

SENATE FILE NO. SF0065

Cellular phone use prohibited while driving.

Sponsored by: Senator(s) Esquibel, F. and Von Flatern and
Representative(s) Hammons, Illoway, McOmie
and Throne

A BILL

for

1 AN ACT relating to motor vehicles; prohibiting the use of
2 cellular and satellite telephones for certain drivers while
3 driving as specified; providing exceptions; providing
4 definitions; providing penalties; and providing for an
5 effective date.

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

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

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11 **31-5-236. Use of cellular and satellite telephones**
12 **prohibited for certain drivers; exceptions; penalties.**

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14 (a) No person who holds a permit pursuant to W.S.
15 31-7-110 or a restricted driver's license pursuant to W.S.
16 31-7-117(c) shall use a cellular or satellite telephone in

1 any manner, including receiving or sending text or
2 electronic mail messages on the telephone, while operating a
3 motor vehicle unless the telephone is specifically designed
4 to allow hands-free operation and the telephone is so used.
5 This section shall not apply to a person who is using the
6 cellular or satellite telephone:

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

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10 (ii) To contact an emergency response vehicle.

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12 (b) 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 (c) 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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26 (ii) "Citizen's band radio" means a mobile
27 communication device designed to allow for the transmission

1 and receipt of radio communications on frequencies allocated
2 for citizen's band (CB) radio service use;

3

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

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

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(END)