

SENATE FILE NO. SF0064

Use of mobile communications while driving.

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

A BILL

for

1 AN ACT relating to motor vehicles; prohibiting the use of  
2 cellular and satellite telephones while driving as  
3 specified; 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 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 the reading or sending of  
15 text or electronic mail messages on the telephone, while  
16 operating a motor vehicle unless the telephone is

1 specifically designed to allow hands-free operation and the  
2 telephone is so used. This section shall not apply to a  
3 person who is using the cellular or satellite telephone:

4  
5 (i) While the vehicle is lawfully parked; or

6  
7 (ii) To contact an emergency response vehicle.

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

12  
13 (c) Any person who operates a motor vehicle in  
14 violation of this section shall be subject to the monetary  
15 penalties provided by W.S. 31-5-1201(b).

16  
17 (d) As used in this section:

18  
19 (i) "Cellular telephone" means a mobile  
20 communication device that uses short-wave analog or digital  
21 radio transmissions between the device and a nearby  
22 transmitter to permit wireless telephone communications to  
23 and from the user of the device within a specified area.  
24 "Cellular telephone" shall not include a citizen's band  
25 radio;

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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;

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

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

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

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20

(END)