

SENATE FILE NO. SF0063

Text-based communications prohibited while driving.

Sponsored by: Senator(s) Esquibel, F., Ross, Sessions and
Von Flatern and Representative(s) Hammons,
Illoway, McOmie and Throne

A BILL

for

1 AN ACT relating to motor vehicles; prohibiting the use of
2 electronic wireless communication devices for sending text
3 or electronic mail messages while operating a motor
4 vehicle; providing exceptions; providing definitions;
5 providing penalties; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 31-5-236 is created to read:

10

11 **31-5-236. Use of electronic wireless communication**
12 **devices for electronic messaging prohibited; exceptions;**
13 **penalties.**

14

15 (a) No person shall operate a motor vehicle while
16 using an electronic wireless communication device to write,

1 send or read a text-based communication. This section shall
2 not apply to a person who is using the electronic wireless
3 communication device:

4
5 (i) While the vehicle is lawfully parked;

6
7 (ii) To contact an emergency response vehicle; or

8
9 (iii) To write, read or send a text-based
10 communication if the person reads, selects or enters a
11 telephone number or name in an electronic wireless
12 communications device for the purpose of making or
13 receiving a telephone call.

14
15 (b) This section shall not apply to a person operating
16 an emergency response vehicle or while performing official
17 duties as an emergency responder.

18
19 (c) Any person who operates a motor vehicle in
20 violation of this section shall be subject to the monetary
21 penalties provided by W.S. 31-5-1201(b).

22
23 (d) As used in this section:

24
25 (i) "Electronic wireless communication device"
26 means a mobile communication device that uses short-wave

1 analog or digital radio transmissions between the device and
2 a nearby transmitter to permit wireless telephone
3 communications to and from the user of the device within a
4 specified area;

5

6 (ii) "Emergency response vehicle" means any
7 ambulance, fire department, law enforcement or civil defense
8 vehicle or other vehicle used primarily for emergency
9 purposes;

10

11 (iii) "Write, send or read a text-based
12 communication" means using an electronic wireless
13 communications device to manually communicate with any
14 person using text-based communication including, but not
15 limited to, communications referred to as a text message,
16 instant message or electronic mail.

17

18 **Section 2.** This act is effective July 1, 2009.

19

20

(END)