

HOUSE BILL NO. HB0256

Use of cell phones while driving.

Sponsored by: Representative(s) McOmie and Senator(s)
Esquibel, F.

A BILL

for

1 AN ACT relating to motor vehicles; prohibiting the use of
2 cellular and satellite telephones 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:*

7

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

9

10 **31-5-236. Use of cellular and satellite telephones**
11 **prohibited; exceptions; penalties.**

12

13 (a) No person shall use a cellular or satellite
14 telephone in any manner, including receiving or sending text
15 or electronic mail messages on the telephone, while
16 operating a motor vehicle unless the telephone is
17 specifically designed to allow hands-free operation and the

1 telephone is so used or the telephone is specifically
2 designed for push-to-talk communication without dialing and
3 the telephone is so used. This section shall not apply to a
4 person who is using the cellular or satellite telephone:

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

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8 (ii) To contact an emergency response vehicle.

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

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

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18 (d) As used in this section:

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20 (i) "Cellular telephone" means a mobile
21 communication device that uses short-wave analog or digital
22 radio transmissions between the device and a nearby
23 transmitter to permit wireless telephone communications to
24 and from the user of the device within a specified area.
25 "Cellular telephone" shall not include a citizen's band
26 radio;

27

1 (ii) "Citizen's band radio" means a mobile
2 communication device designed to allow for the transmission
3 and receipt of radio communications on frequencies allocated
4 for citizen's band (CB) radio service use and includes,
5 without limitation, two-way radios;

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

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

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

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21

(END)