

HOUSE BILL NO. HB0076

Use of cellular and satellite telephones while driving.

Sponsored by: Representative(s) Esquibel

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:*

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

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

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13 (a) No person shall use a cellular or satellite
14 telephone while operating a motor vehicle unless the
15 telephone is specifically designed to allow hands-free
16 operation and the telephone is so used. This section shall

1 not apply to a person who is using the cellular or
2 satellite 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
9 operating an emergency response vehicle while performing
10 official 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.

23 "Cellular telephone" shall not include a citizen's band
24 radio;

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2 (ii) "Citizen's band radio" means a mobile
3 communication device designed to allow for the transmission
4 and receipt of radio communications on frequencies
5 allocated for citizen's band (CB) radio service use;

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

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19 **Section 2.** This act is effective July 1, 2004.

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(END)