

CHAPTER 27

Original House Bill No. 45

MOTOR CARRIERS

AN ACT to amend and re-enact sub-sections (h), (p) and (q), Section 60-1302, Wyoming Compiled Statutes, 1945, concerning the definitions of Highway, Private Motor Carrier and Interstate Motor Carrier, and providing for the definition of State Highway: and to amend and re-enact Section 60-1327, Wyoming Compiled Statutes, 1945, as amended and re-enacted by Section 3, Chapter 164, Session Laws of Wyoming, 1957, concerning compensatory fees for use of state highways.

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

Definitions

Section 1. That sub-sections (h), (p) and (q) of Section 60-1302, Wyoming Compiled Statutes, 1945, be amended and re-enacted to read as follows:

(h)—(1) Highway. Any road, thoroughfare, or public way of any kind in the State.

(h)—(2) State Highway. Any highway, as now or hereafter designated as a Wyoming State Highway by the State Highway Commission under the Laws of Wyoming.

(p) Private Motor Carrier. Any motor carrier, other than a common, contract or interstate motor carrier, transporting, without reward or compensation for such transportation over the highways

of this State his employees or property sold or to be sold, or purchased or otherwise acquired by him in the furtherance of any private commercial enterprise, or property transported by the owner, lessee or bailee for the purpose of lease, rent or bailment, or in the transportation of supplies, equipment or any other property not herein enumerated, used in the furtherance of any private industry or enterprise.

(q) Interstate Motor Carrier. Any motor carrier, other than a common or contract motor carrier, engaged in the transportation of persons or property, by motor vehicle, from one state to another.

Schedule of Fees For Use of Highways

Section 2. That Section 60-1327, Wyoming Compiled Statutes, 1945, as amended and re-enacted by Section 3, Chapter 164, Session Laws of Wyoming, 1957, be amended and re-enacted to read as follows:

(a) In addition to all fees and taxes now imposed by authority of law upon all motor vehicles, semi-trailers and trailers, or motor carriers in this State, and in addition to the fees herein provided to be paid to the Commission, every motor carrier operating on any State highway shall pay to the State Board of Equalization, for maintenance, repair and reconstruction of the highways, the following compensatory fees for the use of such State highways:

For freight or express service, for motor vehicles or legal combinations of vehicles powered with motors using gasoline for fuel and

(1) Having an unladen weight of four thousand (4,000) pounds or less and for vehicles used in performing towing and wrecker service in connection with the movement of wrecked or disabled vehicles, the compensatory fee shall be Five Dollars (\$5.00) per year or at the rate of fifty cents (\$.50) per month for the number of months remaining in the calendar year in which the permit is issued or renewed.

(2) Having an unladen weight of more than 4,000 pounds and less than 6,000 pounds, the compensatory fee shall be \$10.00 per year or at the rate of \$1.00 per month for the number of months remaining in the calendar year in which the permit is issued or renewed.

(3) Having an unladen weight of more than 6,000 pounds and less than 7,000 pounds, the compensatory fee shall be \$15.00 per year or at the rate of \$1.50 per month for the number of months remaining in the calendar year in which the permit is issued or renewed.

(4) Having an unladen weight of more than 7,000 pounds, the compensatory fee shall be at the rate of one and one-half mills per ton mile on the unladen weight of the vehicle or legal combination of vehicles.

For passenger service for motor vehicles or legal combinations of motor vehicles powered with motors using gasoline for fuel, the compensatory fee shall be at the rate of one and seven-tenths cents (\$.017) per mile traveled on Wyoming State highways by said vehicle.

For freight or express service, for motor vehicles or legal combinations of vehicles not using gasoline for fuel, the compensatory fee shall be at the rate of one and one-half mills per ton mile on the unladen weight of the vehicle or legal combination of vehicles to which is hereby added an additional fee on special fuels of seven cents per gallon on diesel fuel and five cents per gallon on butane or propane or mixture thereof.

All persons, firms, partnerships or corporations shall report monthly on forms prescribed by the State Board of Equalization on all special fuels used stating gallonage purchased, total mileage traveled and total number of miles traveled on State highways in Wyoming and the average vehicle mileage per gallon.

In the event any special fuel user who refuses or fails to file a return required by this Act within the time prescribed shall upon conviction be deemed guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$100.00) or a sum equal to twenty-five per cent (25%) of the tax due whichever is greater together with interest at the rate of one per cent (1%) per month.

twenty-five per cent (25%) of the tax due whichever is greater together with interest at the rate of one per cent (1%) on the tax due for each calendar month or fraction thereof, on a second or further violation of this Act upon conviction shall be deemed guilty of a misdemeanor and punished as herein provided and in addition shall report monthly for the next calendar year thereafter at the rate of one and one-half cents per vehicle mile traveled on State highways.

For passenger service for motor vehicles or legal combinations of motor vehicles powered with motors not using gasoline for fuel, the compensatory fee shall be at the rate of two and one-half cents (\$.025) per mile traveled on Wyoming State highways by said vehicle.

For the purpose of determining the number of ton miles, the unladen weight in pounds of the vehicle or combination of vehicles shall be multiplied by the number of miles of travel on State highways, the product of which shall be divided by two thousand (2,000).

Vehicle mile means the number of miles traveled on Wyoming State highways by a truck or tractor or other unit providing motive power, or a combination of units, one of which units provides motive power for the combination.

Approved February 6, 1959.