

HOUSE BILL NO. HB0094

Use of wireless communications devices while driving.

Sponsored by: Representative(s) Esquibel, F.

A BILL

for

1 AN ACT relating to motor vehicles; prohibiting the use of
2 wireless communications devices while driving; providing
3 exceptions; providing definitions; providing penalties; and
4 providing for an effective date.

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

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

9

10 **31-5-236. Use of wireless communications device while**
11 **driving prohibited; exceptions; penalties.**

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13 (a) No person shall use a wireless communications
14 device while operating a motor vehicle. This section shall
15 not apply to a person who is using the wireless
16 communications device:

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

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3 (ii) To contact an emergency response vehicle.

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5 (b) This section shall not apply to a person
6 operating an emergency response vehicle while performing
7 official duties.

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

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13 (d) As used in this section:

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15 (i) "Citizen's band radio" means a mobile
16 communication device designed to allow for the transmission
17 and receipt of radio communications on frequencies
18 allocated for citizen's band (CB) radio service use. For
19 purposes of this section, a citizen's band radio is not a
20 wireless communications device;

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22 (ii) "Emergency response vehicle" means any
23 ambulance, fire department, law enforcement or civil

1 defense vehicle or other vehicle used primarily for
2 emergency purposes;

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4 (iii) "Internet browsing device" means a
5 computer or other electronic device that can be used to
6 access, search and display the Internet, World Wide Web or
7 a similar proprietary or common carrier electronic system;

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9 (iv) "Satellite telephone" means a mobile
10 communication device that transmits and receives radio
11 signals to and from one (1) or more satellites in earth's
12 orbit to permit wireless telephone communications to and
13 from the user. "Satellite telephone" shall not include a
14 citizen's band radio;

15

16 (v) "Wireless communications device" means:

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

23

24 (B) A satellite telephone;

1

2

(C) A text messaging device;

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(D) An internet browsing device.

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Section 2. This act is effective July 1, 2008.

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8

(END)