

HOUSE BILL 17, 1979

Title:

AN ACT to amend W.S. 31-4-101(a) introductory paragraph and (iv), 31-4-501(a) introductory paragraph and (i), 31-5-102(a) (iii), (iv) and (vi) and by creating a new paragraph (lvii), 31-5-116(o) and by creating a new subsection (s), 31-5-912, 31-5-913(a), 31-5-914(a), 31-5-915, 31-5-923(b), 31-5-927(a) introductory paragraph and (b), 31-5-930 by creating a new subsection (b), 31-5-932(a), 31-5-950(a) (i), (ii) and (iv), 31-7-102(a) introductory paragraph and (v) and (xviii) and 31-7-109 by creating a new subsection (e) relating to motor vehicles; providing for a definition of moped; providing that mopeds are exempt from vehicle registration and licensing; providing that mopeds are subject to highway traffic regulations; providing that moped operators are exempt from protective headgear requirements; providing that a moped operator be properly licensed with a valid drivers license; and providing for an effective date.

HOUSE BILL 17, 1979

Introduced by:

William A. Roy *Alvin Fraser*
William S. Curry *Grant L. Sanders*
Robert J. Green *Douglas W. Chamberlain*

DATE	ACTION	DATE	ACTION
JAN 9 1979	READ FIRST TIME	2-1-79	READ SECOND TIME
	REFERRED TO COM. NO. 8	2-2-79	READ THIRD TIME
	DELIVERED TO COM. NO. 8		
JAN 17 1979	RETURNED		PASSED AYES 26 NOES 2 EXCUSED 2 ABSENT 0
	Recommended Amend and Do Pass		SENT TO HOUSE
	PLACED ON GENERAL FILE		
JAN 18 1979	CONSIDERED IN COM OF WHOLE	FEB 2 1979	RECEIVED FROM SENATE
	Stated a Com. Amendment HB 17 HSI/A		SENT TO LSO FOR ENROLLING
	ADOPTED		RECEIVED FROM LSO ENROLLED
	RECOMMENDED DO.....PASS		MEA NO. 11
JAN 18 1979	READ SECOND TIME		SIGNED BY SPEAKER 2-3-79
JAN 24 1979	READ THIRD TIME		SIGNED BY PRESIDENT 2-3-79
	PASSED AYES 55 NOES 7 EXCUSED 0 ABSENT 0		APPROVED BY GOVERNOR 26-79 9:12am
	Amended to Senate		CHAPTER NO. 13 SESSION LAWS OF WYOMING
1-20-79	ENGROSSED		DTS/H6017
1-22-79	Received from House Read first time Referred to Com. No. 8 Delivered to Com. No. 8		
1-30-79	STANDING COMM. REPORT		
	DO PASS		
1-31-79	CONSIDERED ON COM. OF WHOLE		
	LAID BACK ON GENERAL FILE W/ HSI/A		
1-31-79	CONSIDERED ON COM. OF WHOLE		
	DO PASS		

11 Date 2/18/79

Roll Call of the Senate

of the FORTY-FIFTH LEGISLATURE

of Wyoming

	Excused	Absent	Ayes	Noes
31 ARNEY			✓	
30 BOYLE			✓	
29 BUSSART			✓	
28 CHRISTENSEN			✓	
27 CUNDALL			✓	
26 DAILY			✓	
25 DOWNING			✓	
24 FRISBY			✓	
23 GEIS			✓	
22 MAJHANOVICH			✓	
21 MCDANIEL			✓	
20 MOORE			✓	
19 MURRAY	✓			
18 NICHOLAS			✓	
17 NICHOLS			✓	
16 NORRIS			✓	
15 NORTHRUP			✓	
14 NOVOTNY			✓	
13 PARKS			✓	
12 PECK			✓	
11 PROFFIT			✓	
10 RECTOR	✓			
9 SADLER			✓	
8 SEDAR			✓	
7 STAFFORD				
6 STROOCK			✓	
5 TAGGART			✓	
4 TRUE			✓	
3 TURNER			✓	
2 ZIMMER			✓	✓
1 MR. PRESIDENT			✓	✓

PRESENT _____

AYES 25

NOES 2

EXCUSED 2

ABSENT 2

9/B 17Phurid ReadingDate 1/20/79

Roll Call of the House

of the FORTY-FIFTH LEGISLATURE
of Wyoming

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 ARNOLD	✓				28 O'NEIL	✓			
62 ASAY	✓				27 ORRISON	✓			
61 BRAGG	✓				26 PERRY	✓			
60 BRYANT	✓				25 PHELAN	✓			
59 BURNETT	✓				24 PROSSER	✓			
58 CHAMBERLAIN	✓	✓			23 ROTH	✓	✓		
57 CROSS	✓				22 SALISBURY	✓			
56 CROWLEY	✓				21 SANDERS	✓			
55 CURRY	✓				20 SCHWOPE	✓			
54 DONLEY	✓				19 C. SCOTT	✓			
53 DUSL	✓				18 D. SCOTT	✓			
52 EDWARDS	✓				17 SHREVE	✓			
51 ESKENS	✓				16 SIDI	✓			
50 GARBER	✓				15 SIMONS	✓			
49 GETTER	✓				14 SMITH	✓			
48 GROPP	✓				13 SPICER	✓			
47 HANSEN	✓				12 STAUFFER	✓			
46 HEMMERT	✓				11 STRAND	✓	✓		
45 HUNTER	✓				10 TARTER	✓			
44 HURSH	✓				9 THORSON	✓			
43 JENNINGS	✓				8 TROWBRIDGE	✓			
42 JENSEN	✓				7 TUGMAN	✓	✓		
41 JONES	✓				6 URBIGKIT	✓	✓		
40 KINNISON	✓				5 VINICH	✓	✓		
39 LARSON	✓				4 WIEDERSPAHN	✓			
38 LUMMIS	✓				3 WILKINS	✓			
37 MacMILLAN	✓				2 WINNINGER	✓			
36 MARTON	✓				1 MR. SPEAKER	✓			
35 McILVAIN	✓								
34 McMILLAN	✓								
33 MEENAN	✓	✓							
32 MICHELI	✓								
31 MICHIE	✓								
30 MORTON	✓								
29 MURPHY	✓								

PRESENT _____

AYES 55NOES 78

EXCUSED _____

ABSENT _____

TOTAL 62

LESS _____

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

Cheyenne, January 16, 1979.

Mr. Speaker:

Your Committee No. 8 on Transportation and Highways
to whom was referred H.B. No. 17 - Mopeds
respectfully reports same back to the House with the recommendation that it DO PASS with the
following amendments:

Page 1, line8-- Delete "and" insert a comma " , " .

line9-- After "(xviii)" insert " and 31-7-109 by creating a new subsection
(e)" .

Page 2, line3-- Delete "comma", " Class "M" " .

line12-- Delete "and" insert a comma " , " .

line13-- After "(xviii)" insert "and 31-7-109 by creating a new subsection
(e)" .

Page 12 -----After line 19 insert:

"31-7-109. Classes of licenses.

(e) ANY PERSON LICENSED TO OPERATE ANY ONE (1) CLASS OF VEHICLE
PURSUANT TO SUBSECTION (c) OF THIS SECTION MAY OPERATE A MOPED
UPON THE STREETS AND HIGHWAYS OF THIS STATE. " .

AYES

Curry
Dusl
Getter
Jensen
Trowbridge
Cross

NOES

Chamberlain
Roth

EXCUSED

Sanders

William A. "Rocky" Cross
WILLIAM A "ROCKY" CROSS
Chairman
183

HB 17

EC 7/17/29

HB17HS1/A

- ✓ Page 1-line 8 Delete "and" insert a comma ",".
- ✓ Page 1-line 9 After "(xviii)" insert "and 31-7-109 by creating a new subsection (e)".
- ✓ Page 2-line 3 Delete comma ", Class "M".
- ✓ Page 2-line 12 Delete "and" insert a comma ",".
- ✓ Page 2-line 13 After "(xviii)" insert "and 31-7-109 by creating a new subsection (e)".
- ✓ Page 12-after line 19 Insert:

"31-7-109. Classes of licenses.

Insert ①

(e) ANY PERSON LICENSED TO OPERATE ANY ONE (1) CLASS OF VEHICLE PURSUANT TO SUBSECTION (c) OF THIS SECTION MAY OPERATE A MOPED UPON THE STREETS AND HIGHWAYS OF THIS STATE.

-CROSS, CHAIRMAN *RCJ*

House of Intro
 _____ To Com No. _____
 _____ Stand Report Do _____ Amd _____ Not _____
 _____ Com Whole Do _____ Amd _____ Not _____
 _____ 2nd Reading Amd _____
 _____ 3rd Reading Amd _____ Pass _____ Fail _____

Second House
 _____ To Com No. _____
 _____ Stand Report Do _____ Amd _____ Not _____
 _____ Com Whole Do _____ Amd _____ Not _____
 _____ 2nd Reading Amd _____
 _____ 3rd Reading Amd _____ Pass _____ Fail _____

INTRODUCED

1979

STATE OF WYOMING

79LSO-018.01

HOUSE BILL NO. 17

Mopeds.

Sponsored by: JOINT TRANSPORTATION & HIGHWAYS INTERIM
 COMMITTEE

A BILL

for

1 AN ACT to amend W.S. 31-4-101(a) introductory paragraph
 2 and (iv), 31-4-501(a) introductory paragraph and (i),
 3 31-5-102(a)(iii), (iv) and (lvi) and by creating a new
 4 paragraph (lvii), 31-5-116(o) and by creating a new sub-
 5 section (s), 31-5-912, 31-5-913(a), 31-5-914(a), 31-5-915,
 6 31-5-923(b), 31-5-927(a) introductory paragraph and (b),
 7 31-5-930 by creating a new subsection (b), 31-5-932(a),
 8 31-5-950(a)(i), (ii) and (iv) and 31-7-102(a) introductory
 9 paragraph and (v) and (xviii) relating to motor vehicles;
 10 providing for a definition of moped; providing that mopeds
 11 are exempt from vehicle registration and licensing; pro-
 12 viding that mopeds are subject to highway traffic regula-
 13 tions; providing that moped operators are exempt from pro-

1 tective headgear requirements; providing that a moped
2 operator be properly licensed with a valid drivers li-
3 cense, Class "M"; and providing for an effective date.

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

5 Section 1. W.S. 31-4-101(a) introductory paragraph
6 and (iv), 31-4-501(a) introductory paragraph and (i),
7 31-5-102(a)(iii), (iv) and (lvi) and by creating a new
8 paragraph (lvii), 31-5-116(o) and by creating a new sub-
9 section (s), 31-5-912, 31-5-913(a), 31-5-914(a), 31-5-915,
10 31-5-923(b), 31-5-927(a) introductory paragraph and (b),
11 31-5-930 by creating a new subsection (b), 31-5-932(a),
12 31-5-950(a)(i), (ii) and (iv) and 31-7-102(a) introductory
13 paragraph and (v) and (xviii) are amended to read:

14 31-4-101. Definitions generally.

15 (a) ~~The words and phrases used in chapter 3, title~~
16 ~~31, Wyoming statutes, shall be construed as follows~~ AS
17 USED IN W.S. 31-4-101 THROUGH 31-4-1109:

18 (iv) "Motorcycle" ~~shall include~~ INCLUDES every
19 motor vehicle having two (2) wheels and designed to be
20 ridden astride by one (1) person but which may be fitted
21 with a seat ~~se-as~~ to accommodate a single passenger riding
22 immediately behind the operator, or which may have
23 ~~attached--thereto~~ a sidecar ATTACHED for the purpose of

1 transporting a single passenger. For the purpose of
2 registration, "MOTORCYCLE" INCLUDES motorized bicycles and
3 scooters ~~shall also be classified as motorcycles~~ BUT NOT
4 MOPEDS AS DEFINED BY W.S. 31-5-102(a)(lvii). MOPEDS ARE
5 EXEMPT FROM THE PROVISIONS OF W.S. 31-4-101 THROUGH
6 31-4-1109;

7 31-4-501. Definitions.

8 (a) ~~The following words and phrases, when~~ AS used in
9 ~~this act shall, for the purpose of this act, have the~~
10 ~~meaning respectively ascribed, as follows, to wit~~ W.S.
11 31-4-108, 31-4-501 THROUGH 31-4-504 AND 31-4-507 THROUGH
12 31-4-509, THE FOLLOWING MEANS:

13 (i) "Motor Vehicle". - ~~Every~~ ANY vehicle
14 intended primarily for use and operation on the public
15 highways which is self-propelled, ~~and~~ and every vehicle
16 intended primarily for operation on the public highways
17 which is not driven or propelled by its own power, but
18 which is designed either to be attached to and become a
19 part of, or to be drawn by a self-propelled vehicle, ~~but~~
20 "MOTOR VEHICLE" DOES not ~~including~~ INCLUDE farm tractors
21 or other implements used exclusively for farm husbandry,
22 NOR MOPEDS AS DEFINED BY W.S. 31-5-102(a)(vii);

1 31-5-102. Definitions.

2 ~~(a) The following words and phrases when used in~~
3 ~~this act shall~~ For the purpose PURPOSES of this act, have
4 ~~the meanings respectively ascribed, as follows, to wit~~
5 FOLLOWING MEANS:

6 (iii) "Motorcycle". - ~~Every~~ ANY motor vehicle,
7 EXCLUDING MOPEDS AND TRACTORS, having a seat or saddle for
8 the use of the rider and designed to travel on not more
9 than three (3) wheels in contact with the ground; ~~but~~
10 ~~excluding a tractor,~~

11 (iv) "Motor-Driven Cycle". - ~~Every~~ ANY motor-
12 cycle, including ~~every~~ motor ~~seeter~~ SCOOTERS BUT EXCLUD-
13 ING MOPEDS, with a motor which produces not to exceed FIVE
14 (5) brake horsepower; ~~and every bicycle with motor~~
15 ~~attached,~~

16 (lvi) "Park". - When prohibited, means the
17 standing of a vehicle, whether occupied or not, otherwise
18 than temporarily for the purpose of and while actually
19 engaged in loading or unloading; ~~and~~

20 (lvii) "MOPED". - A VEHICLE EQUIPPED WITH
21 TWO (2) OR THREE (3) WHEELS, FOOT PEDALS TO PERMIT MUS-
22 CULAR PROPULSION BY HUMAN POWER, AN AUTOMATIC TRANSMISSION

1 AND A MOTOR WITH CYLINDER CAPACITY NOT EXCEEDING FIFTY
2 (50) CUBIC CENTIMETERS PRODUCING NO MORE THAN TWO (2)
3 BRAKE HORSEPOWER, WHICH MOTOR IS CAPABLE OF PROPELLING THE
4 VEHICLE AT A MAXIMUM SPEED OF NO MORE THAN THIRTY (30)
5 MILES PER HOUR ON A LEVEL ROAD SURFACE.

6 31-5-116. Operation of motorcycles.

7 (o) No person shall operate or ride nor shall the
8 operator permit a person to ride upon a motorcycle unless
9 he is wearing protective headgear securely fastened on his
10 head, and of a type which complies with standards estab-
11 lished by the Wyoming highway commission. This subsection
12 shall not apply to persons riding within an enclosed cab
13 NOR TO PERSONS OPERATING OR RIDING A MOPED. This subsec-
14 tion shall only apply to motorcycles used on public high-
15 ways, streets and thoroughfares.

16 (s) THE PROVISIONS OF THIS SECTION APPLY TO MOPEDS
17 AS DEFINED BY W.S. 31-5-102(a)(lvii), UNLESS OTHERWISE
18 PROVIDED.

19 31-5-912. Head lamps on motor vehicles.

20 (a) ~~Every~~ A motor vehicle other than a motorcycle,
21 ~~or~~ motor-driven cycle OR MOPED, shall be equipped with at
22 least two (2) head lamps with at least one (1) on each

1 side of the front of the motor vehicle, which head lamps
2 shall comply with the requirements and limitations set
3 forth-in OF this section.

4 (b) Every A motorcycle, and-every motor-driven cycle
5 OR MOPED shall be equipped with at least one (1) and not
6 more than two (2) head lamps which shall comply with the
7 requirements and limitations of this section.

8 (c) Every A head lamp upon every ANY motor vehicle,
9 including every ANY motorcycle, and motor-driven cycle OR
10 MOPED, shall be located at a height measured from the
11 center of the head lamp of not more than fifty-four (54)
12 inches nor less than twenty-one (21) inches to be mea-
13 sured as set-forth-in-section-105--(b) PROVIDED BY W.S.
14 31-5-911(b).

15 31-5-913. Tail lamps.

16 (a) Every A motor vehicle OTHER THAN A MOPED, BUT
17 INCLUDING ANY trailer, semitrailer, and pole trailer, and
18 any other vehicle which is being drawn at the end of a
19 train of vehicles, shall be equipped with at least one (1)
20 tail lamp mounted on the rear, which, when lighted as
21 hereinbefore required BY W.S. 31-5-910, shall-emit EMITS
22 a red light plainly visible from a distance of five hun-
23 dred (500) feet to the rear, --provided-that In the case

1 of a train of vehicles only the tail lamp on the rearmost
2 vehicle need ~~actually~~ be seen from the distance specified.
3 ~~And--further,~~ MOPEDS SHALL HAVE AT LEAST ONE (1) TAIL LAMP
4 WHICH WHEN LIGHTED AS REQUIRED BY W.S. 31-5-910, EMITS A
5 RED LIGHT VISABLE FROM A DISTANCE OF TWO HUNDRED FIFTY
6 (250) FEET TO THE REAR. Every such above-mentioned vehi-
7 cle, other than a truck tractor OR A MOPED, registered in
8 this state and manufactured or assembled after January 1,
9 1956 shall be equipped with at least two (2) tail lamps
10 mounted on the rear, which when lighted as ~~herein~~
11 required, ~~shall~~ comply with the provisions of this
12 section.

13 31-5-914. New motor vehicles to be equipped with
14 reflectors.

15 (a) ~~Every~~ ANY new motor vehicle ~~hereafter~~ sold and
16 operated upon a highway ~~other-than-a~~ EXCLUDING truck ~~trae-~~
17 ~~ter,~~ TRACTORS AND VEHICLES SPECIFIED IN W.S. 31-5-917,
18 shall carry on the rear, either as a part of the tail
19 lamps or separately, two (2) red reflectors. ~~7-except-that~~
20 ~~every-motoreycle-and-every~~ MOTORCYCLES, motor-driven ~~eyele~~
21 CYCLES OR MOPEDS shall carry at least one (1) reflector,
22 meeting the requirements of this section. ~~7-and-except~~
23 ~~that-vehicles-of-the-type-mentioned-in-section--111--shall~~
24 ~~be--equipped-with-reflectors-as-required-in-these-sections~~

1 ~~applicable thereto.~~

2 31-5-915. Stop lamps and turn signals required on
3 new motor vehicles.

4 ~~(a) From--and--after--January--1,--1956,--it--shall--be~~
5 ~~unlawful--for--any~~ NO person ~~to~~ SHALL sell any new motor
6 vehicle OR OPERATE ANY MOTOR VEHICLE ON THE HIGHWAYS,
7 including any motorcycle, ~~or~~ motor-driven cycle OR MOPED,
8 ~~in--this--state--or--for--any--person--to--drive--such--vehicle--on~~
9 ~~the--highways~~ unless it is equipped with at least one (1)
10 lamp meeting THE requirements of ~~section--120~~ W.S.
11 31-5-926.

12 (b) No person shall sell or offer for sale or oper-
13 ate on the highways any motor vehicle, trailer, or semi-
14 trailer registered in this state and manufactured or
15 assembled after January 1, 1956, unless it is equipped
16 with mechanical or electrical turn signals meeting the
17 requirements of ~~section--120~~ W.S. 31-5-926. This paragraph
18 SUBSECTION shall not apply to any motorcycle, ~~or~~ motor-
19 driven cycle OR MOPED.

20 31-5-923. Parked vehicles.

21 ~~(b) Whenever--a~~ ANY vehicle ~~is~~ parked or stopped upon
22 a roadway or ADJACENT shoulder, ~~adjacent--thereto,~~ whether

1 attended or unattended, during the hours between a-half
2 ONE-HALF (1/2) hour after sunset and a-half ONE-HALF (1/2)
3 hour before sunrise, and there is not sufficient light to
4 reveal any person or object within a distance of five hun-
5 dred (500) feet upon ~~such~~ THE highway, ~~such-vehicle-as~~
6 ~~parked-or-stopped~~ shall be equipped with one (1) or more
7 lamps. ~~meeting--the-following-requirements.~~ At least one
8 (1) lamp shall display a white or amber light visible from
9 a distance of five hundred (500) feet to the front of the
10 vehicle, and the same lamp or at least one (1) ~~either~~ ADDI-
11 TIONAL lamp shall display a red light visible from a dis-
12 tance of five hundred (500) feet to the rear of the vehi-
13 cle. ~~and-the-location-of-said-lamp-or-lamps-shall-always~~
14 ~~be-such-that~~ At least one (1) lamp or combination of lamps
15 meeting the requirements of this ~~section-is~~ SUBSECTION
16 SHALL BE installed as near as practicable to the side of
17 the vehicle ~~which--is~~ closest to passing traffic. ~~The~~
18 ~~foregoing-provisions~~ THIS SUBSECTION shall not apply to a
19 motor-driven ~~cycle~~ CYCLES OR MOPEDS.

20 31-5-927. Multiple-beam road-lighting equipment.

21 (a) Except as ~~hereinafter~~ OTHERWISE provided, the
22 head lamps, ~~or~~ the auxiliary driving lamp, ~~or~~ the auxil-
23 iary passing lamp or combination thereof on motor vehicles
24 other than motorcycles, ~~or~~ motor-driven cycles OR MOPEDS

1 shall be ~~so~~ arranged ~~that~~ TO ENABLE the driver may TO
2 select at will between distributions of light projected to
3 different elevations. ~~and-such~~ THE lamps may, ~~in-addition,~~
4 be ~~so~~ arranged IN ORDER that such selection can be made
5 automatically subject to the following limitations:

6 (b) ~~Every~~ ANY new motor vehicle, other than a motor-
7 cycle, ~~or~~ motor-driven cycle OR MOPED, ~~registered-in--this~~
8 ~~state--after--January--17--1956,~~ which has multiple-beam
9 road-lighting equipment shall be equipped with a beam
10 indicator, ~~--which--shall~~ TO be lighted whenever ONLY WHEN
11 the uppermost distribution of light from the head lamps is
12 in use, ~~7-and-shall-not-otherwise-be--lighted,---Said~~ THE
13 indicator shall be ~~so~~ designed and located that when
14 lighted it ~~will-be~~ IS readily visible without glare to the
15 driver of the vehicle. ~~so-equipped.~~

16 31-5-930. Equipment on motor-driven cycles; mopeds.

17 (b) A MOPED SHALL BE EQUIPPED WITH A HEAD LAMP OF
18 THE SINGLE-BEAM TYPE OF SUFFICIENT INTENSITY TO RENDER
19 DISCERNABLE A PERSON OR VEHICLE AT A DISTANCE OF NOT LESS
20 THAN ONE HUNDRED (100) FEET.

21 31-5-932. Number of driving lamps.

1 (a) At all times specified in ~~section--104~~ W.S.
2 31-5-910, at least two (2) lighted lamps shall be dis-
3 played, one (1) on each side at the front of every motor
4 vehicle other than a motorcycle, ~~or~~ motor-driven cycle OR
5 MOPED, except when ~~such~~ THE vehicle is parked subject to
6 the regulations governing lights on parked vehicles.

7 31-5-950. Brakes generally.

8 (a) Brake equipment required. - (i) ~~Every~~ ANY motor
9 vehicle, other than a motorcycle, ~~or~~ motor-driven cycle OR
10 MOPED, when operated upon a highway shall be equipped with
11 brakes adequate to control the movement of and to stop
12 and hold ~~such~~ THE vehicle, including two (2) separate
13 means of applying the brakes, each of which means shall be
14 effective to apply the brakes to at least two (2) wheels.
15 If these two (2) separate means of applying the brakes
16 are connected in any way, they shall be ~~so~~ constructed IN
17 ORDER that failure of any one (1) part of the operating
18 mechanism ~~shall~~ DOES not leave the motor vehicle without
19 brakes on at least two (2) wheels.

20 (ii) ~~Every~~ ANY motorcycle, ~~and-every~~ motor-
21 driven cycle OR MOPED, when operated upon a highway, shall
22 be equipped with at least one (1) brake, which may be
23 operated by hand or foot.

(iv) Every ANY new motor vehicle, trailer, or semitrailer hereafter sold in this state and operated upon the highways shall be equipped with service brakes upon all wheels of every-such THE vehicle, except-any-motor-eyele-or EXCLUDING MOTORCYCLES, motor-driven eyele CYCLES, MOPEDS and except-that--any--semitrailer SEMITRAILERS of less than one thousand five hundred (1,500) pounds gross weight. need-not-be-equipped-with-brakes.

9 31-7-102. Definitions.

10 (a) As used in this act: ~~7-unless-the-content-otherwise-~~
11 ~~wise-requires-or-unless-otherwise-specifically-noted,~~

(v) "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, ~~but~~ excluding a tractor and golf cart. FOR PURPOSES OF THIS ACT, "MOTORCYCLE" INCLUDES MOPEDS AS DEFINED BY W.S. 31-5-102(a)(lviii);

18 (xviii) "This act" means W.S. ~~31-276-1~~
19 31-7-101 through ~~31-276-37~~ 31-7-138.

20 Section 2. This act is effective May 25, 1979.

21 (END)

FISCAL NOTE

Anticipated <u>REVENUE</u> to:	Fiscal Year 19	Fiscal Year 19
TOTAL ESTIMATED REVENUE	=====	=====
Anticipated <u>COST</u> to:	Fiscal Year 19	Fiscal Year 19
TOTAL ESTIMATED COST	=====	=====

1. If this measure is enacted, there would be a minimal financial impact involved in revising the current drivers' license manual.
2. No apparent personnel impact.

ENGROSSED

1979

STATE OF WYOMING

79LS0-018/eng

HOUSE BILL NO. 17

Mopeds.

Sponsored by: JOINT TRANSPORTATION & HIGHWAYS INTERIM
COMMITTEE

A BILL

for

1 AN ACT to amend W.S. 31-4-101(a) introductory paragraph
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9 paragraph and (v) and (xviii) and 31-7-109 by creating a
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11 for a definition of moped; providing that mopeds are
12 exempt from vehicle registration and licensing; providing

1 that mopeds are subject to highway traffic regulations;
2 providing that moped operators are exempt from protective
3 headgear requirements; providing that a moped operator be
4 properly licensed with a valid drivers license; and pro-
5 viding for an effective date.

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

7 Section 1. W.S. 31-4-101(a) introductory paragraph
8 and (iv), 31-4-501(a) introductory paragraph and (i),
9 31-5-102(a)(iii), (iv) and (lvi) and by creating a new
10 paragraph (lvii), 31-5-116(o) and by creating a new sub-
11 section (s), 31-5-912, 31-5-913(a), 31-5-914(a), 31-5-915,
12 31-5-923(b), 31-5-927(a) introductory paragraph and (b),
13 31-5-930 by creating a new subsection (b), 31-5-932(a),
14 31-5-950(a)(i), (ii) and (iv), 31-7-102(a) introductory
15 paragraph and (v) and (xviii) and 31-7-109 by creating a
16 new subsection (e) are amended to read:

17 31-4-101. Definitions generally.

18 (a) ~~The words and phrases used in chapter --3-- title~~
19 ~~31--Wyoming--statutes--shall--be--construed--as--follows~~ AS
20 USED IN W.S. 31-4-101 THROUGH 31-4-1109:

21 (iv) "Motorcycle" ~~shall include~~ INCLUDES every
22 motor vehicle having two (2) wheels and designed to be

1 ridden astride by one (1) person but which may be fitted
2 with a seat ~~so as~~ to accommodate a single passenger riding
3 immediately behind the operator, or which may have
4 ~~attached--thereto~~ a sidecar ATTACHED for the purpose of
5 transporting a single passenger. For the purpose of
6 registration, "MOTORCYCLE" INCLUDES motorized bicycles and
7 scooters ~~shall--also-be-classified-as-motorcycles~~ BUT NOT
8 MOPEDS AS DEFINED BY W.S. 31-5-102(a)(1vii). MOPEDS ARE
9 EXEMPT FROM THE PROVISIONS OF W.S. 31-4-101 THROUGH
10 31-4-1109;

11 31-4-501. Definitions.

12 (a) ~~The following words and phrases, when AS used in~~
13 ~~this act shall, for the purpose of this act, have the~~
14 ~~meaning respectively ascribed, as follows, to wit W.S.~~
15 31-4-108, 31-4-501 THROUGH 31-4-504 AND 31-4-507 THROUGH
16 31-4-509, THE FOLLOWING MEANS:

17 (i) "Motor Vehicle". - Every ANY vehicle
18 intended primarily for use and operation on the public
19 highways which is self-propelled, † and every vehicle
20 intended primarily for operation on the public highways
21 which is not driven or propelled by its own power, but
22 which is designed either to be attached to and become a
23 part of, or to be drawn by a self-propelled vehicle, †-but

1 "MOTOR VEHICLE" DOES not ~~including~~ INCLUDE farm tractors
2 or other implements used exclusively for farm husbandry;
3 NOR MOPEDS AS DEFINED BY W.S. 31-5-102(a)(vii);

4 31-5-102. Definitions.

5 (a) ~~The--following--words--and--phrases--when--used--in~~
6 ~~this--act--shall~~ For the purpose PURPOSES of this act, have
7 the meanings--respectively--ascribed--as--follows--to--wit
8 FOLLOWING MEANS:

9 (iii) "Motorcycle". - Every ANY motor vehicle;
10 EXCLUDING MOPEDS AND TRACTORS; having a seat or saddle for
11 the use of the rider and designed to travel on not more
12 than three (3) wheels in contact with the ground; ~~v--but~~
13 ~~excluding-a-tractor~~

14 (iv) "Motor-Driven Cycle". - Every ANY motor-
15 cycle, including every motor scooter SCOOTERS BUT EXCLUD-
16 ING MOPEDS, with a motor which produces not to exceed FIVE
17 (5) brake horsepower; ~~v--and--every--bicycle--with--motor~~
18 ~~attached~~;

19 (lvi) "Park". - When prohibited, means the
20 standing of a vehicle, whether occupied or not, otherwise
21 than temporarily for the purpose of and while actually
22 engaged in loading or unloading; *

1 (lvii) "MOPED". - A VEHICLE EQUIPPED WITH
2 TWO (2) OR THREE (3) WHEELS, FOOT PEDALS TO PERMIT MUS-
3 CULAR PROPULSION BY HUMAN POWER, AN AUTOMATIC TRANSMISSION
4 AND A MOTOR WITH CYLINDER CAPACITY NOT EXCEEDING FIFTY
5 (50) CUBIC CENTIMETERS PRODUCING NO MORE THAN TWO (2)
6 BRAKE HORSEPOWER, WHICH MOTOR IS CAPABLE OF PROPELLING THE
7 VEHICLE AT A MAXIMUM SPEED OF NO MORE THAN THIRTY (30)
8 MILES PER HOUR ON A LEVEL ROAD SURFACE.

9 31-5-116. Operation of motorcycles.

10 (o) No person shall operate or ride nor shall the
11 operator permit a person to ride upon a motorcycle unless
12 he is wearing protective headgear securely fastened on his
13 head, and of a type which complies with standards estab-
14 lished by the Wyoming highway commission. This subsection
15 shall not apply to persons riding within an enclosed cab
16 NOR TO PERSONS OPERATING OR RIDING A MOPED. This subsec-
17 tion shall only apply to motorcycles used on public high-
18 ways, streets and thoroughfares.

19 (s) THE PROVISIONS OF THIS SECTION APPLY TO MOPEDS
20 AS DEFINED BY W.S. 31-5-102(a)(lvii), UNLESS OTHERWISE
21 PROVIDED.

22 31-5-912. Head lamps on motor vehicles.

1 (a) Every A motor vehicle other than a motorcycle₂
2 or motor-driven cycle OR MOPED₂ shall be equipped with at
3 least two (2) head lamps with at least one (1) on each
4 side of the front of the motor vehicle, which head lamps
5 shall comply with the requirements and limitations set
6 forth-in OF this section.

7 (b) Every A motorcycle₂ and-every motor-driven cycle
8 OR MOPED shall be equipped with at least one (1) and not
9 more than two (2) head lamps which shall comply with the
10 requirements and limitations of this section.

11 (c) Every A head lamp upon every ANY motor vehicle,
12 including every ANY motorcycle₂ and motor-driven cycle OR
13 MOPED, shall be located at a height measured from the
14 center of the head lamp of not more than fifty-four (54)
15 inches nor less than twenty-one (21) inches to be mea-
16 sured as set--forth--in-section-105-(b) PROVIDED BY W.S.
17 31-5-911(b).

18 31-5-913. Tail lamps.

19 (a) Every A motor vehicle OTHER THAN A MOPED, BUT
20 INCLUDING ANY trailer, semitrailer, and pole trailer, and
21 any other vehicle which is being drawn at the end of a
22 train of vehicles, shall be equipped with at least one (1)

1 tail lamp mounted on the rear, which when lighted as
2 hereinbefore required BY W.S. 31-5-910, ~~shall--emit~~ EMITS
3 a red light plainly visible from a distance of five hun-
4 dred (500) feet to the rear, ~~and provided that~~ In the case
5 of a train of vehicles only the tail lamp on the rearmost
6 vehicle need ~~actually~~ be seen from the distance specified.
7 ~~And-further, MOPEDS SHALL HAVE AT LEAST ONE (1) TAIL LAMP~~
8 WHICH WHEN LIGHTED AS REQUIRED BY W.S. 31-5-910, EMITS A
9 RED LIGHT VISABLE FROM A DISTANCE OF TWO HUNDRED FIFTY
10 (250) FEET TO THE REAR. Every such above-mentioned vehi-
11 cle, other than a truck tractor OR A MOPEDE, registered in
12 this state and manufactured or assembled after January 1,
13 1956 shall be equipped with at least two (2) tail lamps
14 mounted on the rear, which when lighted as herein
15 required, ~~shall~~ comply with the provisions of this
16 section.

17 31-5-914. New motor vehicles to be equipped with
18 reflectors.

19 (a) Every ANY new motor vehicle hereafter sold and
20 operated upon a highway ~~other-than-a~~ EXCLUDING truck trae-
21 tor, TRACTORS AND VEHICLES SPECIFIED IN W.S. 31-5-917,
22 shall carry on the rear, either as a part of the tail
23 lamps or separately, two (2) red reflectors, ~~and except that~~
24 ~~every-motorcycle-and-every~~ MOTORCYCLES, motor-driven cycle

1 CYCLES OR MOPEDS shall carry at least one (1) reflector
2 meeting the requirements of this section, ~~and except~~
3 ~~that vehicles of the type mentioned in section 111 shall~~
4 ~~be equipped with reflectors as required in those sections~~
5 ~~applicable thereto.~~

6 31-5-915. Stop lamps and turn signals required on
7 new motor vehicles.

8 (a) ~~From and after January 1, 1956, it shall be~~
9 ~~unlawful for any~~ NO person to SHALL sell any new motor
10 vehicle OR OPERATE ANY MOTOR VEHICLE ON THE HIGHWAYS,
11 including any motorcycle, or motor-driven cycle OR MOPEL,
12 ~~in this state or for any person to drive such vehicle on~~
13 ~~the highways~~ unless it is equipped with at least one (1)
14 lamp meeting THE requirements of ~~section 120~~ W.S.
15 31-5-926.

16 (b) No person shall sell or offer for sale or oper-
17 ate on the highways any motor vehicle, trailer, or semi-
18 trailer registered in this state and manufactured or
19 assembled after January 1, 1956, unless it is equipped
20 with mechanical or electrical turn signals meeting the
21 requirements of ~~section 120~~ W.S. 31-5-926. This paragraph
22 SUBSECTION shall not apply to any motorcycle, or motor-
23 driven cycle OR MOPEL.

1 31-5-923. Parked vehicles.

2 (b) ~~Whenever a~~ ANY vehicle ~~is~~ parked or stopped upon
3 a roadway or ADJACENT shoulder, ~~adjacent thereto,~~ whether
4 attended or unattended, during the hours between ~~a-half~~
5 ONE-HALF (1/2) hour after sunset and ~~a-half~~ ONE-HALF (1/2)
6 hour before sunrise, and there is not sufficient light to
7 reveal any person or object within a distance of five hun-
8 dred (500) feet upon ~~such~~ THE highway, ~~such--vehicle--so~~
9 ~~parked--or--stopped~~ shall be equipped with one (1) or more
10 lamps, ~~meeting the following requirements:~~ At least one
11 (1) lamp shall display a white or amber light visible from
12 a distance of five hundred (500) feet to the front of the
13 vehicle, and the same lamp or at least one (1) other ADDI-
14 TIONAL lamp shall display a red light visible from a dis-
15 tance of five hundred (500) feet to the rear of the vehi-
16 cle, ~~r-and-the-location-of-said-lamp-or-lamps-shall-always~~
17 ~~be-such-that~~ At least one (1) lamp or combination of lamps
18 meeting the requirements of this ~~section--is~~ SUBSECTION
19 SHALL BE installed as near as practicable to the side of
20 the vehicle ~~which-is~~ closest to passing traffic. The
21 ~~foregoing--provisions~~ THIS SUBSECTION shall not apply to a
22 motor-driven ~~cycle~~ CYCLES OR MOPEDS.

23 31-5-927. Multiple-beam road-lighting equipment.

1 (a) Except as ~~hereinafter~~ OTHERWISE provided, the
2 head lamps₂ ~~or~~ the auxiliary driving lamp₂ ~~or~~ the auxil-
3 iary passing lamp or combination thereof on motor vehicles
4 other than motorcycles₂ ~~or~~ motor-driven cycles OR MOPEDS
5 shall be ~~so~~ arranged ~~that~~ TO ENABLE the driver may TO
6 select at will between distributions of light projected to
7 different elevations₂ ~~and-such~~ THE lamps may~~-in-addition-~~
8 be ~~so~~ arranged IN ORDER that ~~such~~ selection can be made
9 automatically subject to the following limitations:

10 (b) ~~Every~~ ANY new motor vehicle, other than a motor-
11 cycle₂ ~~or~~ motor-driven cycle OR MOPED, ~~registered-in-this~~
12 ~~state-after--January--1--1956-~~ which has multiple-beam
13 road-lighting equipment shall be equipped with a beam
14 indicator~~-which-shall~~ TO be lighted ~~whenever~~ ONLY WHEN
15 the uppermost distribution of light from the head lamps is
16 in use₂ ~~-and-shall-not-otherwise-be-lighted-~~ ~~Said~~ THE
17 indicator shall be ~~so~~ designed and located that when
18 lighted it ~~will-be~~ IS readily visible without glare to the
19 driver of the vehicle₂ ~~so-equipped-~~

20 31-5-930. Equipment on motor-driven cycles; mopeds.

21 (b) A MOPED SHALL BE EQUIPPED WITH A HEAD LAMP OF
22 THE SINGLE-BEAM TYPE OF SUFFICIENT INTENSITY TO RENDER

1 DISCERNABLE A PERSON OR VEHICLE AT A DISTANCE OF NOT LESS
2 THAN ONE HUNDRED (100) FEET.

3 31-5-932. Number of driving lamps.

4 (a) At all times specified in ~~section--104 W.S.~~
5 31-5-910, at least two (2) lighted lamps shall be dis-
6 played, one (1) on each side at the front of every motor
7 vehicle other than a motorcycle, or motor-driven cycle OR
8 MOPED, except when ~~such~~ THE vehicle is parked subject to
9 the regulations governing lights on parked vehicles.

10 31-5-950. Brakes generally.

11 (a) Brake equipment required. - (i) ~~Every~~ ANY motor
12 vehicle, other than a motorcycle, or motor-driven cycle OR
13 MOPED, when operated upon a highway shall be equipped with
14 brakes adequate to control the movement of and to stop
15 and hold ~~such~~ THE vehicle, including two (2) separate
16 means of applying the brakes, each of which means shall be
17 effective to apply the brakes to at least two (2) wheels.
18 If these two (2) separate means of applying the brakes
19 are connected in any way, they shall be ~~so~~ constructed IN
20 ORDER that failure of any one (1) part of the operating
21 mechanism ~~shall~~ DOES not leave the motor vehicle without
22 brakes on at least two (2) wheels.

1 (ii) ~~Every~~ ANY motorcycle, ~~and--every~~ motor-
2 driven cycle OR MOPED, when operated upon a highway, shall
3 be equipped with at least one (1) brake, which may be
4 operated by hand or foot.

5 (iv) ~~Every~~ ANY new motor vehicle, trailer, or
6 semitrailer hereafter sold in this state and operated upon
7 the highways shall be equipped with service brakes upon
8 all wheels of ~~every-such~~ THE vehicle, ~~except--any--motor-~~
9 ~~cycle-or~~ EXCLUDING MOTORCYCLES, motor-driven cycle CYCLES,
10 MOPEDS and ~~except--that--any-semitrailer~~ SEMITRAILERS of
11 less than one thousand five hundred (1,500) pounds gross
12 weight, ~~need-not-be-equipped-with-brakes.~~

13 31-7-102. Definitions.

14 (a) As used in this act: ~~v-unless-the-context-other-~~
15 ~~wise-requires-or-unless-otherwise-specifically-noted.~~

16 (v) "Motorcycle" means every motor vehicle
17 having a seat or saddle for the use of the rider and
18 designed to travel on not more than three (3) wheels in
19 contact with the ground, ~~but~~ excluding a tractor and golf
20 cart, ~~†~~ FOR PURPOSES OF THIS ACT, "MOTORCYCLE" INCLUDES
21 MOPEDS AS DEFINED BY W.S. 31-5-102(a)(lviii);

22 (xviii) "This act" means W.S. ~~31-276.~~
23 31-7-101 through ~~31-276.37~~ 31-7-138.

1 31-7-109. Classes of licenses.