

ORDINANCE NO. 21, 2017

**AN ORDINANCE ENACTING SECTION 10.12.230
OF THE POWELL CITY CODE PROHIBITTING DRIVING WHILE USING
CELLULAR TELEPHONE AND PROVIDING FOR EXCEPTIONS**

IT IS HEREBY ORDAINED by the governing body of the City of Powell, Park County, Wyoming, as follows:

Section 1. Section 10.12.230 of the Powell City Code is hereby enacted to provide as follows:

Section 10.12.230. Driving While Using Cellular Telephone Prohibited - Exceptions.

- A. Within the city of Powell, Wyoming, no person shall use a cellular telephone, for any purpose, while operating a motor vehicle unless the cellular telephone is specifically designed to allow hands-free operation and is used in a hands-free manner.
- B. This section shall not apply to the following persons:
 - 1. A person who is occupying a legally parked motor vehicle; or
 - 2. A person who is specifically contacting an emergency services agency to inform that agency of an emergency.
- C. As used in this section, the following term is defined: "Cellular telephone" (also known as hand phone, wireless phone, cell phone, mobile phone, mobile telephone, cellular telephone or cell telephone) is a mobile communication device that uses short-wave analog or digital radio transmissions between the device and a transmitter to permit wireless communications to and from the user of the device.
- D. Any person violating the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with section 1.04.140.

Section 2. This ordinance shall be in full force and effect upon January 1, 2018 following its adoption and publication as required by law.

Passed on first reading this ____ day of _____, 2017.

Passed on second reading this ____ day of _____, 2017.

Passed on third reading this ____ day of _____, 2017.

CITY OF POWELL, WYOMING

John F. Wetzels, Mayor

ATTEST:

Tiffany Brando, City Clerk

PUBLISH: Powell Tribune: _____