medical professional that the person is afflicted with a medical disorder resulting in a loss, interruption, or lapse of consciousness and/or motor function. The denial or cancellation shall not be reconsidered until the Department receives a written statement from a qualified medical professional stating that:~~

~~(A) — The affliction no longer exists; or~~

~~(B) — The affliction is medically controlled.~~

~~(v) — Upon receipt by the Department of a written medical statement from a qualified medical professional that the person is afflicted with a medical or other disorder resulting in the inability to operate a motor vehicle safely.~~

~~(vi) — Inability to demonstrate ordinary and reasonable skills to operate a motor vehicle safely as evidenced by the results of an investigation. Upon recommendation of the examiner, the person may:~~

~~(A) — Apply for and receive an instruction permit, subject to any restrictions and/or conditions the Department imposes;~~

~~(B) — Hold the instruction permit for at least 3 months; and then~~

~~(C) — Request, in writing, that the Department conduct another investigation to determine if a license should be issued.~~

(a) Disqualification.

(vii i) ~~Disqualification~~ Individuals disqualified under any of the commercial driver's license (CDL) provisions of W.S. 31-7-305 and W.S. 31-7-310. ~~The cancellation shall have the cancellation~~ become effective on the same date as the disqualification. A person shall be disqualified from operating a commercial motor vehicle for the following:

(A) ~~A person shall be disqualified from operating a commercial motor vehicle for:~~

(A) Department receipt of a Federal Motor Carrier Safety Administration (FMCSA) disqualification for any violation listed under Title 49 C.F.R. Part 383.52. This disqualification shall commence immediately upon notification from FMCSA and remain in effect for as long as one year or until the Department receives notification from FMCSA the disqualification has ended.

(B) ~~(I) A period of 60 days if convicted of 2 two serious traffic violations, or 120 days if convicted of 3 serious traffic violations, committed in a commercial vehicle~~ motor vehicle arising from separate incidents occurring within a ~~3~~ three-year period.

(C) 120 days if convicted of three serious traffic violations in a commercial motor vehicle arising from separate incidents occurring within a three-year period.

(D) ~~(II) A period of 60 days if convicted of 2 two serious traffic violations, or 120 days if convicted of 3 serious traffic violations, committed in a noncommercial non-commercial~~ vehicle arising from separate incidents occurring within a ~~3~~ three-year period only if the second ~~or third~~ conviction results in a suspension.

(E) 120 days if convicted of three serious traffic violations in a non-commercial vehicle arising from separate incidents occurring within a three-year period only if the second or third conviction results in a suspension.

(F) ~~(III) Receipt by the Department~~ receipt of a FMCSA disqualification from the Federal Motor Carrier Safety Administration for any violation listed under W.S. 31-7-305.

(ii) ~~(B) Any person~~ Individuals with lifetime ~~disqualifications~~ disqualification resulting wholly or in part from involvement with alcohol or controlled substances shall be ineligible for relicensing until 10 calendar years from the disqualification date of disqualification. After 10 years, the following provisions apply:

(A) ~~(I) When he or she makes~~ A CDL shall not be issued until the Department receives a written request for reapplication, such person and investigates; additionally, the applicant shall comply with any restrictions and conditions imposed after the investigation. When writing to request reapplication, the applicant shall be subject to the

applicable requirements as defined in Section 16(d) and (e), Subsections (b) and (c) of this these rules chapter.

(B) No person shall be issued a new CDL until the Department ends or reduces the disqualification, and the applicant is otherwise eligible for a CDL.

~~(C) Any person with a lifetime disqualification resulting from reasons other than involvement with alcohol or controlled substances shall not be eligible for relicensing until 10 calendar years from the date of disqualification. A commercial driver's license shall not be issued until the Department receives a written request and conducts an investigation, and the applicant complies with any restrictions and/or conditions imposed as a result of the investigation.~~

~~(D) No person shall be issued a new commercial driver's license until the Department ends or reduces the disqualification and the applicant is otherwise eligible for a commercial driver's license.~~

~~(I) A lifetime disqualification for a third or subsequent conviction of any offense as defined in W.S. 31-7-305(a) shall not be reduced to 10 years.~~

~~(H I) A lifetime Lifetime disqualification for using a motor vehicle in the commission of while committing any felony involving the manufacture, distribution, manufacturing, distributing, or dispensing of a controlled substance or possession with intent to manufacture, distribute, or dispense a controlled substance shall not be reduced to 10 years.~~

(II) Lifetime disqualifications for using a commercial motor vehicle in the commission of any felony involving human trafficking under W.S. 6-2-702, W.S. 6-2-703, or any similar federal regulation shall not be reduced to 10 years.

~~(E C) Any person Individuals whose commercial driver's license with a CDL has been canceled because of by disqualification, but is who are otherwise eligible, may be issued a non- commercial driver's license.~~

~~(F D) All applicants who have been disqualified from operating a commercial motor vehicle and subsequently reinstated shall pass all required knowledge and skills tests and pay the required fees.~~

(b) Denials and Cancellations. Individuals shall be denied license issuance or have an existing license canceled for any of the following reasons:

(i) The person is not legally, physically, or mentally qualified to hold a license because of legal age or immigration status; previous disqualification, cancellation, denial, suspension, or revocation; failure to meet statutory requirements; or other reasons as may be described by Department policy, procedure, or other legal actions.

(ii) The Department receives a written medical statement from a qualified medical professional that the person is not medically, physically, or mentally capable of safe motor vehicle operation.

(A) This includes persons afflicted with a medical disorder resulting in loss, interruption, or lapse of consciousness, motor function, or both.

(B) The cancellation or denial shall not be reconsidered until the Department receives a written statement from a qualified medical professional stating the affliction no longer exists or is medically controlled.

(iii) The Department receives a written vision statement from an optometrist or ophthalmologist indicating the person's:

(A) Best visual acuity, with or without corrective lenses, is worse than 20/100 with both eyes;

(B) Best visual acuity, with or without corrective lenses, is worse than 20/100 in the carrier lenses, and the bioptic telescope or other low-vision aid does not correct the visual acuity to at least 20/40;

(C) For non-commercial drivers, total combined horizontal field of vision with both eyes is less than 120 degrees, or, if blind in one eye, less than 90 degrees in the other eye; or

(D) For commercial drivers, horizontal field of vision is less than 70 degrees in each eye.

(iv) A person proves unable to demonstrate ordinary and reasonable skills to operate a motor vehicle safely as evidenced by investigation results. Upon the examiner's recommendation, the person may:

(A) Apply for and receive an instruction permit, subject to any restrictions and conditions imposed by the Department;

(B) Hold the instruction permit for at least three months, and then

(C) Request, in writing, the Department investigate again to determine if a license will be issued;

(viii v) ~~Upon receipt by the~~ The Department receives of a report from the ~~Bureau of Citizen and Immigration Services (BCIS)~~ U.S. Citizenship and Immigration Services (USCIS) indicating that a non-U.S. citizen is not complying with immigration laws; . In this instance, the license shall remain canceled; and the person shall not be allowed to reapply until the Department receives evidence from the ~~BCIS~~ USCIS that his or her status the applicant is acceptable for licensing eligible for a license.

~~(ix) — Holds a commercial driver’s license and fails to comply with W.S. 31-7-304(f). The person’s privilege to hold a commercial driver’s license shall be canceled, and the person may be issued a non-commercial class license.~~

(c) Downgrades. Upon receiving notice from FMCSA that a driver is prohibited from operating a commercial motor vehicle because of an alcohol and controlled substance program violation, the Department shall initiate the downgrade process to remove the CLP or CDL privilege from the driver’s license within 60 days.

(d) Investigations.

~~(b) (i) The Department shall investigate the driving ability, character, and habits of an individual when he or she anyone who applies for reinstatement after ~~completing a~~ revocation and/or disqualification period if this person had a license or driving privilege revoked or disqualified as the result of involvement with if revocation resulted from conviction involving alcohol and/or a or controlled substance substances or documented evidence the Department holds that the person has an alcohol or a substance abuse problem. ~~An investigation shall be conducted when the Department has documented evidence that the person has an alcohol and/or substance abuse problem. In both instances, the license shall be denied until each requirement set out below is satisfied. The individual shall:~~~~

(ii) If Department investigation reveals any documented incidents in the interlock data log or convictions violating revocation, disqualification, or ignition interlock requirements and restrictions, within six months immediately preceding the scheduled investigation’s date, the Department may:

(A) Deny issuance of a new license;

(B) Deny application for at least six months; and

(C) Require the person to do the following:

(I) Provide evidence of completing or current attendance in an approved treatment or counseling program for alcohol, controlled substances, or both within the six-month denial period;

(II) Not receive any convictions or violations involving use of alcohol or controlled substances during the five-year term of any license issued after the investigation is completed; and

(III) Observe any other restrictions or conditions imposed by the Department.

(iii) Investigations may consist of a driving skills test in a vehicle representing the license type and class the applicant holds or for which the applicant is applying and any requirements or restrictions from an investigation completed under subsections (a) through (c) of

this section.

(iv) The Department shall investigate the driving ability, character, and habits of anyone who applies for reinstatement of commercial driving privileges after a lifetime disqualification. If a Department investigation reveals any of the following, the request shall be denied:

(A) The applicant has not yet served a full 10 years from the start date of the last lifetime disqualification;

(B) The applicant is no longer licensed in this state and has been convicted in another jurisdiction of an offense listed in Title 49 C.F.R. Part 383.51 that would result in an additional lifetime disqualification if still residing in Wyoming;

(C) The applicant fails to complete the documentation required by the Department within six months of receiving the applicant's request; or

(D) If any convictions resulting in the disqualification are related to alcohol or controlled substances and the applicant fails to provide evidence of successful completion of an appropriate rehabilitation program approved by the Department.

(v) The Department shall investigate a driver's driving ability, character, and habits at the specific request of law enforcement based upon observed impairment of the driver's mental, physical, or visual ability.

(e) Reinstatement.

(i) Licenses shall be denied or non-resident operating privileges shall not be restored until one of the following requirements is satisfied. The individual shall:

(i) (A) Submit a current alcohol and/or controlled substance evaluation with a recommended course of treatment and/or counseling, for alcohol, controlled substances, or both by a counselor certified by the Wyoming Department of Health, Substance Abuse Division, or an equivalent out-of-state agency with evidence of satisfactory completion or current attendance in a recommended treatment course or counseling program; This evaluation shall include information on whether the person is complying with the following:

(A) Submit evidence of satisfactory completion of, or current attendance in, a recommended course of treatment or counseling program. This evidence shall include information that the individual is complying with the counselor's recommended course of treatment.

(B) Provide verifiable evidence that the person has demonstrated compliance with an alcohol and/or controlled substance treatment or counseling program, or has been in of their substantial compliance with W.S. 31-7-401 through W.S. 31-7-404; for the previous six months; or

(C) Provide verifiable evidence of their substantial compliance with W.S. 31-7-501 through W.S. 31-7-502 for the previous six months.

~~(ii) If investigation by the Department reveals any documented incidents in an HR provider's report or convictions of violating his or her revocation, disqualification, or ignition interlock requirements/restrictions, within the 6 months immediately prior to the date of the scheduled investigation, the Department may:~~

~~(A) Deny issuance of a new license;~~

~~(B) Deny application for at least 6 months; and~~

~~(C) Require the person to do the following:~~

~~(I) Provide evidence of completion of an approved alcohol and/or controlled substance treatment or counseling program within the six month denial period;~~

~~(II) Not receive any convictions/violations involving the use of alcohol or drugs during the four year term of any license issued after the investigation is completed; and~~

~~(III) Observe any other restrictions or conditions imposed by the Department.~~

~~(e) (ii) Any person Individuals who violates a restriction violate restrictions imposed by the Department under Section 16(b) shall have the their license canceled and cannot apply for a new license until proof is submitted that:~~

~~(i) (A) The person has completed an approved inpatient alcohol and/or controlled substance program for alcohol, controlled substances, or both since the last known incident; or~~

~~(ii) (B) Is The person is currently enrolled in and making satisfactory progress in an alcohol and/or controlled substance a treatment program for alcohol, controlled substances or both since the last known incident.~~

~~(d) (iii) Any person Individuals who has have had a license revoked for a reason other than Section 16, (a) or (b) subsections (b) through (c), shall be denied a license until after the Department conducts completes an investigation, and the person complies with any restrictions imposed by the Department imposes as a result of resulting from the investigation.~~

~~(e) An investigation may consist of a driving skills test in a vehicle representative of the type and class of license the person holds or for which he or she is applying, and any requirements or restrictions from an investigation completed under subsection (a) or (b) of this section.~~

(iv) Individuals whose CLP or CDL has been downgraded under Section 16(c) are required to complete the FMCSA prescribed return-to-duty process to have their commercial privileges reinstated as follows:

(A) If, before the Department completes and records the downgrade, the Department receives notification the CLP or CDL holder is no longer prohibited from operating a commercial motor vehicle, the Department shall terminate the downgrade process without removing the CLP or CDL privilege from the driver’s license; or

(B) If, after the Department completes and records the downgrade, the Department receives notification the driver is no longer prohibited from operating a commercial motor vehicle, the Department shall reinstate the driver’s CLP or CDL privilege.

(v) Any applicant whose commercial privileges have been downgraded for more than two years shall pass all required knowledge and skills tests and pay the required fees to obtain a CDL. This requirement shall not apply to applicants downgraded according to Section (4)(e)(ii)(B) of these rules on or after January 1, 2024.

~~Section 17.~~ **Section 17.** **Surrender of License or Permit.** A suspended, canceled, or revoked license or permit shall be considered surrendered when given to any Department Driver Services employee or law enforcement officer or when addressed and mailed to the Wyoming Department of Transportation, 5300 Bishop Boulevard, Cheyenne, Wyoming, 82009-3340, with an “Attention: Driver Services” line.

~~A license or permit that is suspended, canceled, or revoked shall be considered surrendered when given to any Wyoming Department of Transportation Driver Services employee, any law enforcement officer, or addressed and mailed to the Wyoming Department of Transportation, 5300 Bishop Boulevard, Cheyenne, Wyoming 82009-3340, with an “Attention: Driver Services” line.~~

~~Section 18.~~ **Section 18.** **Right to Contested Case Hearings or Record Reviews.**

(a) Notification.

~~(a)~~ (i) ~~Every person~~ Individuals whose driver’s license is disqualified, suspended, revoked, canceled, or denied shall be notified of the right to request a contested case hearing or record review. ~~The notification shall advise the person that:~~

(ii) The notification shall advise the person that:

~~(i)~~ (A) If the only reason for requesting a hearing is to receive limited driving privileges, then the request shall initiate a Department record review ~~conducted by the Department.~~

~~(ii)~~ (B) If the request is for any purpose other than to receive limited driving privileges, then it shall initiate a contested case hearing before the Office of

Administrative Hearings.

(b) Record Review Requests. Requests for record reviews of disqualifications, suspensions, revocations, cancellations, or ~~denial actions~~ denials for which limited driving privileges are not granted pursuant to W.S. 31-7-105 shall be denied.

~~Section 19.~~ **Section 19.** **Requests for Contested Case Hearings or Record Reviews.** All requests for a contested case hearing or record review arising from any driver's license related action shall be made in writing and addressed to the Wyoming Department of Transportation, 5300 Bishop Boulevard, Cheyenne, Wyoming, 82009-3340 or sent electronically.

(a) Notification.

(a) (i) ~~Every request for a contested case hearing or record review arising from any driver's license related action shall be made in writing and addressed to the Wyoming Department of Transportation, 5300 Bishop Boulevard, Cheyenne, Wyoming 82009 3340. Upon the Department giving notice of intent to suspend, revoke, cancel, disqualify, or deny a~~ A request for a contested case hearing or record review shall be considered timely if received electronically or postmarked within 20 days of the date the Department gave the person provided notice of the Department's intended action (to suspend, revoke, cancel, disqualify, or deny a driver's license) and shall be is accompanied by the required fee.

(ii) If the Department receives a request for a hearing or record review electronically, payment shall be made within 48 hours after the payment link is sent by the Department.

(iii) If, during the investigation process, the Department determines additional information is necessary after accepting the hearing request, the requestor may be required to provide information as the Department directs before referral to the Office of Administrative Hearings.

(b) Computation of Time.

(b) (i) ~~"Computation of Time."~~ The Department shall allow 5 five days from the date the notice of intent was mailed to the person's last known address on file with the Department. The Department considers the order as received 5 five days after mailing it. The 20-day period to request a contested case hearing or record review therefore shall begin on the sixth day after the Department gives notice of its intent, and the period shall conclude at midnight on the twentieth day thereafter unless that day is a Saturday, Sunday, or legal holiday. In such cases, the period runs until midnight on the following business day. unless law enforcement gives notices in accordance with W.S. 31-6-102.

(ii) If law enforcement does not give notice in person, the 20-day period to request a contested case hearing or record review shall begin on the sixth day after the Department gives notice of its intent, and the period shall conclude at midnight on the twentieth day thereafter unless that day is a Saturday, Sunday, or legal holiday. In such cases, the period

runs until midnight on the following business day.

(iii) If law enforcement gives notice in person, the 20-day period to request a contested case hearing or record review shall begin immediately, and the period shall conclude at midnight on the twentieth day thereafter unless that day is a Saturday, Sunday, or legal holiday. In such cases, the period runs until midnight on the following business day.

(c) Late Requests.

~~(e)~~ (i) ~~“Late Request.”~~ Except as provided in this ~~Subsection~~ subsection (c), no contested case hearing shall be granted unless the request is made in a timely manner.

~~(i- ii)~~ (ii) Upon receiving a late request for a contested case hearing, the Department may grant a late ~~contested case~~ hearing if satisfactory written evidence and documentation is submitted showing ~~that the lateness was not caused by the petitioner but instead by some~~ resulted from external factor factors beyond his or her the petitioner’s control.

~~(ii iii)~~ (iii) Upon receiving a late request for a record review, the Department may grant a probationary driver’s license for limited driving privileges if: ~~the person holds a permanent driver’s license that is not expired, if he or she is otherwise entitled to limited driving privileges, and if the Department receives satisfactory written evidence indicating that failure to grant the limited driving privileges would cause an undue hardship.~~

(A) The petitioner holds an unexpired, permanent driver’s license;

(B) The petitioner is otherwise entitled to limited driving privileges; or

(C) The Department receives satisfactory written evidence indicating that failure to grant the limited driving privileges will cause undue hardship.

~~(iii iv)~~ iv) ~~Upon denial of~~ If the Department denies a late request for a contested case, ~~the Department~~ it shall refund the required fee.

(d) Stay of Action.

~~(d)~~ (i) ~~“Stay of Action.”~~ When a contested case hearing or timely record review is granted, the proposed action shall be stayed. The stay shall be effective the day the Department grants a contested case hearing or record review. Stays shall not be granted retroactively. ~~Stays shall continue as follows:~~

(ii) Stays shall continue as follows:

~~(i)~~ (A) For a contested case, until a contested case hearing is conducted before the Office of Administrative Hearings and a final order has been entered; or

~~(ii)~~ (B) For a timely record review, the suspension dates are stayed for up

to 30 days from the date the record review is granted or a probationary driver's license for limited driving privileges is issued, as long as the individual still holds a permanent driver's license that is not expired or has not otherwise been withdrawn.

~~Section 20.~~ **Section 20.** **Probationary Licenses.**

(a) Conditions.

(a) (i) Upon receiving a record review request ~~for a record review~~, the Department shall issue an order granting a probationary license; for one suspension action in a 5 five-year period; if the person:

(i) (A) ~~The person holds a~~ Holds an unexpired, permanent driver's license ~~that is not expired~~ and is otherwise eligible for a probationary license; ~~pays the required fee; and~~

(B) Pays the required fee;

(ii) (C) ~~When required, the person files~~ Files and maintains an SR-22, ~~when required~~, for a 3 three-year period. An SR-22, when required, shall be on file with the Department before a probationary license is issued; ~~The~~ and the probationary license shall be canceled if the Department receives an SR-26; ~~and~~

(iii) (D) ~~When required, the person shall submit~~ Submits a current alcohol ~~and/or controlled substance~~ evaluation for alcohol, controlled substances, or both by a counselor certified by the Wyoming Department of Health, Substance Abuse Division; ~~when required.~~ The evaluation shall recommend, at a minimum, an alcohol and drug class that meets the Wyoming Substance Abuse Standards. The probationary license shall be issued when the person is enrolled in a class to be completed no later than 30 days after the start date of the suspension and/or upon proof the class was completed successfully. Instead of the class, the counselor may recommend more extensive treatment. If treatment is recommended, the person shall submit proof of current enrollment and satisfactory progress in an alcohol and/or controlled substance treatment program since the last known incident.

(I) The evaluation shall recommend, at a minimum, an alcohol and substance abuse class meeting the Wyoming Substance Abuse Standards.

(II) The probationary license shall be issued when the person is enrolled in a class to be completed no later than 30 days after the suspension start date, upon proof of successful class completion, or both.

(III) Instead of the class, the counselor may recommend more extensive treatment. If treatment is recommended, the person shall submit proof of current enrollment and satisfactory progress in a treatment program for alcohol, controlled substances, or both since the last known incident.

(~~iv~~ ii) Upon receiving an adverse counselor's report, the Department shall

deny or cancel the probationary license.

(b) Orders Granting Probationary Licenses.

(i) The Department shall issue a probationary license if the person is otherwise entitled to hold such a license and all required documents and fees have been received.

~~(b)~~ (ii) ~~The order~~ Orders granting a probationary driver's license shall include the following information, terms, and conditions:

~~(i)~~ (A) ~~The starting and ending~~ probationary license start and end dates for which the probationary license is valid; and

~~(ii)~~ (B) ~~The days, times, and reasons when the person is authorized to drive; ; An applicant shall pay an additional fee for any probationary license that must be changed or reissued because of his or her need to drive for circumstances not contained in the original application.~~

(C) Applicants shall pay additional fees for probationary licenses that require changes or reissuing because of their need to drive for circumstances not contained in the original application;

~~(iii)~~ (D) ~~The holder shall always carry the~~ probationary license and the order shall be carried by the person at all times when operating a motor vehicle; and

~~(iv)~~ (E) ~~Conviction for violating any traffic law, other than for parking, shall result in the immediate~~ probationary license cancellation of the probationary license without further hearing.

~~(e) — The Department shall issue a probationary license upon receiving an order from the Office of Administrative Hearings if the person is otherwise entitled to hold such a license and all fees have been received.~~

~~Section 21.~~ **Section 21. Undue Hardship.**

(a) Conditions.

~~(a)~~ (i) ~~Subject to W.S. 31-7-105, an undue hardship exists if~~ a person establishes that being unable to drive shall result in the inability to provide the person or the person's dependents with the basic necessities of life, to include (but not limited to) (such as food, clothing, and shelter) and access to education.

~~(b) — Undue hardship may also include the need to drive for educational purposes.~~

~~(c)~~ (ii) ~~An undue~~ Undue hardship does not exist if another licensed driver in the household is able to ~~do~~ perform the required driving.

~~(d b)~~ Eligibility. The undue hardship ~~can only apply~~ applies only to a person ~~individuals~~ having the hardship for purposes of driving ~~in the state of~~ if the individual holds a current Wyoming if: driver's license or current out-of-state license and is suspended in Wyoming.

~~(i)~~ The person holds a current Wyoming driver's license, or

~~(ii)~~ The person holds a current out-of-state license and is suspended in this state.

~~(e)~~ If the undue hardship occurs in a state other than Wyoming, the probationary license may be denied if the other state does not honour a Wyoming probationary license.

~~Section 22.~~ **Section 22.** **Appeals to the Office of Administrative Hearings.** Individuals denied a probationary license after a Department record review or adversely affected by a Department record review decision are entitled to appeal the decision to the Office of Administrative Hearings. Persons appealing have 20 days from the date the Department denies the probationary license or gives notice of its record review decision to request a hearing before the Office of Administrative Hearings, or the opportunity for a hearing is waived. An appeal under this section shall be treated as an appeal for a contested case under W.S. 31-7-105(e).

~~Any person denied a probationary license as the result of a Department record review or adversely affected by a record review decision of the Department is are entitled to appeal the decision to the Office of Administrative Hearings. The person has 20 days from the date the Department denies the probationary license or gives notice of its record review decision to request a hearing before the Office of Administrative Hearings, or the opportunity for a hearing is waived. An appeal under this section shall be treated as an appeal for a contested case under W.S. 31-7-105(e).~~

~~Section 23.~~ **Section 23.** **Driver's License Records.** Driver's license records include only those records as defined in Section 3 of these rules.

~~(a)~~ Driver's license records include only those records as defined in Section 3 of these rules.

~~(a)~~ Content of Records.

~~(b)~~ (i) Unless otherwise provided by statute, the Department shall make available a 3/10 year driving record in accordance with the provisions of W.S. 31-5-1214(f), W.S. 31-7-120, W.S. 16-4-202(a), and the Driver's Privacy Protection Act (DPPA). ~~The driving history record shall reflect at least the following actions:~~

~~(ii)~~ The driving history record shall reflect at least the following actions:

~~(i)~~ (A) All mandatory convictions, suspensions, revocations, or

disqualifications;

(ii) (B) Uninsured accidents and accident suspensions; and

(iii) (C) Moving violations, moving violation suspensions, administrative per se suspensions, implied consent suspensions, financial responsibility requirements, and any other authorized administrative actions.

(e b) Record Release and Exceptions. No “Driving History Record,” as defined under ~~“Driver’s License Records”~~ “Driver’s License Records” in Section 3 of these rules, shall be released except: ~~upon expressed written request by the individual record holder; or to a third party except upon presentation of a signed release from the record holder; or upon written request by law enforcement, or government agency, or court to carry out their official functions, or those permitted disclosures allowed in Wyoming Department of Transportation Rules & Regulations, Motor Vehicles and Licensing, Chapter 7.~~

(i) Upon an individual record holder’s expressed written request;

(ii) To a third party upon presentation of a signed release from the record holder;

(iii) Upon written request by law enforcement, a government agency, or court to carry out official functions; or

(iv) Those permitted disclosures allowed in Wyoming Department of Transportation Rules and Regulations, Motor Vehicles and Licensing, Chapter 7, Motor Vehicle Records and Privacy.

(d c) Verification and Medical Records. ~~A record~~ Records defined in these rules (Section 3, Driver’s License Records) as “Verification record Records” ~~under Driver License Records in Section 3 of these rules, or “Medical Records”~~ shall not be released as part of any other record request, except upon the record holder’s expressed written consent of the record holder as allowed in Wyoming Department of Transportation Rules & Regulations, Motor Vehicles and Licensing, Chapter 7 ~~the Department’s Rules and Regulations, Motor Vehicles and Licensing, Chapter 7.~~

(e) ~~— A record defined in these rules as a “Medical Record” under Driver License Records in Section 3 of these rules, shall not be released as part of any other record request, except upon expressed written consent of the record holder as allowed in Wyoming Department of Transportation Rules & Regulations, Motor Vehicles and Licensing, Chapter 7.~~

Section 24. Section 24. Application for Handicap Placards Disabled Placard Applications. Eligible individuals, as defined by W.S. 31-2-213(d)(ii), or any person or agency responsible for transporting eligible persons shall complete an application for a disabled placard. The eligible person’s proof of identity shall be required upon placard issuance.

(a) Applicant Information. ~~Any application for a handicap placard shall be completed by an eligible person as defined by W.S. 31-2-213(d)(ii) or by a person or an agency responsible for transporting eligible persons. Proof of the identity for the eligible person shall be required when the placard is issued.~~ The application shall include the following:

(i) The applicant's name, date of birth, address, and ~~telephone~~ phone number; ;

(ii) Information about whether the applicant: is requesting placards (and the number of placards) or is obtaining vehicle plates from the county treasurer; and

(A) ~~Is requesting placards (and the number of placards); or~~

(B) ~~Will obtain vehicle plates from the county treasurer.~~

(iii) The applicant's signature and the date.

(b) Medical Section. ~~The medical section shall be completed and signed by a A physician, physician's assistant, or an advanced practice registered nurse practitioner and shall complete the medical section, and the application shall be submitted to the Department.~~

(c) Eligibility.

~~(e)~~ (i) ~~Issuance of a handicap~~ Disabled placard issuance may result in a driver's license review to determine the eligible person's ability to operate a motor vehicle safely and to verify that the license reflects the proper restrictions for the stated condition. The medical information submitted on the application for a ~~handicap~~ disabled placard is subject to the terms and conditions set forth in Section 16 of ~~this~~ these rules ~~chapter~~.

(d) (ii) ~~Any eligible person~~ Eligible individuals may appear in person at a driver's license exam office or apply by mail when applying for a ~~handicap~~ disabled placard. If the eligible person is unable to appear but already exists as a client in the driver information system, a ~~placard(s)~~ placard may be issued on ~~his or her~~ the applicant's behalf to a family member or a representative. The eligible person shall sign the ~~handicap~~ application, ~~which shall be presented at the exam.~~

(iii) Permanent disabled placard issuance requires the applicant to be a Wyoming resident. Non-residents who meet the qualification outlined in W.S. 31-2-213(g) shall be issued a temporary disabled placard.

~~Section 25.~~ **Section 25.** **Reinstatement After Child Support Suspensions.** Upon receiving notice from the court or the Department of Family Services, this Department of Transportation shall reinstate the obligor's Wyoming driver's license and driving privileges upon payment of the \$5 reinstatement fee if the license privileges are not suspended, canceled, disqualified, or revoked for any other reason. The Department shall send the license, if valid and on file, to the obligor's last known address on record with the Department.

~~Upon receiving notice from the court or the Department of Family Services, this Department shall reinstate the obligor's Wyoming driver's license and/or driving privilege upon payment of the \$5 reinstatement fee if the license and/or privilege is not suspended, canceled, disqualified, or revoked for any other reason. The Department shall send the license, if valid and on file, to the obligor's last known address on record with this Department.~~

~~Section 26.~~ **Section 26.** **Ignition Interlock Restricted Licenses.**

(a) Requirements.

~~(a) (i) An ignition~~ Ignition interlock restricted ~~license licenses~~ shall not be issued to ~~any person~~ individuals holding a commercial driver's license (~~CDL~~) or who is are otherwise ineligible by statute to ~~have~~ hold an ignition interlock restricted license.

~~(b) (ii) Anyone applying~~ An application for an ignition interlock restricted license ~~must complete an application provided by the Department. For offenses on or after July 1, 2009,~~ an application for an ignition interlock restricted license shall be made only after the Department has received and entered receives a disposition from a court of an alcohol related conviction for W.S. 31-5-233, or W.S. 31-5-234, or other law prohibiting driving while under the influence as defined in W.S. 31-5-233(a)(v).

(iii) Persons required to apply for an ignition interlock restricted license according to W.S. 31-7-402(e) and residing in another state may meet the ignition interlock license requirement by completing the Department's ignition interlock program as long as the Department's terms are met for the period required by Wyoming law.

(iv) Applications for ignition interlock restricted licenses shall be made if the Department receives notice from the 24/7 administrator, pursuant to W.S. 31-7-502(b), that a person has failed to comply with the 24/7 Sobriety Program requirements or otherwise ceases to participate in the program before completing it after being given the opportunity to pursue the administrative procedures provided by W.S. 31-7-105.

~~(e b)~~ License Restrictions. ~~When an eligible applicant has completed applicants~~ complete all requirements for an ignition interlock restricted license, ~~and has provided~~ provide the Department with a certificate of installation from the ignition interlock service provider, the Department may issue the license if the applicant is otherwise eligible. ~~Such license licenses~~ shall contain:

(i) An expiration date with a period not to exceed ~~4~~ five years; ~~and~~

(ii) The restriction ~~HR~~ IIR on the license, which states: "Must operate a vehicle equipped with an approved Ignition Interlock Device."

(c) Fees.

~~(d) (i) The applicant~~ Applicants shall pay any required reinstatement fees ~~at the time the upon~~ ignition interlock restricted license is issued issuance and provide proof of financial responsibility.

~~(i ii) In addition to any required reinstatement fees, the applicant will be required to~~ applicants shall pay a fee of \$100. This fee does not pertain to any ignition interlock restricted license applicant who qualifies as an indigent person as allowed in Section 26(d).

~~(ii) This fee does not apply to any person applying for an ignition interlock restricted license who has qualified as an indigent person as allowed in subsection (f) of this section.~~

~~(e) (iii) Any person~~ Persons applying for removal of the ignition interlock restriction after completing a revocation period ~~must~~ shall meet the requirements of preceding Section 16(a), ~~Subsection (b) of this chapter of these rules and regulations~~ before removal of the ignition interlock restriction can be removed.

~~(f d) Indigent Persons.~~ Indigent Persons. Indigent persons may be eligible for partial payment by the Department. All the following shall apply:

(i) Anyone requesting assistance under W.S. 31-7-401(b)(vii), at the time of application, ~~shall be an active participant in the federal food stamp program~~ Supplemental Nutrition Assistance Program (SNAP) of the Wyoming Department of Family Services at the time of installation.

(ii) ~~After an individual has complied~~ complying with ~~section 33(e)~~ Section 26(d) of this rule, an individual may receive reimbursement from the Department for: ~~may reimburse the individual one half the cost of installation if presented with a receipt from the ignition interlock service provider for the total costs to the individual. This receipt shall be processed through the Department's Financial Services Program for payment to the individual.~~

(A) One half the installation cost if presented with a receipt from the ignition interlock service provider for the individual's total costs; and

(B) One half the monthly service fee costs if presented with a receipt from the ignition interlock service provider for the individual's total costs.

~~(iii) The Department may also reimburse the individual one half the cost of monthly service fees if presented with a receipt from the ignition interlock services provider for the total costs to the individual. This receipt shall be processed through the Department's Financial Services Program for payment to the individual.~~

(iii) Receipts for reimbursement shall be processed through the Department's Financial Services Program for payment to the individual.

(iv) The individual shall remain an active participant with the Department of

Family Services to receive ~~this payment~~ reimbursement.

(v) ~~Eligibility for this payment reimbursement shall be for the period of time-~~
~~an~~ continue while the individual remains an active participant in the federal food stamp program
SNAP with the Wyoming Department of Family Services.

(vi) When the Department becomes aware of an individual's ineligibility, the
Department shall notify the individual ~~that he or she is no longer eligible~~ of such ineligibility.

Section 27. 24/7 Restricted Licenses.

(a) Requirements.

(i) Individuals required to hold a 24/7 restricted license or those who are
otherwise eligible to hold an ignition interlock restricted license shall not be issued a commercial
driver' s license.

(ii) For offenses on or after July 1, 2019, applications for 24/7 restricted
licenses shall be made only after the Department receives a disposition from a court of an alcohol
related conviction for W.S. 31-5-233, W.S. 31-5-234, or other law prohibiting driving while
under the influence as defined in W.S. 31-5-233(a)(v).

(iii) Applicants shall provide the Department verifiable proof they have been
ordered to participate in the 24/7 Sobriety Program as an alternative to a mandated ignition
interlock requirement and they have enrolled in the program.

(b) License Contents. When eligible applicants complete all 24/7 restricted license
requirements, the Department shall issue the license. Such licenses shall contain:

(i) An expiration date with a period not to exceed five years; and

(ii) The restriction 24/7 on the license, which state: "Must maintain
compliance with court ordered 24/7 Sobriety Program as an alternative to IIR."

(c) Fees.

(i) Applicants shall pay any required reinstatement fees upon 24/7 restricted
license issuance and provide proof of financial responsibility.

(ii) In addition to any required reinstatement fees, applicants shall pay \$100.
This fee shall not pertain to applicants who qualify as indigent persons as allowed in Section
27(d).

(iii) Persons applying for removal of the 24/7 restriction after completing a
revocation period shall meet the requirements of preceding Section 16(d) of these rules before
24/7 restriction removal.

(d) Indigent Persons. The Department may waive the \$100 fee required in subsection (c)(ii) of this section for indigent persons, as defined in Section 26(d); however, all other requirements of Section 27 shall be met. Anyone requesting assistance under W.S. 31-7-501(c) upon application shall be an active participant in the federal Supplemental Nutrition Assistance Program of the Wyoming Department of Family Services.

~~Section 27.~~ **Section 28. Temporary Motorcycle License.** Upon application, the Department may issue a 90-day temporary motorcycle license, subject to the following restrictions and conditions.

~~Upon application to the department, the department may issue a 90-day temporary motorcycle license, subject to the following restrictions and conditions:~~

~~(a) Examination and Issuance.~~ The applicant must shall pass a written examination; , be issued a paper temporary for a 90-day period, and pay the required fee.

~~(b) — The applicant will be issued a paper temporary for a period of 90 days;~~

~~(c) — The applicant must pay a fee of \$3;~~

~~(d b) Renewal.~~ The applicant may renew the temporary motorcycle license one time for an additional required fee, of \$3; After having held two temporary motorcycle licenses, an applicant shall retake any required written tests before being issued another temporary motorcycle license.

~~(e) — After having held 2 temporary motorcycle licenses an applicant must retake any required written test(s) before being issued another temporary motorcycle license.~~

~~Section 28.~~ **Section 29. Motor Vehicle Safety Responsibility.**

(a) Proof of Financial Responsibility. In addition to mandatory revocations or suspensions under W.S. 31-7-127 and W.S. 31-7-128, proof of financial responsibility shall be required and maintained for all suspensions under W.S. 31-9-202.

(b) Insurance Cards.

(i) In addition to the requirements established in W.S. 31-8-201, all insurance providers shall indicate and identify on the face of the insurance card:

(A) The insurance provider's National Association of Insurance Commissioners (NAIC) code, and

(B) If the provider uses a bar code on its insurance cards, the bar code shall comply with American National Standards Institute (ANSI) ~~2~~ two-dimensional bar code standards available through the following: <http://www.ansi.org>. This rule includes no

amendments to the standard subsequent to the effective date of ~~July~~ January 1, 2008 2023.

(ii) In addition to the requirements established in W.S. 31-8-201, all commercial insurance providers shall also include on the face of the insurance card a statement indicating “Commercial,” “Commercial Exempt,” or other similar language indicating ~~that~~ the vehicle is covered under a commercial or fleet policy.

(iii) The insurance card may be carried in an electronic form as provided in W.S. 31-8-201(c).

(c) Insurance Verification System.

(i) Sellers of motor vehicle liability policies for vehicles owned in Wyoming shall comply with the provisions of the State of Wyoming Financial Responsibility Verification Program Web Services Program Guide for Insurers. This guide is available at cost by contacting the Wyoming Department of Transportation, Driver Services Program, 5300 Bishop Boulevard, Cheyenne, Wyoming, 82009-3340.

(ii) This compliance requirement does not apply to:

(A) Self-insurers pursuant to W.S. 31-9-414; ;

(B) Self-insurers pursuant to W.S. 31-9-415; ;

(C) Government vehicles as described by W.S. 31-4-103(d)(ii); ;

(D) Vehicles meeting the requirements of W.S. 31-9-408 and W.S. 31-9-409; ; or

(E) Commercial vehicles as described by W.S. 31-4-103(d)(iv).

(d) Right to Hearing. Any party entitled to a contested case hearing in a matter involving the ~~Wyoming Department of Transportation~~ shall proceed under the provisions of the Wyoming Administrative Procedures Act, W.S. 16-3-101 through W.S. 16-3-115, as amended, and the provisions of the Department’s Rules and Regulations, General Section, Chapter 3, Appeals and Hearings, of the General Section of Wyoming Department of Transportation Rules and Regulations, as amended.

~~Section 29. Motor Vehicle Accident Prevention Courses for Liability Insurance Premium Reductions~~

~~(a) W.S. 26-14-105(C) requires the Wyoming Department of Transportation to approve motor vehicle accident prevention courses for liability insurance premium reductions. This section sets forth the requirements for the approval of such courses.~~

~~(b) In order to be approved, a motor vehicle accident prevention~~

course must:

~~(i) Provide a minimum of 6 hours of classroom instruction. Such instruction must address the following subject areas:~~

~~(A) Accident preventability;~~

~~(B) Defensive Driving Techniques;~~

~~(C) Alcohol and substance abuse;~~

~~(D) The aging process;~~

~~(E) Driver attitude; and~~

~~(F) Traffic laws of the State of Wyoming.~~

~~(ii) The course may include audio-visual and electronic aids.~~

~~(iii) The course should include a student manual for each student.~~

~~(e) The instructor must present the student with a completion certificate upon completion of the course that is acceptable to the insurance provider.~~

COMMENT SUMMARY
CHAPTER 1
DRIVER'S LICENSES AND MOTOR VEHICLE SAFETY
MOTOR VEHICLES AND LICENSING SECTION

The Wyoming Department of Transportation (WYDOT) received one public comment for Chapter 1, Driver's Licenses and Motor Vehicle Safety, from the *Wyoming Department of Transportation Rules and Regulations* Motor Vehicles and Licensing Section. The public comment period occurred from March 7, 2024, to April 29, 2024

SECTION 16: GROUNDS FOR DISQUALIFICATION, DENIAL, DOWNGRADE, OR CANCELLATION

Comment: Intoxalco requests clarification as to the intent of Section 16(d) and Section 16(e) regarding the possible extension of an individual's ignition interlock requirement to meet a compliance threshold for reinstatement. The commenter also states they are supportive if the intent of the rule is to extend the use of an ignition interlock to meet reinstatement requirements. Finally, the commenter requests clarification of Section 16(d)(ii)(A) regarding what the consequences are should an individual's new license be denied due to violating ignition interlock requirements, specifically if the individual would lose all driving privileges or if they would be allowed to maintain their restricted ignition interlock license.

Response: Regarding the intent of Section 16(d) and (e), WYDOT cannot speak to legislative intent and sees the intent of Section 16(d) and (e) as speaking for itself. A driver must adhere to Section 16(e) to reinstate their license or non-resident operating privileges, which includes the option, per Section 16(e)(i)(B), to show proof of substantial compliance with an interlock restricted license (per W.S. 31-7-401 through W.S. 31-7-404) to achieve reinstatement. Per Section 16(e)(iii), individuals whose license is revoked for reasons other than Section 16(b), Denials and Cancellations, and Section 16(c), Downgrades, must undergo an investigation, per Section 16(d), to reinstate their license. However, a violation of their interlock license in the preceding six months of the investigation may result in consequences outlined in W.S. 31-7-401 through W.S. 31-7-404, including the possible revocation of their interlock license. It should be noted that in both W.S. 31-7-404 and Section 16(d) of these rules, revoking an interlock license as a consequence of violation is up to WYDOT's discretion.

Regarding Section 16(d)(ii)(A), the consequences are as stated that an individual applying for reinstatement may be denied issuance of a new driver's license if WYDOT investigation reveals any documented incidents in the interlock data log or convictions violating revocation, disqualification, or ignition interlock requirements and restrictions within the six months immediately preceding the scheduled investigation. Convictions violating interlock requirements, per W.S. 31-7-401 through W.S. 31-7-404, may result in WYDOT revoking a person's ignition interlock restricted license upon any violation of W.S. 31-7-404 or W.S. 31-5-233 or monthly reports from a licensee's ignition interlocking device data logger indicating that the licensee is habitually attempting to operate a vehicle while impaired.

Recommendation: Transportation Commission adoption of Chapter 1, Driver's Licenses and Motor Vehicle Safety.

WYOMING DEPARTMENT OF TRANSPORTATION

STATEMENT OF REASONS

GENERAL SECTION

CHAPTER 29, EMERGENCY LIGHTING FOR SNOW REMOVAL EQUIPMENT

Chapter 29, Emergency Lighting for Snow Removal Equipment, is a new rule and regulation of the Wyoming Department of Transportation. These rules of practice and procedure are promulgated by authority of W.S. 31-5-928.

This revised rule and regulation provides a list of acceptable lighting colors for snow removal equipment. The provided colors allow a range of options to enable WYDOT, municipalities, and counties to determine the most effective lights to enhance the visibility of snow removal equipment in varying visibility conditions to improve driver safety for both the traveling public and equipment operators.

The revisions also simplify the rule by referring to lighting requirements for “snow removal equipment used or contracted by WYDOT” rather than listing individual pieces of snow removal equipment, such as sanders, wing plows, motor graders, rotary plows, and so on.

Other changes have been made to conform these rules to the Secretary of State’s required format and improve readability.

CHAPTER 29

Emergency Lighting for Snow Removal Equipment

Section 1. Authority and Purpose.

These rules are promulgated by authority of W.S. 31-5-928 to specify the emergency lighting equipment to be used on Wyoming Department of Transportation (WYDOT), county, or municipal snow removal equipment.

Section 2. Definitions.

“Snow removal equipment” means any vehicle or equipment used or contracted by a municipality, county, or WYDOT to clear snow from public streets, roads, or highways.

Section 3. Emergency Lighting for Snow Removal Equipment.

(a) Snow removal equipment used or contracted by a municipality or county to clear snow from public streets, roads, or highways may be equipped with one or more amber, green, blue, or pink lights. These lights shall be placed as the municipality or county requires.

(b) Snow removal equipment used or contracted by WYDOT shall be equipped with amber, green, blue, or pink lights placed as WYDOT requires.

CHAPTER 29

Emergency Lighting for Snow Removal Equipment

Section 1. Authority and Purpose.

These rules are promulgated by authority of W.S. 31-5-928 to specify the emergency lighting equipment to be used on Wyoming Department of Transportation (WYDOT), county, or municipal snow removal equipment.

Section 2. Definitions.

“Snow removal equipment” means any vehicle or equipment used or contracted by a municipality, county, or WYDOT to clear snow from public streets, roads, or highways.

Section 3. Emergency Lighting for Snow Removal Equipment.

(a) Snow removal equipment used or contracted by a municipality or county to clear snow from public streets, roads, or highways may be equipped with one or more amber, green, blue, or pink lights ~~of a conspicuous color~~. These lights shall be placed as the municipality or county requires.

(b) ~~Snow removal equipment used or contracted by WYDOT shall have snow removal trucks~~ be equipped with amber, green, blue, or pink lights placed as WYDOT requires ~~two amber warning lights mounted on each outside corner above the cab. These lights shall be mounted to be visible directly to the front, rear, and sides of the vehicle.~~

~~(c) WYDOT sanders shall have one amber rear-facing warning light mounted with the center of the lens above the top of the spreader box on the left-hand corner of the spreader box. Sanders shall also have one blue rear-facing warning light mounted with the center of the lens above the top of the spreader box on the right-hand corner of the spreader box.~~

~~(d) WYDOT wing plows shall have two amber warning lights mounted at the upper portion of the mold board. One light shall be installed so that it is visible directly behind the truck when the wing is stowed. The other light shall be installed so that it is visible directly behind the truck when the wing is in use.~~

~~(e) WYDOT motorgraders and loaders shall have at least one amber warning light mounted on top of the cab to be visible directly to the front, rear, and sides.~~

~~(f) WYDOT self-propelled rotary plows shall have at least one amber warning light mounted on top of the cab to be visible directly to the front, rear, and sides.~~

~~(g) WYDOT liquid application equipment shall have one amber rear-facing warning light mounted above the top of the tank on the left-hand corner. The tank shall also have one~~

blue warning light above the top of the tank on the right hand corner. _____

COMMENT SUMMARY
CHAPTER 29
EMERGENCY LIGHTING FOR SNOW REMOVAL EQUIPMENT
GENERAL AGENCY SECTION

The Wyoming Department of Transportation received no public comments for Chapter 29, Emergency Lighting for Snow Removal Equipment, from the *Wyoming Department of Transportation Rules and Regulations* General Agency Section. The public comment period occurred from March 7, 2024, to April 29, 2024.

EMPLOYMENT SUMMARY
April 2024

	NUMBER OF EMPLOYEES BY DIVISION							
	CURRENT				YEAR AGO			
	Auth. Pos.	Perm	Temp/AWEC	Total	Perm	Temp	Total	
DIRECTOR	1	1	0	1	2	1	3	
General Staff	2	2	0	2	2	0	2	
Internal Review	6	6	0	6	6	0	6	
Public Affairs	7	6	0	6	6	0	6	
Strategic Improvement	3	3	0	3	3	0	3	
Management Services	5	3	0	3	3	0	3	
Civil Rights	3	3	0	3	2	0	2	
Total	27	24	0	24	24	1	25	
AERONAUTICS	19	19	1	20	15	0	15	
Total	19	19	1	20	15	0	15	
HIGHWAY PATROL				0	0		0	
Sworn	208	166	0	166	160	0	160	
Non Sworn	26	26	1	27	24	0	24	
Port of Entry	98	81	0	81	80	0	80	
Dispatch	45	35	0	35	27	1	28	
Total	377	308	1	309	291	1	292	
CHIEF ENGINEER	1	1	0	1	1	0	1	
Total	1	1	0	1	1	0	1	
Asst Chief Eng Eng & Plan	1	1	0	1	1	0	1	
Bridge	41	32	0	32	30	1	31	
Contracts & Estimates	6	6	0	6	5	0	5	
Geology	21	17	0	17	18	0	18	
Highway Development	84	74	1	75	72	0	72	
Materials	47	38	0	38	38	1	39	
Planning/Enviornmental Services	48	45	0	45	43	0	43	
Right of Way	29	28	0	28	24	0	24	
Highway Project Mgt. Oversight	5	5	0	5	4	0	4	
Total:	282	246	1	247	235	2	237	
Asst Chief Eng Operations	1	1	0	1	1	0	1	
Construction Staff	11	8	0	8	10	0	10	
Maintenance Staff	14	12	0	12	13	0	13	
Facilities Staff	37	35	1	36	36	0	36	
Equipment Staff - Bryan Wenger	12	11	0	11	12	0	12	
Highway Safety	19	18	0	18	17	0	17	
Traffic	30	27	0	27	25	0	25	
District Administration	21	20	1	21	22	1	23	
Construction	264	220	1	221	225	3	228	
Maintenance	471	427	22	449	405	17	422	
Equipment	99	90	2	92	88	1	89	
Traffic	79	70	2	72	71	1	72	
Total:	1058	939	29	968	925	23	948	
Chief Technology Officer	1	1	0	1	1	0	1	
Telecommunications	32	31	0	31	29	0	29	
GIS/ITS	38	29	7	36	28	5	33	
Information Technology	21	21	1	22	21	1	22	
Total:	92	82	8	90	79	6	85	
Chief Financial Officer	1	1	0	1	1	0	1	
Grants & Contracts - ADMIN	5	5	0	5	6	0	6	
Financial Services	19	17	0	17	16	0	16	
Budget	10	10	0	10	10	0	10	
Procurement Services	9	9	0	9	9	0	9	
Fuel Tax Administration	12	10	0	10	8	0	8	
Total:	56	52	0	52	50	0	50	
SUPPORT SERVICES	1	1	0	1	1	0	1	
Driver Services	82	77	0	77	72	0	72	
Human Resources	0	0	0	0	0	0	0	
Vehicle Registration & Titling	15	14	0	14	15	0	15	
Office Services	15	14	0	14	14	0	14	
Training	4	3	0	3	4	0	4	
Employee Safety	5	5	0	5	5	0	5	
Compliance Investigation	6	6	0	6	6	0	6	
Total:	128	120	0	120	117	0	117	
GRAND TOTAL:	2040	1791	40	1831	1737	33	1770	

Date	4/25/2024
Total Number Employed	1831
Month Ago	1839
Year Ago	1770

	CURRENT			YEAR AGO		
	Perm	Temp	Total	Perm	Temp	Total
District 1						
Administration	4	4	0	4	0	4
Construction	55	47	0	47	50	52
Maintenance	105	100	1	101	94	97
Equipment	25	24	0	24	21	21
Traffic	16	14	1	15	14	15
Total:	205	189	2	191	183	189
District 2						
Administration	4	4	0	4	0	4
Construction	52	43	1	44	47	47
Maintenance	105	84	4	88	88	89
Equipment	19	18	0	18	18	19
Traffic	15	13	0	13	14	14
Total:	195	162	5	167	171	173
District 3						
Administration	4	3	1	4	5	6
Construction	60	49	0	49	47	47
Maintenance	93	81	10	91	74	84
Equipment	17	15	1	16	18	18
Traffic	17	13	1	14	14	14
Total:	191	161	13	174	158	169
District 4						
Administration	4	4	0	4	0	4
Construction	43	32	0	32	32	33
Maintenance	86	84	0	84	73	74
Equipment	19	15	1	16	14	14
Traffic	17	16	0	16	15	15
Total:	169	151	1	152	138	140
District 5						
Administration	5	5	0	5	0	5
Construction	54	49	0	49	49	49
Maintenance	82	78	7	85	76	78
Equipment	19	18	0	18	17	17
Traffic	14	14	0	14	14	14
Total:	174	164	7	171	161	163
DISTRICT TOTALS:	934	827	28	855	811	834

**WYOMING DEPARTMENT OF TRANSPORTATION
DAILY ACTIVITY SUMMARY
BUDGET REPORT**

AGENCY: 045 TRANSPORTATION DEPARTMENT

SPENDING AVAILABILITY

AGENCY	FUND	BEGINNING CASH BALANCE 5/1/24	COLLECTIONS/ TRANSFERS IN	EXPENDITURES/ TRANSFERS OUT	CASH BALANCE AS OF 5/8/24	DESCRIPTION
045	H04	2,360,668.01	262,547.00	770,196.55	1,853,018.46	Urban Mass Transportation Account
		2,360,668.01	262,547.00	770,196.55	1,853,018.46	TOTAL UMTA BALANCE
045	I06	58,265.86	0.00	681.77	57,584.09	Aeronautics Operational Services Account-Airplanes
		58,265.86	0.00	681.77	57,584.09	TOTAL AERONAUTICS OPERATIONAL BALANCE
045	I08	3,716,675.53	15,195.05	0.00	3,731,870.58	State Agencies Law Enforcement Communication System & WYOLINK
		3,716,675.53	15,195.05	0.00	3,731,870.58	TOTAL SALECS
045	OTHER	13,559,202.49	2,306.50	(9,622,784.03)	23,184,293.02	Other Accounts
		13,559,202.49	2,306.50	(9,622,784.03)	23,184,293.02	OTHER ACCOUNTS (Tax collection accounts used to deposit initial collections before statutory distributions are made.)
045	H01	125,756,257.65	10,993,752.14	13,424,897.66	123,325,112.13	State Highway Account-Commission
045	H02	95,087,629.29	0.00	294,802.62	94,792,826.67	Ten Cent Motor Fuel Tax
045	H03	1,613,734.56	8,202.78	0.00	1,621,937.34	Wildlife License Plate and Donation
045	H06	13,407,350.07	773,088.50	1,316,306.53	12,864,132.04	State Highway Account (Legislative Approp.)
045	H07	37,794,570.84	0.00	0.00	37,794,570.84	State Infrastructure Bank
045	H08	17,978,958.45	9,210.00	2,540,691.00	15,447,477.45	Transportation Information System (TIS)
045	H09	494,731.60	56,250.00	0.00	550,981.60	State Highway Account-Radioactive Waste
045	H10	686,724.98	2,223.99	0.00	688,948.97	State Highway Account (Interlock)
045	H11	2,751,857.67	0.00	0.00	2,751,857.67	State Highway Account (Air Service Enhancements)
045	H12	11,448,291.73	0.00	0.00	11,448,291.73	State Highway Account (Commercial Air Service Enhancements)
		307,020,106.84	11,842,727.41	17,576,697.81	301,286,136.44	TOTAL STATE HIGHWAY FUND
		326,714,918.73	12,122,775.96	8,724,792.10	330,112,902.59	GRAND TOTAL

**Preliminary figures subject to minor adjustments.

**WYOMING DEPARTMENT OF TRANSPORTATION
CASH ACCOUNTS**

AGENCY: 045

FUND NUMBER	DESCRIPTION	BALANCE ON April 30, 2024
H01	State Highway Fund	125,756,257.65
H02	Ten Cent Motor Fuel Tax	95,087,629.29
H03	Wildlife License Plate and Donation	1,613,734.56
H04	Urban Mass Transit Account	2,360,668.01
H05	International Fuel Tax Agreement Decal Fund	205,871.98
H06	State Highway Fund (Legislatively Appropriated)	13,407,350.07
H07	State Infrastructure Bank	37,794,570.84
H08	Transportation Information System	17,978,958.45
H09	Radioactive Waste	494,731.60
H10	Interlock Fees	686,724.98
H11	Air Service Enhancements	2,751,857.67
H12	Commercial Air Service Enhancements	11,448,291.73
106	Aeronautics Fund (Operational Services)	58,265.86
108	SALECS (State Agencies Law Enforcement Communications System) & WYOLINK	3,716,675.53
114	Motor Vehicle Rental Car Surcharge	903,551.78
117	Motorcycle Safety & Education Fund	2,057,410.06
459	Special Fuels Bond Account	(0.00)
472	Undistributed Motor Vehicle Registrations (To Counties and SHF)	225,310.92
475	Undistributed Motor Vehicle Registrations (To Non-Wyo. Jurisdictions)	441,841.22
613	Undistributed/Undefined Gasoline Tax Account	9,668,616.97
622	Financial Responsibility Liability Account	56,599.55
Total Cash Accounts		326,714,918.73

NOTE: CASH ACCOUNTS "H01", AND "H06" ARE THE ONLY ACCOUNTS FROM WHICH THE TRANSPORTATION DEPARTMENT EXPENDITURES FOR STATE TRANSPORTATION CAN BE MADE THIS INCLUDES ALL OF THE WTD ADMINISTRATION COSTS, PLANNING, RESEARCH, ENGINEERING, AERONAUTIC, HIGHWAY PATROL, MAINTENANCE AND CONSTRUCTION EXPENDITURES.

****Preliminary figures subject to minor adjustments**

**WYOMING DEPARTMENT OF TRANSPORTATION
CASH ACCOUNTS**

	10-31-21	11-30-21	12-31-21	1-31-22	2-28-22	3-31-22	4-30-22	5-31-22	6-30-22	7-31-22	8-31-22	9-30-22
UMTA - H04	1,652,046.62	3,774,081.06	3,022,278.32	3,318,421.25	2,913,544.11	2,289,018.59	2,056,269.72	2,148,099.31	1,813,664.79	2,511,972.05	2,580,369.31	2,556,849.78
AERO-AIRPLANES - I06	82,603.10	94,378.62	98,820.34	7,063.63	25,751.99	52,024.97	60,028.46	68,796.11	101,780.35	99,593.51	46,692.40	76,142.64
OTHER ACCTS.	19,636,456.45	17,309,139.08	19,734,193.63	13,896,733.38	15,572,337.15	18,712,733.68	19,068,618.26	18,529,020.15	21,379,688.51	16,847,947.27	20,328,297.33	21,201,631.55
WILDLIFE LICENSE PLATE AND DONATION - H03	746,188.79	763,884.43	787,065.13	823,773.45	849,565.61	876,659.54	901,664.78	935,922.72	974,212.21	992,888.89	1,020,420.57	1,036,820.59
STATE INFRASTRUCTURE BANK - H07	35,716,739.23	35,810,532.64	35,879,520.00	35,891,991.06	35,896,963.30	35,913,867.57	35,970,205.82	36,015,143.06	36,034,828.38	36,034,828.38	36,059,103.86	36,077,406.87
SHA-COMMISSION - H01	66,754,397.92	71,604,775.93	76,165,919.67	84,664,924.30	79,801,200.77	83,235,256.44	79,394,619.42	83,791,148.22	90,603,511.40	78,477,047.73	76,766,021.12	77,676,959.18
SHA-10 CENT MOTOR FUEL TAX - H02	45,953,427.80	50,418,471.87	54,313,585.44	59,307,065.31	61,624,919.85	64,116,700.41	66,425,138.95	67,987,651.69	66,146,511.89	65,621,192.93	64,685,505.50	61,413,612.49
SHA-LEGISLATIVE - H06	20,417,957.02	13,521,610.88	11,528,234.18	64,084,830.44	60,669,719.13	57,250,538.01	50,966,280.44	44,934,645.49	41,052,075.37	33,258,478.30	29,420,622.16	22,763,486.96
TRANSPORTATION INFO SYSTEM - H08	261,028.11	320,096.76	387,166.89	451,585.62	508,103.00	584,265.81	647,445.50	713,210.72	789,974.53	855,509.53	10,941,796.73	11,004,937.70
SHA - RADIOACTIVE WASTE - H09	108,521.60	121,521.60	121,521.60	121,521.60	138,321.60	138,321.60	138,321.60	151,121.60	151,121.60	151,121.60	169,521.60	169,521.60
SHA - INTERLOCK - H10	418,806.25	426,857.87	436,267.39	444,573.07	452,004.38	465,715.43	475,712.54	484,998.03	483,926.65	490,767.52	500,995.79	509,247.10
SHA - AIR SERVICE ENHANCE - H11	2,308,152.42	3,639,082.07	3,644,243.06	3,578,260.63	3,450,877.01	3,215,160.95	3,216,560.39	3,025,052.18	3,014,987.68	3,000,463.38	2,941,630.68	2,455,301.12
SHA - COMM AIR SERVICE ENHANCE - H12	12,787,842.08	10,409,470.60	13,373,043.30	11,794,215.78	11,796,022.08	11,856,930.03	11,877,110.68	11,521,084.39	11,767,229.34	11,767,229.34	11,775,156.53	11,722,512.48
STATE RADIO NETWORK - I08	2,175,397.72	3,165,958.82	3,119,405.01	3,112,399.52	3,102,625.28	3,082,192.89	2,763,342.54	2,612,004.31	2,529,979.77	2,446,224.00	2,317,143.98	2,304,626.46
TOTAL	209,019,565.11	211,379,862.23	222,611,263.96	281,497,359.04	276,801,960.26	281,789,385.92	273,961,319.10	272,917,897.98	276,843,492.47	252,555,264.43	259,553,277.56	250,969,056.52

	10-31-22	11-30-22	12-31-22	1-31-23	2-28-23	3-31-23	4-30-23	5-31-23	6-30-23	7-31-23	8-31-23	9-30-23
UMTA - H04	1,793,886.70	2,162,164.80	3,214,613.05	2,283,241.59	2,885,859.22	2,564,607.67	2,608,022.42	2,442,235.39	1,854,298.05	1,594,688.26	2,115,716.50	2,003,797.17
AERO-AIRPLANES - I06	76,540.72	88,618.03	93,234.04	82,326.19	80,039.22	64,748.91	42,686.53	37,235.41	59,060.86	38,974.13	42,659.50	57,467.47
OTHER ACCTS.	19,789,710.84	18,908,037.67	19,014,718.15	14,067,130.31	16,465,177.40	14,097,143.28	13,214,103.30	16,016,915.98	22,948,627.16	11,867,589.90	14,199,729.39	14,845,621.04
WILDLIFE LICENSE PLATE AND DONATION - H03	1,062,425.94	1,140,880.72	1,162,259.08	1,189,208.61	1,218,042.06	1,240,914.33	1,266,656.09	1,301,689.66	1,335,350.48	1,358,553.93	1,379,580.70	1,400,706.13
STATE INFRASTRUCTURE BANK - H07	36,145,819.83	36,203,192.88	36,286,710.02	36,338,001.02	36,381,268.05	36,450,612.97	36,511,216.42	36,578,007.77	36,786,762.52	36,786,762.52	36,850,128.49	36,927,921.60
SHA-COMMISSION - H01	68,133,993.92	86,025,637.85	93,509,208.28	100,209,521.53	102,623,429.44	81,243,114.18	90,589,714.58	100,197,458.02	77,896,473.97	85,574,405.22	61,001,193.57	80,139,789.44
SHA-10 CENT MOTOR FUEL TAX - H02	60,480,611.22	61,953,797.16	65,323,838.72	69,550,337.71	72,818,905.86	76,891,293.18	79,863,610.47	82,930,955.25	86,135,493.74	83,528,756.57	84,840,327.26	70,732,632.34
SHA-LEGISLATIVE - H06	15,617,301.70	8,176,200.60	2,602,282.66	19,208,934.25	12,155,487.07	24,502,563.45	16,864,191.08	12,862,390.78	18,430,362.64	14,953,502.63	19,075,672.34	22,384,599.81
TRANSPORTATION INFO SYSTEM - H08	11,097,588.77	11,174,685.46	11,254,128.33	11,331,237.26	11,403,273.43	18,117,396.65	18,211,118.13	18,313,297.68	18,482,835.20	18,537,660.20	18,627,326.67	18,710,526.97
SHA - RADIOACTIVE WASTE - H09	169,521.60	200,571.60	200,571.60	200,571.60	200,571.60	260,871.60	260,871.60	345,471.60	345,471.60	345,471.60	247,231.60	247,231.60
SHA - INTERLOCK - H10	519,669.85	528,892.53	537,605.88	545,174.31	553,028.75	562,339.76	572,161.19	582,969.61	576,261.69	585,004.95	605,742.30	613,649.35
SHA - AIR SERVICE ENHANCE - H11	2,429,981.56	1,975,534.44	3,385,895.31	3,327,807.83	2,978,618.34	2,961,633.88	2,944,181.84	2,608,609.09	2,397,863.09	2,348,924.40	2,253,178.37	2,216,145.95
SHA - COMM AIR SERVICE ENHANCE - H12	11,768,215.96	11,606,987.78	11,813,754.84	11,830,281.48	11,382,383.86	11,510,407.35	11,234,989.16	11,906,973.34	11,974,624.78	11,762,917.17	11,783,531.94	11,935,397.40
STATE RADIO NETWORK - I08	4,334,754.33	3,066,497.99	2,630,143.16	2,610,555.00	2,595,293.19	2,582,402.31	2,567,826.07	2,570,927.73	2,569,155.08	2,520,491.93	2,460,681.80	2,467,415.39
TOTAL	233,420,022.94	243,211,699.51	251,028,963.12	272,774,328.69	273,741,377.49	273,050,049.52	276,751,348.88	288,695,137.31	281,792,640.86	271,803,703.41	255,482,700.43	264,682,901.66

	10-31-23	11-30-23	12-31-23	1-31-24	2-29-24	3-31-24	4-30-24	5-31-24	6-30-24	7-31-24	8-31-24	9-30-24
UMTA - H04	2,192,736.23	2,157,061.96	2,192,186.30	1,741,216.30	1,963,689.44	2,152,723.68	2,360,668.01					
AERO-AIRPLANES - I06	35,969.82	32,546.50	73,243.07	77,999.17	102,486.34	(928.94)	58,265.86					
OTHER ACCTS.	20,276,158.38	13,638,735.23	13,148,891.08	15,123,493.47	13,208,900.28	16,693,353.90	13,559,202.49					
WILDLIFE LICENSE PLATE AND DONATION - H03	1,422,446.32	1,510,581.86	1,529,752.61	1,550,699.55	1,570,257.04	1,589,466.02	1,613,734.56					
STATE INFRASTRUCTURE BANK - H07	37,011,757.26	37,098,764.20	37,290,784.92	37,424,334.56	37,512,443.18	37,650,075.64	37,794,570.84					
SHA-COMMISSION - H01	37,366,798.29	68,383,288.88	81,821,407.98	137,863,126.95	128,332,060.13	130,066,521.16	125,756,257.65					
SHA-10 CENT MOTOR FUEL TAX - H02	71,781,259.65	77,573,620.07	80,723,432.91	84,142,909.86	88,204,455.99	91,666,562.68	95,087,629.29					
SHA-LEGISLATIVE - H06	12,940,577.73	15,047,694.58	6,223,297.08	17,254,876.24	26,662,713.18	19,547,614.74	13,407,350.07					
TRANSPORTATION INFO SYSTEM - H08	18,683,249.62	17,865,611.61	17,583,477.53	17,685,243.89	17,762,896.26	17,867,887.06	17,978,958.45					
SHA - RADIOACTIVE WASTE - H09	247,231.60	390,331.60	390,331.60	390,331.60	494,731.60	494,731.60	494,731.60					
SHA - INTERLOCK - H10	623,089.75	631,092.73	641,567.45	650,518.32	662,173.62	673,959.24	686,724.98					
SHA - AIR SERVICE ENHANCE - H11	3,619,779.13	3,525,527.30	3,293,516.81	3,291,404.50	3,051,237.55	3,049,054.05	2,751,857.67					
SHA - COMM AIR SERVICE ENHANCE - H12	11,962,397.90	11,861,611.06	12,125,961.61	11,772,218.56	11,874,898.30	12,049,266.07	11,448,291.73					
STATE RADIO NETWORK - I08	8,756,914.31	5,746,794.75	3,690,892.94	3,682,001.51	3,660,540.34	3,685,147.87	3,716,675.53					
TOTAL	226,920,365.99	255,463,262.33	260,728,743.89	332,650,374.48	335,063,483.25	337,185,434.77	326,714,918.73	0.00	0.00	0.00	0.00	0.00

**Preliminary figures subject to minor adjustments

**WYOMING DEPARTMENT OF TRANSPORTATION
10 CENT MOTOR FUEL TAX AND TRANSPORTATION INFORMATION SYSTEM
ACTUAL CASH FLOW**

	2023					2024							
	April	May	June	July	August	September	October	November	December	January	February	March	April
10 CENT MOTOR FUEL TAX - H02													
BALANCE BROUGHT FORWARD	76,891,293.18	79,863,610.47	82,930,955.25	86,135,493.74	83,528,756.57	84,840,327.26	70,732,632.34	71,781,259.65	77,573,620.07	80,723,432.91	84,142,909.86	88,204,455.99	91,666,562.68
RECEIPTS													
GASOLINE TAX 1210	1,226,348.59	1,217,822.24	1,401,418.73	1,698,821.56	1,224,902.17	2,232,432.61	1,438,858.42	2,552,203.45	1,480,043.12	1,143,243.21	1,576,046.96	1,437,385.88	1,145,374.00
SPECIAL FUEL TAX 1224	1,620,809.19	1,784,406.01	1,968,012.00	2,097,287.77	2,243,304.18	2,366,136.96	2,289,939.85	3,074,764.33	2,553,454.91	2,066,406.38	2,324,974.08	1,706,392.85	2,009,411.35
REIMBURSEMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET INTEREST	125,159.51	144,367.36	477,713.03	0.00	147,952.02	178,926.82	195,452.82	169,866.97	393,779.88	286,478.44	196,047.65	318,327.96	347,929.56
TOTAL	2,972,317.29	3,146,595.61	3,847,143.76	3,796,109.33	3,616,158.37	4,777,496.39	3,924,251.09	5,796,834.75	4,427,277.91	3,496,128.03	4,097,068.69	3,462,106.69	3,502,714.91
DISBURSEMENTS	0.00	79,250.83	642,605.27	6,402,846.50	2,304,587.68	18,885,191.31	2,875,623.78	4,474.33	1,277,465.07	76,651.08	35,522.56	0.00	81,648.30
ENDING BALANCE	79,863,610.47	82,930,955.25	86,135,493.74	83,528,756.57	84,840,327.26	70,732,632.34	71,781,259.65	77,573,620.07	80,723,432.91	84,142,909.86	88,204,455.99	91,666,562.68	95,087,629.29
WILDLIFE LICENSE PLATE & DONATION - H03													
BALANCE BROUGHT FORWARD	1,240,914.33	1,266,656.09	1,301,689.66	1,335,350.48	1,358,553.93	1,379,580.70	1,400,706.13	1,422,446.32	1,510,581.86	1,529,752.61	1,550,699.55	1,570,257.04	1,589,466.02
RECEIPTS													
WILDLIFE PLATE	12,650.00	16,600.00	10,050.00	13,250.00	11,350.00	10,250.00	7,950.00	14,310.00	7,740.00	5,881.00	10,750.00	7,400.00	10,650.00
DONATIONS	11,044.23	16,140.82	16,164.19 #	8,202.66	9,108.93	7,982.40	10,629.45	70,502.61	3,852.49	9,601.68	7,108.03	6,076.21	7,545.04
NET INTEREST	2,047.53	2,292.75	7,446.63 #	1,750.79	567.84	2,893.03	3,160.74	3,322.93	7,578.26	5,464.26	1,699.46	5,732.77	6,073.50
TOTAL	25,741.76	35,033.57	33,660.82	23,203.45	21,026.77	21,125.43	21,740.19	88,135.54	19,170.75	20,946.94	19,557.49	19,208.98	24,268.54
DISBURSEMENTS	0.00												
ENDING BALANCE	1,266,656.09	1,301,689.66	1,335,350.48	1,358,553.93	1,379,580.70	1,400,706.13	1,422,446.32	1,510,581.86	1,529,752.61	1,550,699.55	1,570,257.04	1,589,466.02	1,613,734.56
URBAN MASS TRANSIT - H04													
BALANCE BROUGHT FORWARD	2,564,607.67	2,608,022.42	2,442,235.39	1,854,298.05	1,594,688.26	2,115,716.50	2,003,797.17	2,192,736.23	2,157,061.96	2,192,186.30	1,741,216.30	1,963,689.44	2,152,723.68
VOUCHERS PAYABLE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
RECEIPTS													
FEDERAL AID & MATCHING	755,539.23	595,417.76	2,075,229.83	499,494.00	1,980,024.00	6,380,004.68	5.57	923,259.03	803,207.47	1,555,091.96	1,422,622.07	1,697,828.75	509,428.73
STATE FUNDS	0.00	0.00	0.00	0.00	0.00	0.00	1,500,000.00	0.00	0.00	0.00	0.00	0.00	0.00
NET INTEREST	4,523.31	4,289.14	11,301.96	0.00	3,647.05	2,910.00	2,140.03	5,095.00	12,274.34	7,303.37	3,039.96	6,602.73	7,746.61
TOTAL	760,062.54	599,706.90	2,086,531.79	499,494.00	1,983,671.05	6,382,914.68	1,502,145.60	928,354.03	815,481.81	1,562,395.33	1,425,662.03	1,704,431.48	517,175.34
DISBURSEMENTS	716,647.79	765,493.93	2,674,469.13	759,103.79	1,462,642.81	6,494,834.01	1,313,206.54	964,028.30	780,357.47	2,013,365.33	1,203,188.89	1,515,397.24	309,231.01
ENDING BALANCE	2,608,022.42	2,442,235.39	1,854,298.05	1,594,688.26	2,115,716.50	2,003,797.17	2,192,736.23	2,157,061.96	2,192,186.30	1,741,216.30	1,963,689.44	2,152,723.68	2,360,668.01

**WYOMING DEPARTMENT OF TRANSPORTATION
RURAL TRANSIT, SIB, AND RADIOACTIVE WASTE ACCOUNTS
ACTUAL CASH FLOW**

	2023					2024							
	April	May	June	July	August	September	October	November	December	January	February	March	April
STATE INFRASTRUCTURE - H07													
BALANCE BROUGHT FORWARD	36,450,612.97	36,511,216.42	36,578,007.77	36,786,762.52	36,786,762.52	36,850,128.49	36,927,921.60	37,011,757.26	37,098,764.20	37,290,784.92	37,424,334.56	37,512,443.18	37,650,075.64
CUSTOMER DEPOSIT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
RECEIPTS													
TRANSFERS IN	60,613.69	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET INTEREST	(10.24)	66,791.35	208,754.75	0.00	63,365.97	77,793.11	83,835.66	87,006.94	192,020.72	133,549.64	88,108.62	137,632.46	144,495.20
TOTAL	60,603.45	66,791.35	208,754.75	0.00	63,365.97	77,793.11	83,835.66	87,006.94	192,020.72	133,549.64	88,108.62	137,632.46	144,495.20
DISBURSEMENTS	0.00												
ENDING BALANCE	36,511,216.42	36,578,007.77	36,786,762.52	36,786,762.52	36,850,128.49	36,927,921.60	37,011,757.26	37,098,764.20	37,290,784.92	37,424,334.56	37,512,443.18	37,650,075.64	37,794,570.84
TRANSPORTATION INFORMATION SYSTEM - H08													
BALANCE BROUGHT FORWARD	18,117,396.65	18,211,118.13	18,313,297.68	18,482,835.20	18,537,660.20	18,627,326.67	18,710,526.97	18,683,249.62	17,865,611.61	17,583,477.53	17,685,243.89	17,762,896.26	17,867,887.06
RECEIPTS													
2604 - TIS FEE	66,135.00	68,925.00	64,985.00	54,825.00	57,785.00	43,936.00	44,600.00	37,085.00	35,355.00	38,000.00	36,060.00	39,884.92	42,570.00
TRANSFERS IN	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET INTEREST	27,586.48	33,254.55	104,552.52	0.00	31,881.47	39,264.30	42,427.65	44,129.99	96,866.92	63,766.36	41,592.37	65,105.88	68,501.39
TOTAL	93,721.48	102,179.55	169,537.52	54,825.00	89,666.47	83,200.30	87,027.65	81,214.99	132,221.92	101,766.36	77,652.37	104,990.80	111,071.39
DISBURSEMENTS	0.00	0.00	0.00	0.00	0.00	0.00	114,305.00	898,853.00	414,356.00	0.00	0.00	0.00	0.00
ENDING BALANCE	18,211,118.13	18,313,297.68	18,482,835.20	18,537,660.20	18,627,326.67	18,710,526.97	18,683,249.62	17,865,611.61	17,583,477.53	17,685,243.89	17,762,896.26	17,867,887.06	17,978,958.45
RADIOACTIVE WASTE - H09													
BALANCE BROUGHT FORWARD	260,871.60	260,871.60	345,471.60	345,471.60	345,471.60	247,231.60	247,231.60	247,231.60	390,331.60	390,331.60	390,331.60	494,731.60	494,731.60
RECEIPTS													
TRANSFERS IN	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
HAZARDOUS WASTE FEE	0.00	84,600.00	0.00	0.00	101,700.00	0.00	0.00	143,100.00	0.00	0.00	104,400.00	0.00	0.00
NET INTEREST	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL	0.00	84,600.00	0.00	0.00	101,700.00	0.00	0.00	143,100.00	0.00	0.00	104,400.00	0.00	0.00
DISBURSEMENTS	0.00	0.00	0.00	0.00	199,940.00	0.00							
ENDING BALANCE	260,871.60	345,471.60	345,471.60	345,471.60	247,231.60	247,231.60	247,231.60	390,331.60	390,331.60	390,331.60	494,731.60	494,731.60	494,731.60

**WYOMING DEPARTMENT OF TRANSPORTATION
INTERLOCK AND AIR SERVICE ENHANCEMENTS ACCOUNTS
ACTUAL CASH FLOW**

	2023					2024							
	April	May	June	July	August	September	October	November	December	January	February	March	April
INTERLOCK - H10													
BALANCE BROUGHT FORWARD	562,339.76	572,161.19	582,969.61	576,261.69	585,004.95	605,742.30	613,649.35	623,089.75	631,092.73	641,567.45	650,518.32	662,173.62	673,959.24
RECEIPTS													
TRANSFERS IN	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(553.02)	0.00	0.00	0.00	0.00	0.00
INTERLOCK DEVICE FEES	8,892.53	9,670.23	8,918.25	8,951.45	19,538.03	6,659.08	7,954.90	7,000.00	7,223.48	6,664.10	10,131.05	9,074.75	10,095.97
24/7 LICENSE FEES	0.00	100.00	100.00	100.00	200.00	0.00	100.00	100.00	0.00	0.00	0.00	300.00	100.00
NET INTEREST	928.90	1,038.19	3,332.94	0.00	999.32	1,247.97	1,385.50	1,456.00	3,251.24	2,286.77	1,524.25	2,410.87	2,569.77
TOTAL	9,821.43	10,808.42	12,351.19	9,051.45	20,737.35	7,907.05	9,440.40	8,556.00	10,474.72	8,950.87	11,655.30	11,785.62	12,765.74
DISBURSEMENTS	0.00	0.00	19,059.11	308.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ENDING BALANCE	572,161.19	582,969.61	576,261.69	585,004.95	605,742.30	613,649.35	623,089.75	631,645.75	641,567.45	650,518.32	662,173.62	673,959.24	686,724.98
AIR SERVICE ENHANCEMENTS - H11													
BALANCE BROUGHT FORWARD	2,961,633.88	2,944,181.84	2,608,609.09	2,397,863.09	2,348,924.40	2,253,178.37	2,216,145.95	3,619,779.13	3,525,527.30	3,293,516.81	3,291,404.50	3,051,237.55	3,049,054.05
RECEIPTS													
TRANSFERS IN	0.00	0.00	0.00	0.00	0.00	0.00	1,433,667.00	0.00	0.00	0.00	0.00	0.00	0.00
GENERAL FUNDS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET INTEREST	4,951.95	5,413.60	15,130.53	0.00	4,111.15	4,822.51	5,099.42	6,615.09	18,731.38	11,988.24	7,772.85	11,374.41	11,741.26
TOTAL	4,951.95	5,413.60	15,130.53	0.00	4,111.15	4,822.51	1,438,766.42	6,615.09	18,731.38	11,988.24	7,772.85	11,374.41	11,741.26
DISBURSEMENTS	22,403.99	340,986.35	225,876.53	48,938.69	99,857.18	41,854.93	35,133.24	100,866.92	250,741.87	14,100.55	247,939.80	13,557.91	308,937.64
ENDING BALANCE	2,944,181.84	2,608,609.09	2,397,863.09	2,348,924.40	2,253,178.37	2,216,145.95	3,619,779.13	3,525,527.30	3,293,516.81	3,291,404.50	3,051,237.55	3,049,054.05	2,751,857.67
COMMERCIAL AIR SERVICE ENHANCEMENTS - H12													
BALANCE BROUGHT FORWARD	11,510,407.35	11,234,989.16	11,906,973.34	11,974,624.78	11,762,917.17	11,783,531.94	11,935,397.40	11,962,397.90	11,861,611.06	12,125,961.61	11,772,218.56	11,874,898.30	12,049,266.07
RECEIPTS													
TRANSFERS IN	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
GENERAL FUNDS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NET INTEREST	375,494.48	671,984.18	67,651.44	0.00	20,614.77	151,865.46	27,000.50	112,838.80	275,042.12	43,109.02	117,529.74	187,305.27	190,387.79
TOTAL	375,494.48	671,984.18	67,651.44	0.00	20,614.77	151,865.46	27,000.50	112,838.80	275,042.12	43,109.02	117,529.74	187,305.27	190,387.79
DISBURSEMENTS	650,912.67	0.00	0.00	211,707.61	0.00	0.00	0.00	213,625.64	10,691.57	396,852.07	14,850.00	12,937.50	791,362.13
ENDING BALANCE	11,234,989.16	11,906,973.34	11,974,624.78	11,762,917.17	11,783,531.94	11,935,397.40	11,962,397.90	11,861,611.06	12,125,961.61	11,772,218.56	11,874,898.30	12,049,266.07	11,448,291.73

**WYOMING DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ACCOUNT H01/H06**

	2023 April	May	June	July	August	September	October	November	December	2024 January	February	March	April
BALANCE BROUGHT FORWARD	105,745,678	107,453,906	113,059,849	96,326,837	100,527,908	80,076,866	102,524,389	50,307,376	83,430,983	88,044,705	155,118,003	154,994,773	149,614,136
NSF/VOU. PAY./FUND BAL. RESERVE	22,808	718	(34,269)	(1,592)	(7,737)	261	(8,086)	1,960	4,203	(2,892)	4,394	1,321	(1,865)
RECEIPTS													
13 CENT GASOLINE TAX	1,593,235	1,629,226	1,758,018	2,226,365	1,619,617	2,937,024	1,906,198	3,327,927	1,920,665	1,461,106	2,061,513	1,885,241	1,485,578
1 CENT GASOLINE TAX (ALT)	214,789	212,356	245,045	296,982	300,652	389,468	250,417	442,315	303,930	200,407	277,080	250,962	200,978
13 CENT SPECIAL FUELS TAX	2,163,860	2,382,270	2,627,393	2,799,983	2,994,922	3,158,910	3,057,183	4,104,962	3,408,988	2,758,755	3,103,955	2,278,119	2,682,663
1 CENT SPECIAL FUELS TAX (ALT)	428,402	438,697	473,797	524,435	505,884	515,731	467,104	597,831	547,870	431,796	509,678	419,133	402,028
SPECIAL FUELS SALES TAX	0	0	501,964	0	0	0	0	0	0	0	0	0	0
GASOLINE DEALERS LICENSE	1,875	1,000	1,750	2,950	1,350	1,375	1,250	2,400	3,175	1,700	1,150	750	1,750
SPECIAL FUEL DEALER LICENSE	1,945	1,615	2,075	2,985	1,630	1,750	1,755	5,000	6,632	6,025	3,640	2,460	2,490
MOTOR VEHICLE REGISTRATION	5,737,820	12,459,273	8,948,580	7,759,231	6,481,503	4,535,203	8,486,152	5,515,467	7,111,454	9,228,352	3,321,886	10,523,475	8,391,436
DRIVERS LICENSES	507,182	530,530	619,841	470,407	442,028	367,609	343,931	380,101	368,163	360,581	321,115	442,975	515,294
COMMERCIAL DRIVERS LICENSES	40,585	39,866	35,650	30,880	31,662	28,570	29,090	23,701	24,520	28,195	26,890	26,890	27,690
COMMERCIAL VEHICLE FEES	901,616	1,061,515	1,189,472	879,217	1,583,315	1,273,082	1,150,407	955,636	771,081	818,649	818,673	789,161	1,096,173
MOTOR CARRIER FEES	2,500	2,900	3,310	1,800	2,050	3,000	2,890	1,800	1,250	1,400	1,570	1,650	2,450
ROW FEES	5,016	2,752	2,983	2,005	2,015	1,870	2,960	2,178	2,217	2,630	1,331	2,034	2,491
FEDERAL MINERAL ROYALTIES	16,149,375	16,149,375	0	0	0	0	5,376,781	0	0	59,220,719	0	0	0
COAL SEVERANCE TAX	0	0	0	0	0	0	1,669,562	0	0	4,962,472	0	0	79,465
SIB TRANSFERS	0	0	0	0	0	15,756,842	0	0	0	0	0	0	0
INTEREST	217,583	229,418	776,682	0	191,847	250,633	217,904	224,226	440,739	341,112	370,960	626,368	650,220
FEDERAL REIMBURSEMENT	19,078,123	28,774,290	47,607,057	69,718,927	69,302,731	87,598,129	32,824,709	65,923,258	52,049,765	24,518,324	28,819,174	19,397,250	22,238,106
SIGN PERMITS	23,226	6,715	27,197	4,774	6,113	11,535	100	6,544	800	65,771	129,075	49,895	36,140
ENERGY AUDIT BOND REVENUE	0	0	0	0	0	0	0	0	0	0	0	0	0
CITY, COUNTY & OTHER AID	150,934	71,175	131,679	2,147,558	3,151,653	200,603	1,668,642	9,139	1,441,192	1,559,943	157,293	867,530	128,102
GEN. FUNDS SURFACE TRANS.	0	0	0	0	0	0	0	0	0	0	2,000,000	0	0
GENERAL FUND - AIP	0	0	0	0	0	0	0	0	0	0	0	0	0
INSURANCE RECOVERY	193,845	80,535	0	0	104,063	98,598	41,655	15,000	34,666	127,893	49,621	4,881	47,847
DR RECEIPTS	144,525	162,695	198,119	144,700	236,277	686,521	231,881	320,559	215,917	270,283	165,237	194,830	384,292
ARS RECEIPTS	621,375	325,366	167,258	868,751	240,830	303,211	247,625	1,560,345	149,334	190,079	238,279	248,437	163,790
MISCELLANEOUS RECEIPTS	154,336	93,247	132,781	134,585	324,810	54,107	187,251	1,587,665	135,572	188,695	158,876	181,794	144,738
TOTAL	48,332,148	64,654,816	65,450,649	88,016,534	87,524,952	118,173,772	58,165,446	85,006,053	68,937,930	106,741,443	42,538,301	38,193,834	38,683,722
DISBURSEMENTS	46,646,728	59,049,591	82,149,392	83,813,872	107,968,257	95,726,510	110,374,374	51,884,406	64,328,411	39,665,252	42,665,925	43,575,793	49,132,385
ENDING BALANCE (H01 & H06)	107,453,906	113,059,849	96,326,837	100,527,908	80,076,866	102,524,389	50,307,376	83,430,983	88,044,705	155,118,003	154,994,773	149,614,136	139,163,608

**Preliminary figures subject to minor adjustments

**WYOMING DEPARTMENT OF TRANSPORTATION
DAILY ACTIVITY SUMMARY**

BUDGET REPORT

AGENCY: 045 TRANSPORTATION DEPARTMENT

SPENDING AVAILABILITY

AGENCY	FUND	BEGINNING BALANCE	EXPENDITURES	CURRENT BALANCE	DESCRIPTION
045	ARP	30,500,000.00	13,006,024.70	17,493,975.30	WYOLINK
		30,500,000.00	13,006,024.70	17,493,975.30	TOTAL WYOLINK BALANCE
045	ARP	4,500,000.00	2,924,432.07	1,575,567.93	Homeland Security Grants for local radios
		4,500,000.00	2,924,432.07	1,575,567.93	TOTAL LOCAL RADIOS BALANCE
045	ARP	8,832,058.00	5,096,929.48	3,735,128.52	Capacity Purchase Agreement
		8,832,058.00	5,096,929.48	3,735,128.52	TOTAL CPA BALANCE
		43,832,058.00	21,027,386.25	22,804,671.75	GRAND TOTAL

**WYOMING DEPARTMENT OF TRANSPORTATION
ENCUMBRANCE REPORT
MAY 1, 2024**

	FEDERAL REIMBURSEMENTS		INVENTORY	STATE FUNDS				THIRD PARTY REIMBURSEMENTS	TOTAL
	Advanced Construction	Obligation Amount		SCP	SCP-TC	SM	Other State		
Parent Project		36,703,446		8,325,071		1,322,320	849,858		47,200,695
AERONAUTICS									
CONSTRUCTION	244,285	305,715,149		465,925	23,747,542	25,594,355	633,219	10,497,533	366,898,008
DAMAGE REPAIRS		93,828		95,013		9,861	83,055	21,740	303,496
EQUIPMENT							20,380,936		20,380,936
ESE-MSE							491,472		491,472
FACILITIES							5,531,923		5,531,923
FTA_RMTP		10,893,280					782,693	3,137,300	14,813,273
HWY_SAFETY	38,562	795,498				87,655			921,716
LAW_ENF_GRANT		1,978,320				9,241			1,987,561
MAINT_DRAINAGE							64,180		64,180
MAINT_ELECTRIC							359,002		359,002
MAINT_RESTAREA							1,001,296		1,001,296
MAINT_ROADSIDE							15,072		15,072
MAINT_ROADWAYOP							1,024		1,024
MAINT_SALTSTORE							388,663		388,663
MAINT_SHOULDER							14,600		14,600
MAINT_SNOWCNTRL							63,271		63,271
MAINT_STRUCTURE							17,780		17,780
OPER & ADMIN							1,680,926		1,680,926
OVERHEAD			20,238,414				31,555,479		51,793,894
PLANNING		271,278				35,552			306,830
SHOP							460,493		460,493
SPECIAL_MAINT							112,085		112,085
TELECOMM							19,067,564		19,067,564
TRAINING							105,624		105,624
GRAND TOTAL	\$282,847	\$356,450,799	\$20,238,414	\$8,886,009	\$23,747,542	\$27,058,983	\$83,660,216	\$13,656,573	\$533,981,384

SCP - State Construction Program Funds
SL - State Legislative General Funds
SM - State Matching for Federal Funds
ESE-MSE - Engineering Studies and Evaluations - Maintenance Studies and Evaluations
FTA_RMTP - Federal Transit Authority - Rural Mass Transit
MCSAP - Motor Carrier Safety Assistance Program
SCP-TC - State Construction Program Funds - Ten Cent Motor Fuel Funds

ENCUMBRANCES BY FUND				
Fund	Federal	State	Local/Third Party	Total
H01	\$307,158,600	\$91,764,248	\$10,519,273	\$409,442,120
H02	\$0	\$23,747,542	\$0	\$23,747,542
H04	\$10,893,280	\$782,693	\$3,137,300	\$14,813,273
H06	\$38,681,767	\$9,656,632	\$0	\$48,338,398
H08	\$0	\$18,572,486	\$0	\$18,572,486
ARP	\$0	\$19,067,564	\$0	\$19,067,564
Total	\$356,733,646	\$163,591,165	\$13,656,573	\$533,981,384

**WYOMING DEPARTMENT OF TRANSPORTATION
PROJECTS LET TO CONTRACT
(DOLLARS)
BUDGET REPORT**

MONTHLY

	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY2020	FY2021	FY2022	FY2023	FY2024	
October	36,057,446	58,878,571	42,090,985	31,949,318	30,061,083	28,635,008	35,162,156	31,726,174	32,906,369	31,258,928	118,418,164	62,689,010	COMMISSION
November	25,578,245	51,513,581	34,897,979	23,603,064	35,100,814	22,381,020	22,678,375	54,721,912	35,844,867	41,376,512	22,760,660	46,770,242	COMMISSION
December	20,166,461	18,712,371	33,779,844	25,801,208	14,387,393	31,147,756	28,743,821	22,400,295	37,759,452	33,687,070	47,139,280	36,393,553	COMMISSION
January	22,577,640	12,785,578	32,242,624	18,749,059	31,819,678	15,728,233	11,411,437	13,565,539	8,618,089	24,769,140	38,557,353	32,359,524	COMMISSION
February	20,216,645	17,760,556	29,484,727	12,900,766	45,101,333	10,898,926	11,019,558	17,071,044	15,264,082	30,817,025	79,787,223	17,161,072	COMMISSION
March	12,523,535	33,486,944	12,797,393	12,402,357	13,628,445	23,175,780	33,310,890	18,702,069	19,352,017	55,917,490	9,596,072	9,708,746	COMMISSION
April	11,908,611	24,417,528	16,308,319	24,264,292	61,124,323	23,362,107	14,479,647	5,342,720	51,522,516	26,591,710	6,222,907	51,181,597	COMMISSION
May	35,705,780	34,118,331	12,669,905	22,893,027	24,926,103	18,021,007	78,739,708	19,457,390	19,395,311	32,225,916	1,408,173	13,358,580	BID LETTING
June	29,407,869	15,509,394	0	46,408,405	965,976	0	0	0	0	0	3,491,746		
July	13,443,598	35,480,926	14,448,745	11,532,694	17,145,260	13,619,464	27,859,648	14,971,715	58,091,323	72,829,598	6,768,247		
August	2,007,281	0	0	16,514,077	1,940,605	16,673,316	25,331,032	0	27,121,261	21,282,922	0		
September	14,712,212	29,200,668	21,709,231	20,603,693	30,353,505	56,585,193	23,647,905	62,760,505	24,514,033	15,073,415	54,625,314		
Total	244,305,323	331,864,448	250,429,752	267,621,960	306,554,518	260,227,812	312,384,177	260,719,362	330,389,319	385,829,725	388,775,139	269,622,325	

QUARTERLY (ACCUMULATED)

1st Qtr.	81,802,152	129,104,523	110,768,808	81,353,590	79,549,290	82,163,785	86,584,352	108,848,380	106,510,688	106,322,509	188,318,104	145,852,805
2nd Qtr.	137,119,972	193,137,601	185,293,552	125,405,772	170,098,746	131,966,724	142,326,237	158,187,032	149,744,875	217,826,165	316,258,752	205,082,147
3rd Qtr.	214,142,232	267,182,854	214,271,776	218,971,496	257,115,148	173,349,839	235,545,592	182,987,142	220,662,702	276,643,791	327,381,578	269,622,325
4th Qtr.	244,305,323	331,864,448	250,429,752	267,621,960	306,554,518	260,227,812	312,384,177	260,719,362	330,389,319	385,829,725	388,775,139	269,622,325

**Preliminary figures subject to minor adjustments

**WYOMING DEPARTMENT OF TRANSPORTATION
FUND H01 - STATE HIGHWAY FUND (COMMISSION)
STATE/FEDERAL FUNDED PROGRAMS**

		2024 BUDGET	EXPENDED TO DATE	ENCUMBRANCES	AVAILABLE BUDGET	APR '24 PORTION OF BUDGET USED	APR '23 PORTION OF BUDGET USED
ENGINEERING DIVISION - HIP PROGRAM:							
0000	Transportation Commission	\$ 182,019	\$ 118,235	\$ 2,378	\$ 61,406	66%	36%
0110	Chief Engineer and Staff	\$ 809,509	\$ 540,911	\$ -	\$ 268,598	67%	64%
1200	Construction Staff	\$ 1,892,830	\$ 980,939	\$ 492,672	\$ 419,219	78%	73%
1630/1631	Highway Development	\$ 919,120	\$ 550,613	\$ -	\$ 368,507	60%	65%
1660	Right of Way	\$ 1,246,441	\$ 651,401	\$ -	\$ 595,040	52%	45%
1640	Materials (Laboratory)	\$ 1,210,058	\$ 772,171	\$ 103,380	\$ 334,507	72%	53%
1610	Contracts and Estimates	\$ 375,714	\$ 209,260	\$ 62,438	\$ 104,016	72%	67%
1600	Bridge Design	\$ 721,344	\$ 369,852	\$ -	\$ 351,492	51%	50%
1632	Project Development	\$ 1,809,924	\$ 1,236,383	\$ 248,940	\$ 324,601	82%	73%
1633	Photogrammetry and Survey	\$ 558,277	\$ 481,381	\$ 9,735	\$ 67,161	88%	56%
1634	Project Management Oversight	\$ 577,575	\$ 215,670	\$ 70,006	\$ 291,899	49%	51%
1620	Geology	\$ 647,695	\$ 484,510	\$ 7,055	\$ 156,130	76%	48%
1800	Traffic Operations - Engr.	\$ 1,324,158	\$ 734,744	\$ 131,983	\$ 457,431	65%	62%
0201/1211	District 1 - Operations - Engr.	\$ 1,390,981	\$ 1,120,800	\$ 8,351	\$ 261,831	81%	70%
0202/1212	District 2 - Operations - Engr.	\$ 1,805,826	\$ 1,070,354	\$ 11,372	\$ 724,100	60%	66%
0203/1213	District 3 - Operations - Engr.	\$ 1,542,430	\$ 1,286,322	\$ 5,943	\$ 250,165	84%	74%
0204/1214	District 4 - Operations - Engr.	\$ 1,446,451	\$ 869,574	\$ 7,061	\$ 569,816	61%	56%
0205/1215	District 5 - Operations - Engr.	\$ 1,645,889	\$ 1,138,750	\$ 5,943	\$ 501,196	70%	51%
TOTAL -	ENGINEERING DIVISION	\$ 20,106,241	\$ 12,831,869	\$ 1,167,257	\$ 6,107,116	70%	61%
TRANSPORTATION PLANNING & ADMINISTRATION							
0120	Chief Financial Officer	\$ 284,749	\$ 134,580	\$ 3,378	\$ 146,792	48%	44%
0130	Chief Technology Officer	\$ 4,360,818	\$ 1,082,215	\$ 3,251,818	\$ 26,785	99%	92%
2800	Financial Services	\$ 4,231,618	\$ 2,538,726	\$ 255,249	\$ 1,437,642	66%	62%
2100	Budget	\$ 1,193,553	\$ 707,804	\$ 3,973	\$ 481,776	60%	45%
2300	Grants & Contracts	\$ 544,980	\$ 248,988	\$ 2,028	\$ 293,964	46%	58%
2430	Civil Rights Office	\$ 692,120	\$ 198,888	\$ 304,878	\$ 188,354	73%	78%
4410	Compliance & Investigation	\$ 826,794	\$ 491,358	\$ -	\$ 335,436	59%	58%
2420	Training Program Manager	\$ 632,198	\$ 285,611	\$ 12,130	\$ 334,457	47%	53%
2405	Office Services - Printing	\$ 885,927	\$ 491,955	\$ 21,668	\$ 372,304	58%	51%
2860	Intelligent Transportation	\$ 169,439	\$ 129,457	\$ -	\$ 39,982	76%	37%
2210	Enterprise Technology	\$ 3,565,005	\$ 913,716	\$ -	\$ 2,651,289	26%	40%
2411	Human Resources - Commission	\$ 104,487	\$ 52,204	\$ -	\$ 52,283	50%	47%
0160	Public Safety Communication Commission	\$ 26,908	\$ 20,022	\$ -	\$ 6,886	74%	12%
WYOUTRN	WYDOT University	\$ 905,553	\$ 336,739	\$ 74,154	\$ 494,660	45%	41%
1650	Planning	\$ 5,805,138	\$ 3,041,010	\$ 830	\$ 2,763,298	52%	59%
1652	Environmental Services	\$ 652,406	\$ 350,442	\$ -	\$ 301,964	54%	45%
1653	Programming	\$ 2,219,221	\$ 348,773	\$ -	\$ 1,870,448	16%	49%
1651/3600	Local Government / Federal Transit	\$ 996,074	\$ 320,313	\$ -	\$ 675,761	32%	82%
1820	Highway Safety	\$ 2,470,203	\$ 1,097,697	\$ 1,549	\$ 1,370,957	45%	43%
Various	Federal Funds -NCHRP-TRB Pool Funds	\$ 440,686	\$ 50,411	\$ -	\$ 390,275	11%	1%
TRAIN16	Training Programs	\$ 6,334,843	\$ 3,559,488	\$ 31,470	\$ 2,743,885	57%	46%
TOTAL -	TRANSPORTATION PLANNING DIVISION	\$ 37,342,720	\$ 16,400,396	\$ 3,963,126	\$ 16,979,198	55%	52%

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**WYOMING DEPARTMENT OF TRANSPORTATION
FUND H01 - STATE HIGHWAY FUND (COMMISSION)**

		2024	EXPENDED	ENCUMBRANCES	AVAILABLE	APR '24 PORTION	APR '23 PORTION
OPERATIONS AND OTHER DIVISION ALLOCATIONS:		BUDGET	TO DATE		BUDGET	OF BUDGET USED	OF BUDGET USED
2415	Employee Safety	\$ 1,265,598	\$ 534,702	\$ 255,912	\$ 474,984	62%	55%
2850	Equipment Staff	\$ 968,039	\$ 377,438	\$ 25,244	\$ 565,357	42%	52%
2830	Telecommunications/RWIS	\$ 8,300,942	\$ 3,856,895	\$ 1,404,817	\$ 3,039,230	63%	40%
2840	Facility Management	\$ 2,403,756	\$ 868,852	\$ 1,960	\$ 1,532,944	36%	34%
RELOCAT	Employee Relocation-WHD	\$ -	\$ -	\$ -	\$ -	0%	0%
OUTDRAD	Outdoor Advertising	\$ 80,212	\$ 53,262	\$ -	\$ 26,950	66%	71%
TRFSIGN	LOGO Signs	\$ 277,792	\$ 71,393	\$ -	\$ 206,399	26%	74%
LEGALRS	Legal Research/Claims - Internal	\$ 10,000	\$ -	\$ -	\$ 10,000	0%	0%
LEGALRS	Legal Research/Claims - External	\$ 172,000	\$ 81,016	\$ -	\$ 90,984	47%	67%
4441	License Plate & Tab Production Costs	\$ 1,879,988	\$ 518,729	\$ 6,269	\$ 1,354,990	28%	52%
Subtotal - Operations Division		\$ 15,358,327	\$ 6,362,287	\$ 1,694,201	\$ 7,301,839	52%	44%
MAINTENANCE PROGRAM							
REGULAR MAINTENANCE PROGRAM ALLOCATIONS:							
1300-1315	Maintenance Overhead	\$ 11,072,607	\$ 5,553,364	\$ 484,077	\$ 5,035,166	55%	34%
SUPRVSN	Direct Supervision	\$ 8,293,711	\$ 4,120,772	\$ -	\$ 4,172,940	50%	56%
RDSRFCE	Road Surface	\$ 11,887,281	\$ 1,512,124	\$ -	\$ 10,375,157	13%	7%
SHLDAPR	Shoulders and Approaches	\$ 3,879,973	\$ 2,931,444	\$ 14,600	\$ 933,929	76%	27%
RDSLSP	Roadside and Landscape	\$ 8,582,866	\$ 3,922,151	\$ 15,072	\$ 4,645,643	46%	32%
DRAINAG	Drainage	\$ 1,678,878	\$ 833,960	\$ 64,180	\$ 780,738	53%	24%
STRCTRS	Structures	\$ 653,090	\$ 382,928	\$ 17,780	\$ 252,382	61%	16%
SNWCTRL	Snow Control	\$ 29,672,656	\$ 24,391,956	\$ 63,271	\$ 5,217,428	82%	133%
SALTSTR	Salt/Sand, Brine and Loader Storage Facilities	\$ 674,572	\$ 61,375	\$ 388,663	\$ 224,533	67%	117%
1321-1325	Traffic Overhead	\$ 2,383,192	\$ 1,466,026	\$ 16,785	\$ 900,382	62%	57%
1390-1395	Shop Operations	\$ 5,610,072	\$ 2,999,313	\$ 214,150	\$ 2,396,609	57%	58%
LNPAINT	Lane and Line Painting	\$ 5,784,625	\$ 1,633,440	\$ -	\$ 4,151,185	28%	23%
SIGNING	Signing	\$ 2,655,429	\$ 1,640,645	\$ -	\$ 1,014,784	62%	36%
ELECFTR	Electrical Features	\$ 7,419,897	\$ 2,885,382	\$ 359,002	\$ 4,175,513	44%	56%
RDWYOPS	Roadway Operations	\$ 2,828,290	\$ 1,210,816	\$ 1,024	\$ 1,616,450	43%	40%
Various	Rest Areas, Parks, Info Centers	\$ 5,250,382	\$ 2,061,520	\$ 1,001,296	\$ 2,187,566	58%	48%
Various	Damage Repairs	\$ 6,009,206	\$ 3,505,741	\$ 83,055	\$ 2,420,411	60%	58%
Subtotal - Regular Maintenance Program		\$ 114,336,727	\$ 61,112,957	\$ 2,722,955	\$ 50,500,815	56%	64%
SPECIAL MAINTENANCE PROJECTS:							
B239050	Testing/Registration Fuel Tanks	\$ 6,000	\$ -	\$ -	\$ 6,000	0%	13%
B239049	MDSS Access & Support Fees	\$ 119,300	\$ -	\$ -	\$ 119,300	0%	99%
B239051	Forecasts Weather	\$ 73,050	\$ 47,600	\$ 25,450	\$ -	100%	100%
B239046	Wyoming One Call	\$ 17,500	\$ 2,642	\$ -	\$ 14,858	15%	12%
B239052	Testing/Monitoring Sumps/Modifications	\$ 122,369	\$ 21,179	\$ 63,821	\$ 37,369	69%	86%
B239047	Pollution Discharge Elimination (NPDES)	\$ 25,000	\$ 6,400	\$ -	\$ 18,600	26%	2%
B239053	Noxious Weed Control Department of Agriculture	\$ 1,100,000	\$ -	\$ -	\$ 1,100,000	0%	0%
B139043	Living Snow Fence	\$ 143,026	\$ -	\$ 21,513	\$ 121,513	15%	0%
SCALMNT	Platform and Weight-in-Motion Scales	\$ 443,499	\$ 111,895	\$ 1,300	\$ 330,304	26%	11%
B239041	Underground Injection Control (UIC) Consultant	\$ 20,000	\$ 5,918	\$ -	\$ 14,082	30%	29%
Subtotal - Special Maintenance Program		\$ 2,069,744	\$ 195,634	\$ 112,085	\$ 1,762,026	15%	23%
Total - Maintenance		\$ 116,406,471	\$ 61,308,591	\$ 2,835,040	\$ 52,262,841	55%	63%

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**Wyoming Department of Transportation
FUNDS H06, H11, I06, I08, & ARP (LEGISLATIVE)**

		2023 / 2024	EXPENDED		AVAILABLE	APR '24 PORTION	APR '22 PORTION
FUND H06	TRANSPORTATION DEPARTMENT ADMINISTRATION	BUDGET	TO DATE	ENCUMBRANCES	BUDGET	OF BUDGET USED	OF BUDGET USED
0101	Director-Dept. of Transportation	\$ 735,139	\$ 627,526	\$ -	\$ 107,613	85%	76%
0102	Legal Services	\$ 9,384	\$ 2,145	\$ -	\$ 7,239	23%	22%
0103	Internal Review	\$ 1,449,908	\$ 1,165,932	\$ -	\$ 283,976	80%	74%
0104	Public Affairs	\$ 1,846,979	\$ 1,364,725	\$ -	\$ 482,254	74%	72%
TOTAL - TRANSPORTATION DEPARTMENT ADMINISTRATION		\$ 4,041,410	\$ 3,160,328	\$ -	\$ 881,082	78%	74%
FUND H06 ADMINISTRATIVE SERVICES DIVISION							
4400	Admin. Services - Administrator	\$ 368,009	\$ 295,345	\$ -	\$ 72,664	80%	74%
4420	} Driver Services	\$ 20,455,189	\$ 13,680,939	\$ 822,560	\$ 5,951,689	71%	71%
4424	} Transportation Information System	\$ 20,000,000	\$ 3,968,205	\$ 16,031,795	\$ -	100%	N/A
4440	} Motor Vehicle Services	\$ 4,095,513	\$ 2,820,930	\$ 20,825	\$ 1,253,757	69%	72%
4430	} Fuel Tax Administration	\$ 2,377,640	\$ 1,412,128	\$ -	\$ 965,512	59%	68%
2410	} Human Resources	\$ -	\$ -	\$ -	\$ -	0%	45%
2400	} Office Services	\$ 1,886,833	\$ 1,348,650	\$ -	\$ 538,183	71%	65%
2810	Management Services	\$ 906,569	\$ 638,245	\$ -	\$ 268,324	70%	61%
2820	Procurement Services	\$ 1,907,394	\$ 1,371,007	\$ -	\$ 536,386	72%	67%
0105	Strategic Performance Improvement Program	\$ 720,356	\$ 561,604	\$ -	\$ 158,752	78%	77%
TOTAL - ADMINISTRATIVE SERVICES DIVISION		\$ 52,717,500	\$ 26,097,052	\$ 16,875,181	\$ 9,745,268	82%	69%
Fund H06 HIGHWAY PATROL DIVISION							
Various	Law Enforcement Program	\$ 91,299,274	\$ 68,976,903	\$ 2,287,867	\$ 20,034,504	78%	74%
Various	Ports of Entry Program	\$ 20,444,153	\$ 12,007,713	\$ 2,146,700	\$ 6,289,740	69%	65%
TOTAL - HIGHWAY PATROL DIVISION		\$ 111,743,427	\$ 80,984,617	\$ 4,434,567	\$ 26,324,243	76%	72%

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**Wyoming Department of Transportation
FUNDS H06, H11, I06, I08, & ARP (LEGISLATIVE) ~ CONTINUED**

		2023 / 2024	EXPENDED		AVAILABLE	APR '24 PORTION	APR '22 PORTION
Fund H06	AERONAUTICS DIVISION	BUDGET	TO DATE	ENCUMBRANCES	BUDGET	OF BUDGET USED	OF BUDGET USED
7710	Aeronautics Administration (Fund H06)	\$ 4,906,218	\$ 3,820,050	\$ 33,431	\$ 1,052,737	79%	71%
7721	Air Services Enhancement Administration (Fund H11)	\$ 370,288	\$ 218,042	\$ -	\$ 152,246	59%	40%
7724	Capacity Purchase Agreement ARPA (Fund ARP)	\$ 8,832,058	\$ 4,315,632	\$ 100,000	\$ 4,416,426	50%	N/A
TOTAL - AERONAUTICS DIVISION		\$ 14,108,564	\$ 8,353,724	\$ 133,431	\$ 5,621,409	60%	69%
TOTAL - FUND H06		\$ 182,610,902	\$ 118,595,720	\$ 21,443,179	\$ 42,572,003	77%	71%
OTHER APPROPRIATED FUNDS:							
6603	S.A.L.E.C.S.-State Radio Network	\$ 1,393,784	\$ 913,854	\$ -	\$ 479,931	66%	59%
6601	WYOLINK	\$ 16,851,819	\$ 10,586,933	\$ -	\$ 6,264,886	63%	76%
6604	WYOLINK LOCAL RADIO ARPA	\$ 4,500,000	\$ 2,924,432	\$ 1,575,568	\$ -	100%	N/A
6605	WYOLINK ARPA	\$ 30,500,000	\$ 13,006,025	\$ 17,491,996	\$ 1,979	100%	N/A
TOTAL - STATE FUND (FUND I08)		\$ 53,245,603	\$ 27,431,243	\$ 19,067,564	\$ 6,746,796	87%	74%
INTERNAL SERVICE FUND:							
9700	Operations - Aircrafts	\$ 2,405,010	\$ 1,200,086	\$ -	\$ 1,204,924	50%	24%
TOTAL - INTERNAL SERVICE FUND (FUND I06)		\$ 2,405,010	\$ 1,200,086	\$ -	\$ 1,204,924	50%	24%

This page is in reference to page 19 of the Operating Budget

GRAND TOTALS

COMMISSION	
2024 Commission Budget	\$189,213,759
2024 Commission Expended To Date	\$96,903,142
2024 Commission Encumbered	\$9,659,623 =
Balance	\$82,650,994

Apr 2024
56%

Apr 2023
53%

**NORMAL PERCENT OF BUDGET
USED TO DATE - COMMISSION
58%**

LEGISLATIVE	
2023 / 2024 Legislative Budget	\$194,429,457
2023 / 2024 Legislative Expended to Date	\$126,980,961
2023 / 2024 Legislative Encumbered	\$21,343,179 =
Balance	\$46,105,317

Apr 2024
76%

Apr 2022
67%

**NORMAL PERCENT OF BUDGET
USED TO DATE - LEGISLATIVE
79%**

Total Commission and Legislative	
2024 Total Budget	\$383,643,216
2024 Total Expended to Date	\$223,884,103
2024 Total Encumbered	\$31,002,802
Balance	\$128,756,311

Latest Revision 5/7/2024

Numbers in blue are within 5% of normal
Numbers in red are greater than within 5% of normal
Numbers in black are less than within 5% of normal
Numbers in green are grants

2 BIDS AND 1 RFP FOR CONSIDERATION – MAY 16, 2024

TRANSPORTATION COMMISSION OF WYOMING

<u>BID NUMBER</u>	<u>DOLLAR AMOUNT</u>	
RFP 24-094NG	\$636,730.00	Furnish WYOMING HIGHWAY PATROL VEHICLE UPFITTING , to our departments located statewide in accordance with WYDOT specifications and RFP requirements. The highest-scoring proposal meets specifications and RFP requirements. 73 PROPOSALS SOLICITED – 2 PROPOSALS RECEIVED
24-158NG	\$432,600.00	Furnish HEADQUARTERS ROOF REPLACEMENT, BUILDINGS 6145 AND 6426 , to our department located in Casper in accordance with WYDOT specifications and bid requirements. Low bid meets specifications and bid requirements. 159 BIDS SOLICITED – 5 BIDS RECEIVED
24-170RE	\$2,015,555.00	Furnish SIX (6) NEW MODULAR HOMES, MUDDY GAP, WYOMING, AND FOUR (4) NEW MODULAR HOMES, SHIRLEY RIM, WYOMING to our departments in accordance with WYDOT specifications and bid requirements. Low bid meets specifications and bid requirements. 213 BIDS SOLICITED – 4 BIDS RECEIVED

TOTAL DOLLAR AMOUNT: \$3,084,885.00

TOTAL DOLLAR AMOUNT BASED ON APPARENT LOW BIDS AND RFP

WYOMING DEPARTMENT OF TRANSPORTATION
 TABULATION OF REQUEST FOR PROPOSALS RECEIVED



FOR (LOCATION) STATEWIDE

DATE MARCH 14, 2024

MATERIAL OR EQUIPMENT TO BE PURCHASED WYOMING HIGHWAY PATROL VEHICLE UPFITTING

BUDGETED AMOUNT: \$800,000.00

RFP NO.: 24-094NG

BIDDER NAME AND ADDRESS	DELIVERY IN DAYS	POINTS		NET BID WITHOUT PREFERENCE	+5% INSTATE PREFERENTIAL	COST COMPARISON	AWARD COST
		AVAILABLE	SCORED				
1. Bearcom 3901 W. Service Rd. Evans, CO 80620	AS REQ'D	700	669.00	636,730.00	31,836.50	668,566.50	636,730.00
2. Extreme Truck Outfitters 1415 E. Yellowstone Hwy. Casper, WY 82601	AS REQ'D	700	442.19	727,518.12	36,375.91	763,894.03	727,518.12

Bearcom				Evaluator 1		Evaluator 2		Evaluator 3		Evaluator 4		Evaluator 5						
	Rank	Points	Category Points	Score	Rank	Score	Rank	Score	Rank	Score	Rank	Score	Rank					
Evaluated RFP Section Requirement #1																		
Ability to Meet Specifications and Scope of Work																		
#1		26.8	30	30		29		30		15		30						
#2		29.2	30	30		30		26		30		30						
#3		30	30	30		30		30		30		30						
#4		8.6	10	9		9		10		5		10						
#5		18	20	18		19		18		20		15						
#6		29	30	30		30		30		25		30						
#7		29	30	30		30		30		25		30						
#8		27.2	30	30		30		26		25		25						
#9		30	30	30		30		30		30		30						
#10		30	30	30		30		30		30		30						
#11		29	30	30		30		30		25		30						
Evaluated RFP Section Requirement #2																		
Client Reference Forms (3ea)																		
Client Reference #1 (Questionnaire)		10	10	10		10		10		10		10						
Client Reference #2 (Questionnaire)		10	10	10		10		10		10		10						
Client Reference #3 (Questionnaire)																		
Evaluated RFP Section Requirement #3																		
Company Profile and Experience																		
#1		30	30	30		30		30		30		30						
#2		10	10	10		10		10		10		10						
#3		10	10	10		10		10		10		10						
#4		30	30	30		30		30		30		30						
#5		20	20	20		20		20		20		20						
Evaluated RFP Section Requirement #4																		
Oral Presentation /Product Demonstration / Interview/Facility Demo						162.2		180		167		175		159		150		160
Evaluated RFP Section Requirement #5																		
Proposal total cost						100		100										
\$636,730.00		5% = \$31,836.50		Total = \$668,566.50														
Point Total						669		700										

- Pros:
- On-site fabrication equipment.
 - Provides us a 1 year warranty, as well as a travel warranty at no additional cost (Will cover bumper to bumper workmanship and manufacturer).
 - Meets all requirements lined out in the RFP.
 - 20 year working history with the Wyoming Department of Transportation.
 - Certified and trained to install Soundoff Signal lighting systems, Motorola Radios, and Getec camera systems.
 - Able to complete four cars a week.

- Cons:
- Will not warranty the equipment and labor for the life of the vehicle. It defaults to the manufacturer warranty.
 - Additional cost to ship vehicle if they do not pick up at the time of delivery.
 - Can not catalog parts after removal.

- Pros:
- Excellent Customer Service - Goes out of their way to make it right.
 - Knowledgeable about equipment.

- Cons:
- One agency mentioned that their rep is still getting up to speed.

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Pros: | Cons: |
| <ul style="list-style-type: none"> • 30 years of experience with 50 locations. • Extensive experience in lighting, rigging, radio and fabrication. • 21 plus employees. • Large company with corporate backing. | <ul style="list-style-type: none"> • Located in Evans, Colorado. • Billing has to go through the corporate office in Texas for this location. |

Comments: Bearcom would be a good fit for what the Wyoming Highway Patrol is looking for. They have extensive manpower and customization along with a large facility to accommodate our needs. They specialize in law enforcement and emergency vehicles and are certified with soundoff, our lighting vendor. Bearcom is a motorola dealer and service center and Getec Installer, as well. The cost reflects 33 durangos, and 12 silverados. The original RFP cost was \$462,620.00 for 31 vehicles with an average cost of \$14,923.23 per vehicle. BAFO cost is \$14,149.56 on average to rig an emergency vehicle.

Extreme Truck Outfitters				Evaluator 1		Evaluator 2		Evaluator 3		Evaluator 4		Evaluator 5	
	Rank	Points	Category Points	Score	Rank								
Evaluated RFP Section Requirement #1													
Ability to Meet Specifications and Scope of Work													
#1		20.8	30	28		10		26		15		25	
#2		12.8	30	15		5		24		10		10	
#3		21.2	30	30		8		28		10		30	
#4		9.6	10	10		10		10		8		10	
#5		16.4	20	18		20		24		10		10	
#6		22	30	25		20		30		15		20	
#7		27	30	30		30		30		15		30	
#8		25.8	30	28		26		30		15		30	
#9		19	30	15		5		30		15		30	
#10		13.8	30	15		10		24		10		10	
#11		26	30	30		30		30		15		25	
Evaluated RFP Section Requirement #2													
Client Reference Forms (3ea)													
Client Reference #1 (Questionnaire)		6	10	6		6		6		6		6	
Client Reference #2 (Questionnaire)		5	10	5		5		5		5		5	
Client Reference #3 (Questionnaire)													
Evaluated RFP Section Requirement #3													
Company Profile and Experience													
#1		15	30	15		15		15		10		20	
#2		4.8	10	5		5		5		4		5	
#3		8	10	5		5		10		10		10	
#4		14	30	20		20		5		10		15	
#5		8.6	20	10		10		5		8		10	

- Pros:
- Paved and fenced storage lot to accommodate the size of our fleet.

- Cons:
- They would have to grow their company to accommodate this project.
 - Will only hold one vehicle worth of warranty parts at a time.
 - Lack of experience - They have only produced three patrol vehicles and twenty undercover vehicle:
 - No fabrication equipment.
 - Wiring harnesses are built in house so they are drug along the ground and take extra time.
 - Lack of mobile warranty service.
 - No production line.
 - Not a Soundoff Signal, Motorola or Getec Installer.
 - Does not meet the requirements and specifications lined out in the RFP.
 - Lacks the financial backing to have multiple parts on hand.

- Pros:
- Quick, timely and diligent on simple builds.

- | | |
|-------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Cons: | Cons: |
| <ul style="list-style-type: none"> • Had to drive to shop for a fuse repair. • Gun rack issues. | <ul style="list-style-type: none"> • Only one person manages and has expertise in installation and wiring with emergency vehicles. • They currently have four technicians, three that are experienced in law enforcement vehicle rigging. • Only four years of experience in law enforcement vehicle • Cannot currently accommodate this project. • This company does not offer warranty mobile services. |
- Pros:
- Centrally located in Casper, Wyoming.
 - Supplies manual with each vehicle.
 - Centrally located.
 - Founded in 1999 and started rigging law enforcement vehicles in 2020.

Evaluated RFP Section Requirement #4										
Oral Presentation /Product Demonstration / Interview/Facility Demo				102.8	180	90	82	135	92	115
Evaluated RFP Section Requirement #5										
Proposal total cost				63.59	100					
\$727,518.12	5%=\$36,375.91	Total=\$763,894.03								
Point Total				442.19	700					

Comments: Extreme Truck Outfitters is relatively new at law enforcement rigging. They lack the expertise, manpower and facilities to take on the complexity and number of vehicles of the Wyoming Highway Patrol fleet. The original RFP only incorporated 31 vehicles at an average cost of \$23,468.33 per vehicle. This vendor was not selected for the BAFO and did not include the 2024 builds on the original proposal.

WYOMING DEPARTMENT OF TRANSPORTATION
 TABULATION OF BIDS RECEIVED



FOR (LOCATION): CASPER

DATE: APRIL 25, 2024

MATERIAL OR EQUIPMENT TO BE PURCHASED: HEADQUARTERS ROOF REPLACEMENT, BUILDING 6145 AND 6426

BUDGETED AMOUNT: \$465,000.00

BID NO.:24-158NG

BIDDER NAME AND ADDRESS	SURETY DEPOSIT	DELIVERY IN DAYS	NET BID WITHOUT PREFERENCE	+5% INSTATE PREFERENTIAL	COST COMPARISON	AWARD COST
1. Built Right Roofing & Construction 2310 N. Maple Ave. Rapid City, SD 57701	Jet Insurance Co. Bid Bond No. BB452847 In the amount of 10%	AS REQ'D	432,600.00	21,630.00	454,230.00	432,600.00
2. Limmer Roofing, Inc. P.O. Box 1496 Mills, WY 82644	Western Surety Co. Bid Bond No. 72641288 In the amount of 10%	AS REQ'D	459,500.00		459,500.00	459,500.00
3. Inman Roofing, Inc. 4014 Welchester Dr. Cheyenne, WY 82009	Merchants National Bonding, Inc. Bid Bond In the amount of 10%	AS REQ'D	548,359.00		548,359.00	548,359.00
4. Contract West Roofing, Inc. 7597 Country Manor Rd. Salt Lake City, UT 84121	The Cincinnati Insurance Co. Bid Bond In the amount of 10%	AS REQ'D	647,000.00	32,350.00	679,350.00	647,000.00
5. Superior Roofing, Inc. 14700 E. 39 th Ave. Aurora, CO 80011	Argonaut Insurance Co. Bid Bond In the amount of 10%	AS REQ'D	643,880.00	32,194.00	676,074.00	643,880.00

WYOMING DEPARTMENT OF TRANSPORTATION
 TABULATION OF BIDS RECEIVED



FOR (LOCATION): SHIRLEY RIM AND MUDDY GAP

DATE: MAY 9, 2024

MATERIAL OR EQUIPMENT TO BE PURCHASED: 10 EACH, NEW MODULAR HOMES ON PERMANENT FOUNDATIONS

BUDGETED AMOUNT: \$2,000,000.00

BID NO.:24-170RE

BIDDER NAME AND ADDRESS	SURETY DEPOSIT	DELIVERY IN DAYS	NET BID WITHOUT PREFERENCE	+5% INSTATE PREFERENTIAL	COST COMPARISON	AWARD COST
1. Jerry Bornhoft Construction, Inc. P.O. Box 1341 Riverton, WY 82501	Old Republic Surety Co. Bid Bond In the amount of 10%	AS REQ'D	2,015,555.00		2,015,555.00	2,015,555.00
2. Wyoming Renovations Inc. 2130 Fairgrounds Rd. Casper, WY 82604	United Casualty and Surety Insurance Co. Bid Bond In the amount of 10%	AS REQ'D	1,999,999.00	99,999.95	2,099,998.95	1,999,999.00
3. Factory Homes Wyoming * 1531 Foothill Blvd. ALTERNATE Rock Springs, WY 82901	--	AS REQ'D	2,220,640.00	111,032.00	2,331,672.00	2,220,640.00
4. Factory Homes Wyoming * 1531 Foothill Blvd. Rock Springs, WY 82901	--	AS REQ'D	2,577,310.00	128,865.50	2,706,175.50	2,577,310.00

***IRREGULAR BID:** Did not submit bid bonds.

PRE-AWARDED BID
May 9, 2024
Award Date -- May 16, 2024

Job 1 Federal Project STP-0504020

Work: Mill & overlay, chip seal, bridge rehabilitation at 5 locations (1 location over railroad) (bridge deck repair & overlay, bearing device modifications, approach slab replacements, bridge railing and expansion joint upgrades, erosion control repairs)

Location: Approximately 6.00 miles on WYO 95 beginning at RM 1.69 north of Glenrock.

Completion Date: October 31,2025

Engineer's Estimate	\$6,516,547.00	
S & S Builders, LLC, Gillette, WY	\$6,851,808.00	5.1%
Reiman Corp., Cheyenne, WY (IRREGULAR BID)	\$7,048,688.50	
Croell, Inc., Sundance, WY	\$7,364,643.75	
JTL Group, Inc. DBA Knife River, Cheyenne, WY	\$7,392,050.95	

Job 2 Federal Project HSIP-N345111

Work: Slope flattening, extending, cleaning and/or replacing culverts

Location: Approximately 7.50 miles on US 310 beginning at RM 249.5 between Deaver and Montana.

Completion Date: June 30,2025

Engineer's Estimate	\$1,886,898.00	
Wilson Bros. Construction, Inc., Cowley, WY	\$1,774,148.05	-6.0%
Barnum, Inc., Buffalo, WY	\$1,877,820.00	
Holden Excavating LLC, Columbus, MT	\$2,199,787.00	
OFTEDAL CONSTRUCTION, INC., Casper, WY	\$2,475,789.00	

Job 3 Federal Project STP-GM-B244022

Work: Culvert cleaning, lining and replacement

Location: Various Locations on I-90 from RM 97.14 to RM 118.33 in Campbell County

Completion Date: November 30,2024

Engineer's Estimate	\$1,681,395.00	
Wilson Bros. Construction, Inc., Cowley, WY	\$1,510,340.50	-10.2%

Job 4 State Project SCP-TC-BR-B233037

Work: Bridge rehabilitation on 3 bridges (deck repair and overlay, abutment and girder repair, expansion joint repair, slope paving, bridge rail modification)

Location: Various locations in Lincoln and Uinta counties

Completion Date: June 30,2025

Engineer's Estimate	\$1,245,445.00	
Reiman Corp., Cheyenne, WY	\$1,739,157.25	39.6%
Coldwater Group, Inc., Pleasant View, UT	\$1,749,114.00	
<i>Plus 5% for Comparison</i>	<i>\$1,836,569.70</i>	

Job 5 Federal Project CM-N121116

Work: New eastbound access to US 30 Port of Entry, roadway lighting installation

Location: Kemmerer Port of Entry on US 30.

Completion Date: November 30,2024

Engineer's Estimate	\$1,130,776.00	
OFTEDAL CONSTRUCTION, INC., Casper, WY	\$1,483,126.60	31.2%
Reiman Corp., Cheyenne, WY	\$1,694,756.35	

Total Estimate Cost	\$12,461,061.00
Total Low Bids	\$13,358,580.40
Total Difference	(\$897,519.40)

ENGINEERING AND PLANNING REPORT

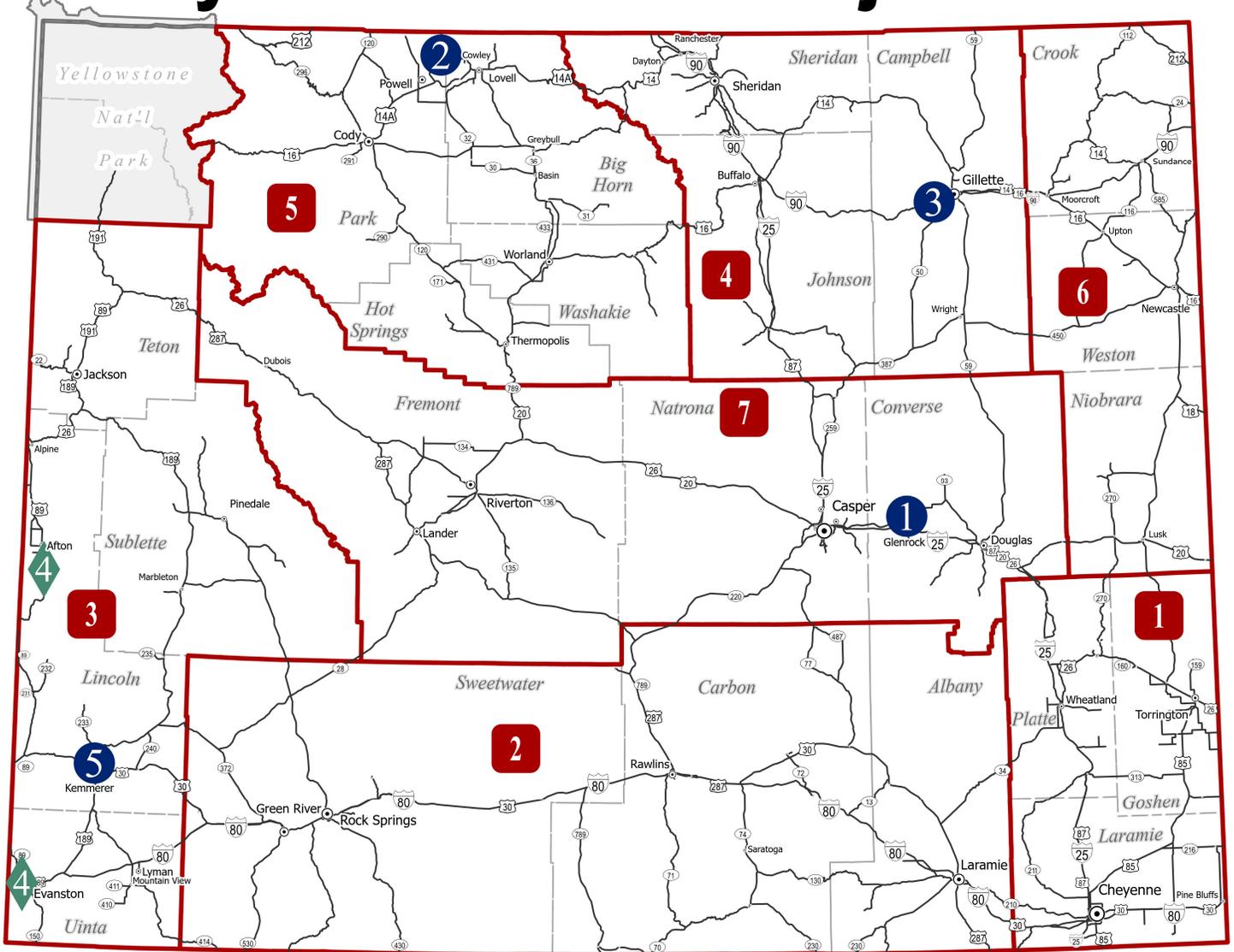
May Award Overview and Recommendations for Projects Over 20% from EE

- Job 4 State Project SCP-TC-BR-B233037 (Dist 3 Bridge Rehabilitation)
 - Low bid is 39.6% higher than EE
 - Work: Bridge rehabilitation on 3 bridges (deck repair and overlay, abutment and girder repair, expansion joint repair, slope paving, bridge rail modification)
 - Engineer Estimate is too low on mobilization and traffic control. Both bidders prices support this error with mob and TC.
 - The two low bidders are less than 1% different on actual bid price.
 - The EE was low on mob and traffic control, however, all other bid items align closely with EE and expected bid history.
 - **Recommend to award**

- Job 5 Federal Project CM-N121116 (Kemmerer Port of Entry)
 - Low bid is 31.2% higher than EE
 - Work - New eastbound access to US 30 Port of Entry, roadway lighting installation
 - An available material source was provided for unclassified excavation borrow material on a mine. Engineer estimator was not aware of the requirements to use this material from the coal mine that would require special licensing/certification for operators. It is a very small quantity. Pricing came in very high because of the risk associated with using that material or finding a different source. Both contractors are similar in price for this item.
 - There is a typo in Engineers Estimate for traffic control. Bid item estimate should be \$100,000 but only \$10,000 was used on the estimate.
 - The EE was low on mob, unclassified excavation, traffic control
 - **Recommend to award**



May Commission Projects



1 Federal Project
STP 0504020 - FY 2024 STIP
 Converse County

4 State Project
B233037 - FY 2024 STIP
 Various Counties

2 Federal Project
HSIP N345111 - FY 2024 STIP
 Big Horn County

5 Federal Project
CM N121116 - FY 2024 STIP
 Lincoln County

3 Federal Project
STP-GM B244022 - FY 2024 STIP
 Campbell County

Legend

- P** Specific projects. One location or stretch of roadway.
- Diamond** Projects with various locations.
- T** Transportation Commission District

STATE TRANSPORTATION IMPROVEMENT PROGRAM

FY-2024 ADDENDUM

MAY

“The preparation of this report has been financed in part through grant(s) from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation, under the State Planning and Research Program, Section 505 (or Metropolitan Planning Program, Section 104 (f)) of Title 23, U.S. Code. The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation.”



Wyoming Department of Transportation
 5300 Bishop Blvd
 Cheyenne, WY 82001

STATE TRANSPORTATION IMPROVEMENT PROJECTS STIP Addendum

Report ID: WYCN018

From: 5/01/2024 to: 5/05/2024

County: Fremont

Project	Comm Dist	General Location <i>Detail Location</i>	LRS ID	Beg RM	End RM	Length	Cost \$1000					Character of Work	FY	
							PE	CE	CON	Fed	St	Oth		Remarks
Changed														
NHPP	N303061	7	30	124.99	130.70	5.71	137	524	5,237	5,336	561	0	PAVEMENT REHABILITATION TO INCLUDE OVERLAY & CHIP SEAL	2024
													<i>AIRPORT SECTION/US 26</i>	
County: Fremont Totals			Total Length:	5.71	Total Cost:	\$137	\$524	\$5,237	\$5,336	\$561	\$0	\$5,897		

FY 2024 May STIP Addendum - Project Descriptions

Fremont County – N303061; FY 2028 overlay and chip seal on US 26 between Diversion Dam and Riverton; NHPP funds; requesting to move from FY 2028 to FY 2024 based on remaining funding in FY 2024 allows for an additional project to be let

Transportation Commission

Meeting Information



Thank you for attending!