

SENATE FILE NO. SF0063

Text messages while driving prohibited.

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

A BILL

for

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

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

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

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11 **31-5-236. Use of cellular and satellite telephones**
12 **for electronic messaging prohibited; exceptions; penalties.**

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14 (a) No person shall use a cellular or satellite
15 telephone to receive or send a text or electronic mail
16 message while operating a motor vehicle. This section shall

1 not apply to a person who is using the cellular or satellite
2 telephone:

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

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6 (ii) To contact an emergency response vehicle.

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8 (b) This section shall not apply to a person operating
9 an emergency response vehicle while performing official
10 duties.

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

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16 (d) As used in this section:

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18 (i) "Cellular telephone" means a mobile
19 communication device that uses short-wave analog or digital
20 radio transmissions between the device and a nearby
21 transmitter to permit wireless telephone communications to
22 and from the user of the device within a specified area;

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24 (ii) "Emergency response vehicle" means any
25 ambulance, fire department, law enforcement or civil defense
26 vehicle or other vehicle used primarily for emergency
27 purposes;

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2 (iii) "Satellite telephone" means a mobile
3 communication device that transmits and receives radio
4 signals to and from one (1) or more satellites in earth's
5 orbit to permit wireless telephone communications to and
6 from the user.

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

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10

(END)