

HOUSE BILL NO. HB0072

Vehicle titles-transfers and receipts.

Sponsored by: Representative(s) Lindholm, Blackburn, Blake,
Burkhart, Duncan and Zwonitzer and
Senator(s) Driskill, Steinmetz and Von
Flatern

A BILL

for

1 AN ACT relating to motor vehicles; modifying provisions
2 related to the issuance and transfer of certificates of
3 title; requiring a county treasurer to issue an excise tax
4 receipt as specified; and 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. 31-2-103(d), 31-2-501(b), 31-2-504 by
9 creating a new subsection (d), 39-15-107(b)(i) and
10 39-16-107(b)(ii) are amended to read:

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12 **31-2-103. Contents of application; signature; vehicle**
13 **identification number; issuance of certificate.**

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1 (d) Upon receipt of an application and payment of
2 fees any county clerk shall, if satisfied that the
3 applicant is the owner of the vehicle for which application
4 for certificate of title is made, issue a paper certificate
5 of title or electronic certificate of title, if available,
6 upon a form or electronic format, approved by and provided
7 at cost to the county clerk by the department in the name
8 of the owner bearing the signature and seal of the county
9 clerk's office. The county clerk shall not deliver a
10 certificate of title issued under this section until
11 presentation of a receipt for payment of sales or use tax
12 pursuant to W.S. 39-15-107(b) or 39-16-107(b) or
13 presentation of a county treasurer receipt noting a valid
14 exemption from paying the sales or use tax. If a lien is
15 filed with respect to the vehicle, the county clerk shall,
16 within three (3) business days, deliver a copy of the filed
17 lien and a copy of the issued title to the financial
18 institution and if available, such delivery may be made
19 electronically. Each paper certificate of title or
20 electronic version, shall bear a document control number
21 with county designation and certificate of title number.
22 The title shall be completely filled out giving a
23 description of the vehicle including factory price in a

1 manner prescribed by the department, indicate all
2 encumbrances or liens on the vehicle and indicate the date
3 of issue. Certificates of title shall contain forms for
4 assignment of title or interest and warranty thereof by the
5 owner with space for notation of liens and encumbrances at
6 the time of transfer on the reverse side and contain space
7 for the notarization of the seller's signature for a sale
8 or transfer of title. Certificates of title are valid for
9 the vehicle so long as the vehicle is owned or held by the
10 person in whose name the title was issued. A certificate of
11 title is prima facie proof of ownership of the vehicle for
12 which the certificate was issued.

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14 **31-2-501. Definitions; application required.**

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16 (b) Except as provided by W.S. 31-2-502, ~~every~~any
17 owner of a mobile home located in this state for which no
18 Wyoming certificate of title has been issued to the owner,
19 or the transferee upon transfer of ownership of a mobile
20 home, shall apply for a certificate of title at the office
21 of a county clerk within forty-five (45) days of the date
22 the mobile home became subject to this act, or upon a

1 transfer, within forty-five (45) days of the date of
2 transfer.

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4 **31-2-504. Transfer of ownership.**

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6 (d) If a mobile home is held by two (2) or more
7 persons, any person identified as an owner on the
8 certificate of title shall have the right to transfer all
9 interest in the mobile home without the signature of any
10 other owner on the title unless:

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12 (i) The title states the mobile home is held in
13 joint tenancy with right of survivorship or tenancy by the
14 entirety;

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16 (ii) The title states the mobile home is held by
17 coowners in the conjunctive, by the use of the word "and"
18 or other similar language, in which event transfer shall
19 require the signature of each coowner;

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21 (iii) A transfer of all interests in the mobile
22 home by an owner without the signature of any other owner
23 is otherwise prohibited by law.

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2 **39-15-107. Compliance; collection procedures.**

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4 (b) Payment. The following shall apply:

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6 (i) Except as provided by paragraph (viii) of
7 this subsection, no vendor shall collect taxes imposed by
8 this article upon the sale of motor vehicles, house
9 trailers, trailer coaches, trailers or semitrailers. The
10 taxes imposed shall be collected by the county treasurer
11 prior to the first registration in Wyoming and not upon
12 subsequent registration by the same applicant. The county
13 treasurer shall provide the applicant a receipt specifying
14 the amount of sales tax collected and noting any valid
15 exemption from sales tax. The county treasurer shall
16 collect and remit to the department the tax in effect in
17 the county of the owner's principal residence;

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19 **39-16-107. Compliance; collection procedures.**

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21 (b) Payment. The following shall apply:

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1 (ii) Except as provided by paragraph (iv) of
2 this subsection, no vendor shall collect the taxes imposed
3 by this article upon the sale of motor vehicles, house
4 trailers, trailer coaches, trailers or semitrailers as
5 defined by W.S. 31-1-101. The taxes imposed shall be
6 collected by the county treasurer prior to the first
7 registration in Wyoming and not upon subsequent
8 registration by the same owner. The county treasurer shall
9 provide the applicant a receipt specifying the amount of
10 use tax collected and noting any valid exemption from use
11 tax. The county treasurer shall collect and remit to the
12 department the tax in effect in the county of the owner's
13 principal residence. The tax shall not be collected if
14 previously registered by the same nonresident owner in
15 another state. The county treasurer may also collect the
16 tax due and any interest, penalties or costs of collection
17 through the use of a collection agency or by the filing of
18 a civil action;

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20 **Section 2.** This act is effective July 1, 2020.

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(END)