

ENROLLED ACT NO. 76, HOUSE OF REPRESENTATIVES

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2017 GENERAL SESSION

AN ACT relating to motor vehicle certificates of title and abandoned vehicles; revising procedures to acquire a salvage title; specifying applicability for requirements pertaining to abandoned vehicles; and providing for an effective date.

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

Section 1. W.S. 31-2-107(a), (d) and by creating new subsections (o) through (q) and 31-13-101(a)(ix)(B), (C) and by creating a new subparagraph (D) are amended to read:

31-2-107. Titles for damaged vehicles; return of certificate of title and registration for damaged vehicle; replacement title and registration.

(a) When a motor vehicle is declared a total loss by the insurance company or, in the event an insurance company is not involved in the settlement of the claim, sustains damage in an amount exceeding seventy-five percent (75%) of its actual retail cash value, as set forth in any current edition of a nationally recognized automotive appraisal guide or other source approved by the Wyoming insurance department, the owner or insurance company, if it obtains ownership of the vehicle through transfer of title as a result of a settlement of an insurance claim, shall forward the properly endorsed certificate of title to the office of the county clerk that issued the certificate of title together with an application for a certificate of title branded salvage and payment of the fee required under W.S. 31-3-102(a)(vii) to obtain a properly branded certificate of title. For purposes of this section, a certificate of title endorsed by an electronic signature shall constitute a properly endorsed certificate of title, which need not be notarized. When any vehicle accident report is required

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under chapter 5, article 11 of this title, the investigating officer shall provide written notice to the owner or operator of the vehicle of the requirements under this section.

(d) This section shall not apply to motor vehicles with more than eight (8) years of service except any vehicle that was previously issued a title from any state that bore any word or symbol signifying that the vehicle was "salvage", "unrebuildable", "parts only", "scrap", "junk", "nonrepairable", "reconstructed", "rebuilt" or any other symbol or word of like kind, or that it has been damaged by flood, shall obtain a Wyoming title with the prior brand or any other information concerning the motor vehicle status, carried forward on any subsequent Wyoming title ~~irregardless~~ regardless of years of service.

(o) If an insurance company is unable to obtain a properly endorsed certificate of title within thirty (30) days of payment of damages in a claim settlement involving transfer of a salvage vehicle to the insurance company, the insurance company, an occupational licensee of the department authorized by the insurance company or a salvage pool authorized by the insurance company may request the county clerk issue a certificate of title branded salvage for the vehicle. The request shall be submitted on a form provided by the office of the county clerk and signed under penalty of perjury. The request shall include and document evidence that the insurance company has paid a claim on the vehicle and has made at least two (2) written attempts to obtain the properly endorsed certificate of title at the last known address of the owner of the vehicle. The request shall also include a disclosure of any and all security interests, liens or encumbrances that are known to the

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insurance company and that are outstanding against the vehicle.

(p) The county clerk, upon receipt of a request described in subsection (o) of this section and payment of the fee required under W.S. 31-3-102(a)(vii), shall issue a certificate of title branded salvage for the vehicle to the requesting insurance company, an occupational licensee of the department authorized by the insurance company or a salvage pool authorized by the insurance company. Any such salvage title issued by the county clerk shall reflect all liens of record that have not been released.

(q) As used in this section, "electronic signature" means an electronic sound, symbol or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign the document.

31-13-101. Definitions.

(a) As used in this act:

(ix) "Vehicle" means:

(B) A housetrailer as provided by W.S. 31-1-101(a)(xxiii)(A) which is not installed on a permanent foundation and which is not taxable as real property; ~~or~~

(C) A transportable home as provided by W.S. 31-1-101(a)(xxiv)(C) which is not installed on a permanent foundation and which is not taxable as real property; ~~or~~ or

(D) Watercraft titled under W.S. 31-2-101(b).

ORIGINAL HOUSE
BILL NO. HB0078

ENGROSSED

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Section 2. This act is effective July 1, 2017.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk