HOUSE BILL NO. HB0256

Use of cell phones while driving.

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

A BILL

for

AN ACT relating to motor vehicles; prohibiting the use of cellular and satellite telephones while driving; providing exceptions; providing definitions; providing penalties; and providing for an effective date.

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

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

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

(a) No person shall use a cellular or satellite telephone in any manner, including receiving or sending text or electronic mail messages on the telephone, while operating a motor vehicle unless the telephone is specifically designed to allow hands-free operation and the
telephone is so used or the telephone is specifically
designed for push-to-talk communication without dialing and
the telephone is so used. This section shall not apply to a
person who is using the cellular or satellite telephone:

(i) While the vehicle is lawfully parked; or

(ii) To contact an emergency response vehicle.

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

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

(d) As used in this section:

(i) "Cellular telephone" means a mobile
communication device that uses short-wave analog or digital
radio transmissions between the device and a nearby
transmitter to permit wireless telephone communications to
and from the user of the device within a specified area.
"Cellular telephone" shall not include a citizen's band
radio;
(ii) "Citizen's band radio" means a mobile communication device designed to allow for the transmission and receipt of radio communications on frequencies allocated for citizen's band (CB) radio service use and includes, without limitation, two-way radios;

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

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

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