

HOUSE BILL NO. HB0070

Distracted driving.

Sponsored by: Representative(s) Esquibel, F., Edwards,
Hammons, Walsh and White and Senator(s)
Fecht, Sessions and Vasey

A BILL

for

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

5

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 wireless communications device while**
11 **driving prohibited; exceptions; penalties.**

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13 (a) No person operating a motor vehicle with an
14 instruction permit issued pursuant to W.S. 31-7-110(a), a
15 temporary permit issued pursuant to W.S. 31-7-110(c), an
16 intermediate permit issued pursuant to W.S. 31-7-110(g) or

1 a restricted license issued pursuant to W.S. 31-7-117(c)
2 shall use a wireless communications device while operating
3 a motor vehicle. This section shall not apply to a person
4 who is using the wireless communications device:

5

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

7

8 (ii) To contact an emergency response vehicle.

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10 (b) This section shall not apply to a person
11 operating an emergency response vehicle while performing
12 official 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) "Citizen's band radio" means a mobile
21 communication device designed to allow for the transmission
22 and receipt of radio communications on frequencies
23 allocated for citizen's band (CB) radio service use. For

1 purposes of this section, a citizen's band radio is not a
2 wireless communications device;

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

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

13

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

20

21 (v) "Wireless communications device" means:

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23 (A) A mobile electronic device that uses
24 short-wave analog or digital radio transmissions between

1 the device and a nearby transmitter to permit wireless
2 telephone communications to and from the user of the device
3 within a specified area;

4

5 (B) A satellite telephone;

6

7 (C) A text messaging device;

8

9 (D) An internet browsing device.

10

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

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13

(END)