

ENROLLED ACT NO. 6, SENATE

SIXTIETH LEGISLATURE OF THE STATE OF WYOMING
2009 GENERAL SESSION

AN ACT relating to vehicle title and registration; reorganizing and repealing statutes; amending time limits; amending license plate and specialty plate statutes; modifying the qualification and treatment of rental vehicles and rental companies; requiring bonding; amending definitions; specifying applicability of the act; and providing for an effective date.

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

Section 1. W.S. 31-2-224 and 31-2-225 are created to read:

31-2-224. Registration exemptions.

(a) The following vehicles are exempt from the provisions of this article:

(i) Transportable homes and the empty frame or frames used to haul transportable homes;

(ii) Passenger automobiles or trailers owned by a full-time member of the armed forces of the United States, whether in regular service, organized reserves or national guard, as long as a registration from another state is in effect when the vehicle entered Wyoming and the vehicle is properly registered in accordance with the laws of that state;

(iii) Commercial vehicles displaying the registration numbers or plates required by W.S. 31-18-201 and whose operator produces a certificate of registration indicating the vehicle is validly registered pursuant to W.S. 31-18-201;

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(iv) Vehicles granted reciprocity pursuant to
W.S. 31-2-203;

(v) Vehicles owned by a nonresident, validly
registered in another state or country, displaying
registration numbers or plates in accordance with the laws
of that state or country and:

(A) Not operated for gain or profit in
Wyoming nor used for transportation to or from employment
in Wyoming; and

(B) Not owned or operated by a person
employed in this state, unless that person is a daily
commuter from another jurisdiction which exempts vehicles
of daily commuters from Wyoming from registration under a
reciprocity agreement.

(vi) Vehicles owned by a nonresident, validly
registered in another state or country, displaying
registration numbers or plates in accordance with the laws
of that state or country and:

(A) Operated primarily by a full-time
student at the University of Wyoming, a Wyoming community
college or a school licensed in this state offering post
secondary education;

(B) Used for transportation of nonresident
seasonally employed agricultural workers unless the owner
of the vehicle becomes a resident under W.S.
31-1-101(a) (xxi) (A); or

(C) Operated primarily by a student
enrolled in a post secondary educational institution
accredited by a recognized and accepted accrediting agency,

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or in a parochial, church or religious school as defined by W.S. 21-4-101(a)(iv) offering post secondary education programs, if the institution or school owns or operates an educational program or facility in this state and the student is employed on a temporary basis in that program or facility as part of his educational curriculum.

(vii) The following vehicles if validly registered in states contiguous to Wyoming if the contiguous states grant similar exemptions to Wyoming owners of like vehicles:

(A) Trucks, the unladen weight of which does not exceed three thousand five hundred (3,500) pounds; and

(B) Passenger cars while operated by salesmen who make no deliveries.

(viii) Mopeds;

(ix) Pedestrian vehicles;

(x) Rental vehicles rented in another state or country and validly registered in another state or country, displaying registration numbers or plates in accordance with the laws of that state or country and not being operated for gain or profit in Wyoming nor used for daily transportation to or from employment in Wyoming for a continuous period of more than fourteen (14) days;

(xi) Rental vehicles rented in Wyoming from a licensed rental vehicle agency, provided the surcharge is paid pursuant to W.S. 31-3-104 and the vehicle is validly registered in another jurisdiction and displays valid

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registration or license plates in accordance with the laws of that jurisdiction.

(b) Off-road recreational vehicles shall not be registered.

31-2-225. Application requirements; contents; weight certificate; title requirement; liability.

(a) Applications for registration of vehicles shall be filed in the office of the county treasurer in person, by regular mail, or if available, electronically, in the county in which the owner of the vehicle resides or in any county in any other case and contain:

(i) Information required by W.S. 31-2-103(a)(i), (ii), (vii) and (ix);

(ii) Unladen weight if required to compute fees and taxes;

(iii) The purpose for which the vehicle is used and such other information as required by the department or the county treasurer;

(iv) Color of the vehicle at the time of registration; and

(v) Information regarding whether the owner desires to donate one dollar (\$1.00) or more to promote awareness and education efforts for procurement of organ and tissue donations for anatomical gifts.

(b) The department, county treasurer or any peace officer may cause a truck or trailer to be reweighed at any time and a new weight certificate issued. A copy of the

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certificate of registration shall be carried at all times in the motor vehicle for which it is valid and shall be displayed upon demand of any peace officer.

(c) County treasurers shall not register nor renew the registration of a vehicle unless a certificate of title has been issued to the owner or the owner presents satisfactory evidence that a certificate of title for the vehicle has been previously issued to the owner by any county clerk except:

(i) A county treasurer may register a vehicle without the Wyoming title of an applicant who is an owner, lessee or operator if the vehicle is required to be registered in Wyoming, and the owner, lessee or operator, if applicable, presents proof from any jurisdiction of a current registration and any other requested documentation from any other source necessary to satisfy the treasurer that the applicant is the owner, lessee or otherwise has lawful right to the vehicle as an owner, lessee or operator.

(d) Applications for a specific license plate number shall be made to the county treasurer by the last day of the annual registration month. The county treasurer shall determine the number of license plates to be reserved for each license plate type, but in no case shall the number reserved for any registration year for any one (1) type exceed nine thousand nine hundred ninety-nine (9,999).

(e) No motor vehicle shall be registered unless the applicant verifies the motor vehicle is covered by a motor vehicle liability policy in full force and effect in amounts provided by W.S. 31-9-405(b) or a bond on file with the department in amounts provided by W.S. 31-9-102(a)(xi). The department shall adopt rules and regulations to

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implement this subsection. This subsection does not apply to self-insurers under W.S. 31-9-414. Issuance or renewal of registration by a county treasurer does not constitute verification or certification on the part of the county treasurer that the registered vehicle is in fact covered by required insurance or bond and neither the county treasurer nor any employee of the county treasurer's office is liable for damages caused by any person operating a registered vehicle in violation of W.S. 31-4-103(a). Proof of insurance shall be carried at all times in the insured vehicle and shall be open for inspection at all times when requested by any peace officer. Any applicant making a false certification required by this subsection or failing to provide proof of insurance on the registered vehicle as required, is guilty of a misdemeanor punishable pursuant to W.S. 31-4-103(a) upon conviction.

Section 2. W.S. 31-1-101(a)(v), (x), (xiv), (xv)(F), (J), by creating a new subparagraph (N), (xviii)(A), (B), (xx), (xxi), (xxviii) and by creating new paragraphs (xxx) through (xxxii), 31-1-201(a), (d) and (f), 31-1-202, 31-2-101, 31-2-102(a)(ii) and (iii), 31-2-103(a)(intro), (iii), (v), (vi), (ix), by creating a new paragraph (x), (b) through (d) and by creating a new subsection (g), 31-2-104(b) and (f), 31-2-105, 31-2-107(d) and by creating a new subsection (n), 31-2-108(c), (d) and by creating a new subsection (p), 31-2-109 by creating a new subsection (d), 31-2-201(a)(intro), (ii)(B), (iv)(intro) and by creating new subsections (j) through (n), 31-2-204(a), 31-2-206(g), (h) and (k), 31-2-212, 31-2-213(b), 31-2-214(a)(intro), 31-2-215(a) and (b), 31-2-216(a), 31-2-217(a) and (b), 31-2-218(a) and (b), 31-2-219(a), 31-2-220(a) and (b), 31-3-101(a)(i)(A) through (F), (c), (g)(ii), (iii) and (h), 31-3-102(a)(v)(intro), (vi)(A), by creating a new subparagraph (C), (vii) and (xvi), 31-3-103(e) and (g)(intro), 31-3-104(a) through (d),

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31-4-101(a)(i) and by creating a new subsection (e) and 31-18-201(t) are amended to read:

31-1-101. Definitions.

(a) Except as otherwise provided, as used in this act:

(v) "Factory price" means ~~ninety percent (90%)~~ of the manufacturer's suggested retail price of the make, model and trim level of a vehicle, when new, ~~including all improvements and modifications attached to the vehicle and all accessories and equipment used with the vehicle during the period for which registration is issued,~~ but excludes federal excise taxes, the cost of transportation from the place of manufacture to the place of sale to the first user., ~~mobile radio telephone equipment leased and nonstandard improvements and modifications necessary to permit operation by or transportation of persons with a mobility handicap as defined in W.S. 31-2-213(d)~~ The factory price shall be determined from any current, nationally recognized price guide;

(x) "Implement of husbandry" means sheep wagons, portable livestock loading chutes and every vehicle designed and used exclusively for agricultural operations and only incidentally operated or moved upon the highways but includes ~~a~~ any trailer only when being towed by a farm tractor;

(xiv) "Legal owner" means ~~the person~~ all persons in whose name a valid certificate of title has been issued;

(xv) "Motor vehicle" means every vehicle which is self-propelled except vehicles moved solely by human

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power or motorized skateboards. The term includes the following vehicles as hereafter defined:

(F) "Passenger car" means a motor vehicle designed to carry ten (10) persons or less and primarily used to transport persons, including ambulances and hearses but excluding motorcycles, motor homes, multipurpose vehicles, trucks and school buses;

(J) "Truck" means a motor vehicle designed, used or maintained for the transportation of property, including pickup trucks but excluding multipurpose vehicles and passenger cars;

(N) "Pickup truck" means any motor vehicle, excluding multipurpose vehicles and passenger cars, designed, used or maintained for the transportation of property with an attached open cargo box directly behind the passenger compartment and designed to be equipped with a tailgate which can be lowered or opened to load or unload property or cargo.

(xviii) "Owner" means:

(A) The legal owner as defined by W.S. 31-1-101(a)(xiv); or

(B) A person, other than a lienholder, ~~having the property in or title to a vehicle including a person who leases a vehicle and is~~ entitled to lawful use and possession of a vehicle subject to a security interest in another person but excluding a lessee under a lease not intended as security.

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(xx) "Rental vehicle" means a vehicle which is rented or offered for rental without a driver for a period of thirty-one (31) days or less;

(xxi) "Resident" for the purposes of this act and unless otherwise exempt, means any one (1) of the following:

(A) Any person, except a full-time student at the University of Wyoming or a Wyoming community college or a daily commuter from another jurisdiction which exempts vehicles of daily commuters from Wyoming from registration under a reciprocity agreement, who is gainfully employed or engages in any trade, profession or occupation within this state and owns, leases or rents a place of residence or otherwise lives within Wyoming and who for the purpose of employment or, regardless of domicile or any other circumstance, remains in the jurisdiction for a period of one hundred twenty (120) days or more; or

(B) Any person, ~~other than a daily commuter from another jurisdiction which exempts vehicles of daily commuters from Wyoming from registration under a reciprocity agreement or a full time student at the University of Wyoming or a Wyoming community college, who is gainfully employed in Wyoming~~ immediately upon filing a homestead or military tax exemption on property in this state; or

(C) Any ~~individual~~ person, partnership, company, firm, corporation or association which maintains a main or branch office or warehouse facility within Wyoming or which bases and operates motor vehicles in Wyoming; or

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(D) Any individual, partnership, company, firm, corporation or association which operates motor vehicles in intrastate haulage in Wyoming;~~-~~ or

(E) Any person, immediately upon the date of registering to vote in Wyoming; or

(F) Any person, immediately upon the date of application for public assistance from this state; or

(G) Any person, immediately upon purchasing or holding a valid Wyoming resident hunting or fishing license.

(xxviii) "U-Drive-It ~~motor~~ vehicle" means a ~~motor~~ vehicle which is rented or offered for rental without a driver ~~and is designed to carry ten (10) persons or less for a period of thirty-one (31) days or less~~, including consumer rental trucks and trailers used to transport personal property and effects, but not including:

(A) Trucks and trailers used to transport commercial freight;

(B) Trailers rented from an agency that does not also offer motor vehicles for rental.

(xxx) "Annual registration month" means:

(A) For a vehicle currently registered in this state, the month in which the registration expires;

(B) For a newly acquired vehicle, the month of acquisition;

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(C) For any other vehicle, the month in which the vehicle was initially required to be registered in this state;

(D) For dealer demo, full use and manufacturer license plates, the month in which the dealer's certificate was issued.

(xxxi) "Full-time student" means, for the purpose of this act: a person who attends the University of Wyoming, community college or any school licensed in this state offering post secondary education on a full-time basis, as defined by the University of Wyoming, community college or any other post secondary school licensed in this state;

(xxxii) "Special equipment" includes any equipment not included in the manufacturer's suggested retail price and not required for the operation of a vehicle upon a highway, but that is attached to the vehicle` during the period for which registration is issued and used for a business or other purpose.

31-1-201. General administrative procedures.

(a) The department shall provide for the administration and enforcement of this act by its divisions. The department has supervisory jurisdiction over the levy and collection of fees and taxes levied by this act and shall ~~subject to subsection (g) of this section,~~ promulgate rules and regulations consistent with the provisions hereof as provided by the Wyoming Administrative Procedure Act necessary to the enforcement of the fee and taxation provisions of this act.

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(d) The department shall prescribe and provide suitable forms of applications, registration cards and all other forms necessary to carry out the provisions of this act subject to the requirements of this act and shall ~~subject to subsection (g) of this section,~~ promulgate rules and regulations consistent with the provisions hereof as provided by the Wyoming Administrative Procedure Act necessary to the enforcement of the fee and taxation provisions of this act. The department shall promulgate rules and regulations permitting any person aggrieved by any final administrative decision of the department including the payment of any fees and taxes to appeal to the office of administrative hearings pursuant to W.S. 9-2-2202. The department shall provide, at cost, suitable certificate of title forms to county clerks.

(f) The department may revoke any vehicle registration, certificate of title, or other authorization when the holder thereof commits fraud or knowingly provides false information on any application or in any process to obtain vehicle registration, certificate of title or other authorization, or is not entitled thereto or for violation of this act following notice and hearing pursuant to the Wyoming Administrative Procedure Act. Following revocation any peace officer, department investigator or special enforcement officer designated by the director to do so upon request by the department shall seize and take possession of the registration card, certificate of title, dealer's certificate, license plates or authorization and return the items to the department within five (5) business days.

31-1-202. Records.

(a) County treasurers shall keep and maintain a permanent record of vehicle registrations. ~~and other~~

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~~applications submitted to and authorizations issued by them pursuant to this act.~~ All applications and records other than the record of vehicle registrations may be destroyed by the treasurer after two (2) years from December 31 of each year.

(b) County clerks shall keep and maintain a record ~~book~~ in which ~~a record of~~ all certificates of title shall be recorded at the time of issue and which is open to inspection by the public during reasonable office hours.

(c) Within ~~seventy two (72) hours~~ three (3) business days after issuance of a vehicle registration or certificate of title, county treasurers and county clerks shall forward a ~~copy~~ record thereof to the department. County treasurers shall notify the department and sheriff of his county of loss or mutilation of license plates.

(d) The department shall maintain records of vehicle registrations from all counties indexed by distinctive vehicle numbers assigned by the department, the name of the registered owner and vehicle identification numbers. The department shall maintain a record of all vehicle certificates of title from all counties. Records are public and open to inspection by the public during reasonable office hours. The department shall maintain a vehicle identification number index of all vehicles for which certificates of title have been issued. Upon receipt of a notice of issuance of a certificate of title from any county clerk the department may destroy all records relating to former transfers of title to the vehicle and shall retain only the notice of issuance of the certificate of title in effect at any time. The department may annually compile and publish a list of all registered vehicles and supplements thereto which shall be furnished to Wyoming

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peace officers and the ~~state director of civil defense~~
Wyoming office of homeland security without charge.

(e) Records under this section shall be available to the public pursuant to current federal and state laws relative to the release of private information. Nothing in this section shall supersede federal law.

31-2-101. Required application.

(a) Except as provided by W.S. 31-2-102 and ~~subsection (b) of this section~~ pursuant to W.S. 31-1-101(a)(xxi)(A) through (G), every owner of a vehicle ~~which will be operated on Wyoming highways and~~ for which no Wyoming certificate of title has been issued to the owner, or the transferee upon transfer of ownership of a vehicle for which a Wyoming certificate of title is required, shall apply for a certificate of title at the office of a county clerk, or if available, electronically, within the same time periods as required by W.S. 31-2-201(a)(ii) and (iii).

(b) Every owner or transferee upon transfer of ownership of ~~an off-road recreational~~ any vehicle ~~may that has an identifying number pursuant to W.S. 31-1-101(a)(ix), including off-road recreational or multipurpose vehicles and, for the purpose of titling under this section, including snowmobiles and watercraft, shall~~ apply for a certificate of title at the office of a county clerk.

31-2-102. Exemptions.

(a) No certificate of title shall be issued for:

(ii) ~~Farm tractors~~ Implements of husbandry, except multipurpose vehicles that qualify as implements of husbandry;

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(iii) Vehicles of nonresident owners titled in another state; ~~-. If the vehicle is required to be registered in Wyoming, upon proper showing of the current registration in another state, the county clerk shall issue a special nontransferable certificate for registration purposes;~~

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

(a) Applications for paper certificates of title or electronic certificates of title, if available, shall be under oath and contain or be accompanied by:

(iii) If a new vehicle purchased from a properly licensed dealer in any other state or a properly licensed Wyoming new vehicle dealer, as defined by W.S. 31-16-101(a)(xviii)(A):

(A) The manufacturer's certificate of origin indicating the date of sale to and the name of the first person receiving it from the manufacturer and a certification the vehicle was new when sold by the manufacturer, however, no person shall transfer ownership of a vehicle from a manufacturer's statement of origin or a manufacturer's certificate of origin unless the person is the manufacturer of the vehicle or a properly licensed dealer for that state and who holds a valid sales and service agreement from the manufacturer of the vehicle; ~~and~~

(B) Certification by the properly licensed dealer that the vehicle was new when sold to the applicant; ~~and~~ and

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(C) A statement from the dealer indicating the manufacturer's suggested retail price (MSRP) for the make, model and trim level of the vehicle sold.

(v) The current title containing an assignment and warranty of title, if applicable, and an affidavit by the seller, either separate or contained on the current title, which shall contain a reference to the federal regulations stating that failure to complete or providing false information may result in fines and imprisonment and ~~include the following~~ may include a department approved statement in substantially the following form: "I state that the odometer now reads miles (no tenths) and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein unless one (1) of the following statements is checked: A. I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage is in excess of its mechanical limits; B. I hereby certify that the odometer reading is NOT the actual mileage. WARNING-ODOMETER DISCREPANCY", to be retained by the county clerk upon issuance of a new title. This paragraph shall not apply to vehicles not originally manufactured with an odometer;

(vi) In the case of a vehicle registered or titled in a state other than Wyoming, or any homemade vehicle, rebuilt vehicle, reconstructed vehicle, any vehicle assembled from a kit or any vehicle for which a bond is required, a current statement made by a Wyoming law enforcement officer, or licensed Wyoming dealer only for vehicles in his inventory or possession, that the vehicle identification number on the vehicle has been inspected and that the inspection occurred in Wyoming and certifying the correct vehicle identification number displayed on the vehicle. Any licensed Wyoming dealer performing an inspection of a vehicle identification number under this

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section shall, in addition to the requirements of this act, do so pursuant to W.S. 31-11-108. In the case of a vehicle not in Wyoming, the vehicle identification number may be inspected and certified on a form ~~prescribed~~ approved by the department if the inspection is made by an authorized law enforcement officer of a city, county or state law enforcement agency or a commissioned officer at a federal military installation ~~and the form is duly notarized or any other person authorized to do so by law~~ and delivered to the county clerk in the county where the application for certificate of title is made along with payment for the inspection fee required under W.S. 31-3-102(b)(iv). ~~If the certificate of title or registration of a vehicle under this paragraph contains a brand or any word or symbol indicating the vehicle has been damaged by flood, rebuilt, reconstructed or otherwise modified, the brand, word or symbol shall be carried forward on all subsequent certificates of title issued in this state. A vehicle designated by any other state as nonrepairable or any other word or symbol of like kind shall be issued a certificate of title and may be reregistered if the owner complies with the provisions of W.S. 31-2-107 and 31-2-108;~~

(ix) Such other information as required by the department or county clerk which may include but not be limited to a vehicle bill of sale or similar document, any documentation necessary to verify proof of ownership including an affidavit for proof of ownership or any surety bond required by this act. Any affidavit for proof of ownership shall be prescribed pursuant to W.S. 31-1-201(d) and shall be utilized by each county of this state;

(x) A Wyoming certificate of title shall contain an appropriate notice whenever records readily accessible to the state indicate that the motor vehicle was previously issued a title or registration from any jurisdiction that

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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. Any information concerning a motor vehicle's status shall also be conveyed on any subsequent title issued for the vehicle by this state, including a duplicate or replacement title.

(b) If the application for title is for a ~~new~~ vehicle purchased from a properly licensed Wyoming dealer, the application may be signed by the dealer, include a statement of transfer by the dealer and of any lien retained by the dealer. Only a properly licensed Wyoming dealer may sign a statement of transfer.

(c) If a vehicle to be titled has no vehicle identification number, the applicant shall apply for and obtain a number from the department pursuant to W.S. 31-11-105.

(d) Upon receipt of an application and payment of fees any county clerk shall, if satisfied that the applicant is the owner of the vehicle for which application for certificate of title is made, issue a paper certificate of title or electronic certificate of title, if available, upon a form or electronic format, approved by and provided at cost to the county clerk by the department in the name of the owner bearing the signature and seal of the county clerk's office. The county clerk shall not deliver a certificate of title issued under this section until presentation of a receipt for payment of sales or use tax pursuant to W.S. 39-15-107(b) or 39-16-107(b). If a lien is filed with respect to the vehicle, the county clerk shall, ~~immediately~~ within three (3) business days, deliver a copy of the filed lien and a copy of the issued title to the

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financial institution and if available, such delivery may be made electronically. Each paper certificate of title or electronic version, shall bear a document control number with county designation and certificate of title number. The title shall be completely filled out giving a description of the vehicle including factory price in a manner prescribed by the department, indicate all encumbrances or liens on the vehicle and indicate the date of issue. Certificates of title shall contain forms for assignment of title or interest and warranty thereof by the owner with space for notation of liens and encumbrances at the time of transfer on the reverse side and contain space for the notarization of a sale or transfer of title. Certificates of title are valid for the vehicle so long as the vehicle is owned or held by the person in whose name the title was issued. A certificate of title is prima facie proof of ownership of the vehicle for which the certificate was issued.

(g) Any Wyoming law enforcement officer who determines from a physical inspection that the vehicle identification number has been removed, changed, altered or obliterated for any reason, shall proceed pursuant to W.S. 31-11-111, unless the vehicle is in the process of obtaining a state assigned number pursuant to W.S. 31-11-105.

31-2-104. Transfer of ownership.

(b) If the transferee is a licensed dealer who holds the vehicle for resale, procures the certificate of title from the transferor and operates the vehicle only for demonstration purposes under dealer license plates, the dealer is not required to obtain a new certificate of title but may transfer the vehicle by an assignment and warranty of title upon the certificate of title or department

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approved statement of transfer form and deliver the certificate to a subsequent transferee.

(f) Any person knowingly providing false or incomplete information on ~~the damage disclosure~~ any statement required by this act is guilty of a misdemeanor and upon conviction shall be fined not more than seven hundred fifty dollars (\$750.00), imprisoned for not more than six (6) months, or both.

31-2-105. Duplicate titles; affidavit of vehicle ownership; bond for certificate of title.

(a) Upon loss of a certificate of title, the owner may apply to the county clerk issuing the original title for a duplicate title. The applicant shall file an affidavit describing the loss with the county clerk. Upon payment of fees the county clerk shall issue a duplicate certificate of title corresponding to the original certificate and containing the following notation prominently displayed in capital letters on the face of the certificate: "THIS IS A DUPLICATE CERTIFICATE OF TITLE AND MAY BE SUBJECT TO THE RIGHTS OF A PERSON OR PERSONS UNDER THE ORIGINAL CERTIFICATE". No duplicate certificate shall be issued before the 11th day after the affidavit is filed unless the owner deposits an indemnity bond to the state of Wyoming with the county clerk ~~in an amount of not less than double the value of the vehicle shown upon the registration of the vehicle. The bond shall be executed by a surety duly authorized to carry on business in Wyoming or by individual sureties qualified as provided by W.S. 1-1-104 and 1-1-105. Bonds shall be conditioned for protection and indemnification of all persons who may have any interest in or dealing with the vehicle against any loss which may occur by reason of the issuance of the duplicate~~

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~~certificate before the 11th day after the affidavit is
filed as specified in this section.~~

(b) If an applicant for a certificate of title
required by this act is unable to provide the county clerk
with a certificate of title that assigns the prior owner's
interest, a notarized bill of sale or other evidence of
ownership that satisfies the county clerk that the
applicant owns the vehicle, a certificate of title may be
issued only if:

(i) The applicant submits an affidavit of
vehicle ownership on a form prescribed by the department
that shall be signed and sworn before a person who is
authorized to administer oaths and affirmations. The
affidavit shall contain:

(A) A complete description of the vehicle;

(B) A recital of facts and circumstances by
which the applicant acquired the ownership and possession
of the vehicle including the previous owner's name and
address and why the applicant is unable to provide the
clerk with the information required in subsection (b) of
this section;

(C) A disclosure of any and all security
interests, liens or encumbrances that are known to the
applicant and that are outstanding against the vehicle;

(D) A statement that the applicant is the
true and lawful owner of the vehicle and has the right to
have a certificate of title issued.

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(ii) In addition to the affidavit of ownership, the applicant shall furnish the county clerk an indemnity bond as specified by this section.

(c) If the vehicle for which the applicant is applying for a certificate of title has a value less than six hundred dollars (\$600.00), a title may be issued without a bond if the applicant presents an affidavit of vehicle ownership, a notarized bill of sale, a certified, written statement of the value from a properly licensed Wyoming vehicle dealer and a vehicle identification number (VIN) inspection, or any other information the county clerk may require for proof of ownership, at the time of application.

(d) Any bond required by this section shall be executed by a surety duly authorized to carry on business in Wyoming or by individual sureties qualified as provided by W.S. 1-1-104 and 1-1-105. The amount of any bond required under this section shall not be less than double the value of the vehicle determined at the time of the application. If the value of the vehicle cannot be determined from any prior registration or title, the applicant shall provide the county clerk the value of the vehicle. The value of the vehicle shall be determined by the applicant or the surety from any current national appraisal guide, current or past registration if the value is present on any registration for the vehicle, or the value may be on certified written statement obtained from a properly licensed Wyoming vehicle dealer. The bond shall be conditioned to indemnify a prior owner, lienholder, subsequent purchaser, secured creditor or encumbrancer of the vehicle and any respective successors in interest against expenses, losses or damages, including reasonable attorney fees, caused by the issuance of the certificate of title or by a defect in or undisclosed security interest

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upon the right, title and interest of the applicant in the vehicle.

(e) If any person suffers a loss or damage by reason of the filing or issuance of the certificate of title as provided in this section, such person shall have a right of action to seek relief directly against the applicant and the surety on the applicant's bond against either of whom the person damaged may proceed independently of the other, but the aggregate liability of the surety to any or all persons seeking relief shall not exceed the total amount of the bond.

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

(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 of years of service.

(n) Any vehicle that is titled pursuant to this section may be reregistered if the owner complies with the provisions of this section and W.S. 31-2-108. Any vehicle branded "salvage" as a result of hail or theft with no damage, other than cosmetic, or vehicles titled "rebuilt" or "reconstructed" by any other state and that brand is carried forward on a Wyoming title, are not required to go

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through the rebuilt title process and may be reregistered pursuant to this act after obtaining a Wyoming title branded "salvage" or "rebuilt", as applicable.

31-2-108. Rebuilt salvage vehicles; titles; requirements.

(c) A motor vehicle owner submitting an application for a rebuilt salvage vehicle decal shall be required to provide a completed document approved by the department identifying the vehicle's damage prior to being repaired, a copy of the original certificate of title branded "salvage" and the name and address of the person who repaired or rebuilt the vehicle. The owner shall also include an affirmation that the information in the declaration is complete and accurate and, to the knowledge of the declarant, no stolen parts were used during the rebuilding. Vehicles for which the certificate of title issued by another jurisdiction is clearly branded or declared as "salvage" due to hail or theft with no damage, other than cosmetic, or vehicles titled "rebuilt" or "reconstructed" by any other state and the brand is carried forward on a Wyoming title, are not required to go through the rebuilt title process for registration purposes and may be reregistered pursuant to this act after obtaining a Wyoming title branded "salvage" or "rebuilt" as applicable, or in the case of a vehicle damaged by hail or theft with no damage, other than cosmetic, by submitting to the county clerk a statement from a properly licensed Wyoming vehicle dealer or a licensed insurance adjuster that the damage is cosmetic only.

(d) After the owner of a motor vehicle for which a certificate of title branded "salvage" has been issued pursuant to this act, provides the information required under subsection (c) of this section to the department, the

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department shall provide to the owner a secure decal which shall comply with the permanency requirements of the department, stating "rebuilt salvage vehicle". The owner shall apply the decal to the driver's door jamb of the vehicle prior to having the vehicle inspected by a Wyoming law enforcement officer for the vehicle identification number and to ensure the decal has been properly affixed. On a motorcycle, the owner shall apply the decal opposite the vehicle identification number on the fork crown in a manner that does not obscure the vehicle identification number, prior to having the motorcycle inspected by a Wyoming law enforcement officer for the vehicle identification number and to ensure the decal has been properly affixed. The owner shall pay the fee specified in W.S. 31-3-102(b) for the inspection.

(p) If a damaged vehicle is rebuilt and the owner is issued a certificate of title branded "rebuilt", the owner shall register the vehicle as required under W.S. 31-2-201, unless the owner is a licensed vehicle dealer under chapter 16 of this title and the vehicle was rebuilt for resale to the public. If the person registering the rebuilt vehicle is the person under whose name the vehicle was previously registered and the annual registration year for the vehicle prior to being damaged has not expired at the time of application under this section, a credit shall be issued for the remainder of the current annual registration year for the vehicle to be applied against any registration fees due for registration of the vehicle for the same period.

31-2-109. Disclosure requirements.

(d) Nothing in this act shall prevent the buyer from voiding the sale if there is evidence that the buyer failed to receive the branded title, or a copy of the branded title, or any other notification indicating the title bore

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any brand at the time of purchase, regardless of when the title was issued in the buyer's name. The election to render the sale voidable shall be in writing and delivered to the seller not later than thirty (30) days after the buyer first receives knowledge that the title carries a brand. This paragraph shall apply only if there is evidence that the seller knowingly failed to notify the buyer with the intent to defraud the buyer.

31-2-201. Registration required; timelines.

(a) ~~Every owner of a vehicle shall apply for registration of and license plates for the vehicle~~ Except as provided in W.S. 31-2-224, every owner, or if applicable, operator or lessee, of a vehicle which will be operated or driven upon any highway in Wyoming, shall be required to obtain registration at the following times:

(ii) Upon transfer of ownership of a vehicle:

(B) Within forty-five (45) days if transferred by an out-of-state dealer, regardless of when the out-of-state temporary permit expires;

(iv) Notwithstanding paragraph (iii) of this subsection, immediately ~~if the operator of a vehicle operated in this state is:~~ when the vehicle is being operated by a person not from this state for transportation to or from, or for the purpose of gainful employment or any trade, profession or occupation within this state.

(j) Any nonresident owner, lessee or operator of a vehicle that is not a commercial vehicle, who is employed in this state on a temporary or full-time basis may choose to purchase a temporary worker registration permit from the county treasurer in lieu of registering the vehicle

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pursuant to paragraph (a)(iv) of this section and paying the fees pursuant to W.S. 31-3-101, provided the vehicle displays a valid registration and license plate from another jurisdiction and is properly insured. Application for the temporary worker registration permit shall be made to the county treasurer in the manner and form prescribed by the department and shall be submitted with proof of valid insurance. The temporary worker registration permit shall bear a distinctive number assigned to the vehicle, an expiration date and at all times be prominently displayed and clearly visible on the vehicle in a manner prescribed by the department. Fees collected under this subsection shall be deposited in the county general fund. The fee for a temporary worker registration permit shall be fifty dollars (\$50.00) per each month of required registration, and shall not exceed one hundred twenty (120) days per vehicle.

(k) W.S. 31-2-225 notwithstanding, upon compliance with W.S. 39-15-107(b) and 39-16-107(b), if applicable, an owner of a commercial vehicle that is not a Wyoming based commercial vehicle as defined by W.S. 31-18-201(a)(vi), a nonresident owner of a vehicle not employed in this state, or any owner upon transfer of ownership or lease, may, as an alternative to registration, obtain one (1) temporary registration permit in a twelve (12) month period authorizing operation of the vehicle on the highways of this state for a period not to exceed ninety (90) days from the date of issuance of the temporary registration permit. Any registration issued under this section shall bear a distinctive number assigned to the vehicle, an expiration date and at all times be prominently displayed and clearly visible on the vehicle in the manner prescribed by the department. Application for a temporary registration permit shall be made to the county treasurer in the manner and form prescribed by the department. A temporary registration

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permit under this subsection shall be considered an initial registration under W.S. 31-1-101(a)(xxx). The fee for the temporary registration permit shall be an amount equal to the following fractions of the annual registration fees for the vehicle required under W.S. 31-3-101:

- (i) Up to thirty (30) days at one-tenth (.10);
- (ii) Up to sixty (60) days at two-tenths (.20);
- (iii) Up to ninety (90) days at three-tenths (.30).

(m) A one time "in transit" permit may also be purchased for a fee of twenty dollars (\$20.00) per vehicle, which entitles a person who obtains a vehicle from any person, other than a licensed Wyoming vehicle dealer, to operate the vehicle on the highways of Wyoming without registration, only for the purpose of removing the vehicle from the state within a period of forty-eight (48) hours from the date of the permit. The applicant for this permit shall be required to provide any documentation necessary, including proof of insurance, to satisfy the county treasurer that the applicant has the lawful right to the vehicle. The permit shall expire forty-eight (48) hours after issuance, or upon leaving the state. The permit shall bear a distinctive number assigned to the vehicle, an expiration date and shall at all times be prominently displayed and clearly visible on the vehicle in a manner prescribed by the department.

(n) A vehicle which is not included as part of a licensed dealer's inventory, is not currently registered in this state or any other jurisdiction and is required to be registered if operated on the public highways of this state may be operated for demonstration purposes, without a load,

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on the public highways of this state while displaying a demonstration permit. The permit shall be obtained from the department, agent or any authorized person by the department, upon application, presentation of a valid certificate of title and payment of the prescribed fee. The permit shall indicate the dates of demonstration, not exceeding ninety-six (96) hours, and such other information as the department prescribes. The department shall prescribe the manner in which the permit shall be displayed.

31-2-204. Issuance of certificates of registration and license plates by county; form.

(a) Upon receipt of an approved application and payment of fees the county treasurer shall issue to the applicant a certificate of registration conforming with the facts set forth in the application together with one (1) license plate or validation sticker for motorcycles, multipurpose vehicles, trailers, including house trailers, and vehicles operated with dealer license plates and two (2) license plates or proper validation stickers for any other vehicle. A copy of the certificate of registration shall be carried at all times in the motor vehicle for which it is valid and shall be displayed upon demand of any peace officer.

31-2-206. Annual renewal; delivery of license plates and stickers; staggered registration.

(g) ~~Notwithstanding subsection (e) of this section,~~ Any person who registers two (2) or more vehicles may select one (1) currently existing annual registration month for all of those vehicles. ~~Notwithstanding paragraph (j)(ii) of this section~~ W.S. 31-1-101(a)(xxx)(B), any person who elects to register vehicles under the provisions

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of this subsection may thereafter apply to the county treasurer to have the same annual registration month apply to subsequently acquired vehicles. When electing to establish the same registration period for all vehicles, the owner shall pay the current annual registration fee plus one-twelfth (1/12) of that annual fee for each additional month necessary to extend the registration to the registration period under which all the vehicles will be registered. No depreciation shall be allowed for the required additional months. Thereafter, all the vehicles shall be registered on an annual basis.

(h) If a county treasurer with the approval of the board of county commissioners elects to register vehicles under this subsection, the annual registration month for all vehicles shall be December and except for vehicles registered during calendar year 1992 and each year thereafter, the license plates or stickers issued for any calendar year under this subsection shall only be used for the vehicle for which issued through the last day of March of the succeeding calendar year. For vehicles registered during calendar year 1992 and each year thereafter, the license plates or stickers issued for any calendar year under this subsection shall only be issued for use through the last day of February of the succeeding calendar year. ~~Paragraphs (j)(i) and (ii) of this section~~ W.S. 31-1-101(a)(xxx)(A) and (B) do not apply if an election is made under this subsection. A county treasurer with the approval of the board of county commissioners may subsequently elect to follow the procedure in subsections (e) through (g) of this section for any succeeding calendar year by notifying the department not later than April 1 of the year preceding the year for which the election is made and providing adequate publicity to county residents about the election. If any election is made to follow the procedure in subsections (e) through (g) of this section,

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credit shall be given for registration fees paid through December 31 of the year for which the election is made. If a county treasurer follows the procedure under subsections (e) through (g) of this section, no subsequent election shall be made. No election under this subsection shall be made for a calendar year in which new license plates shall be issued.

(k) Dealer demo, full use and manufacturer license plates are valid for one (1) year beginning the first day of the month following the annual registration month provided the dealer or manufacturer holds a valid license pursuant to W.S. 31-16-104 and the dealer or manufacturer license is not suspended, revoked, cancelled or expired. The dealer or manufacturer license plates shall expire upon the date of any revocation, suspension, cancellation or expiration of the dealer or manufacturer license. Any and all license plates expired pursuant to this paragraph shall be immediately returned to the department upon expiration.

31-2-212. Loss, mutilation or destruction of registration, plates or validation stickers.

Upon loss, mutilation or destruction of a certificate of registration, license plate, or validation sticker the owner of a vehicle may obtain a duplicate certificate of registration, new license plates or validation stickers from any county treasurer or the department if the vehicle was registered or plates or stickers were issued by the department upon application showing the loss, mutilation or destruction, return of mutilated plates or stickers and payment of the duplicate registration, plate or sticker fee. For those vehicles registered under the provisions of W.S. ~~31-2-206(b), 31-2-207 through 31-2-209,~~ 31-2-213(h) or 31-2-215 through ~~31-2-217~~ 31-2-223, replacement duplicate license plates may be obtained upon application with the

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county treasurer from which the original plates were purchased or the department if applicable, accompanied by fees as provided by W.S. ~~31-3-102(a)(vi)(A)~~ 31-3-102(a)(vi)(C). Duplicate license plates obtained under this section to replace lost or stolen plates shall not be displayed on the vehicle until the validation stickers on the lost or stolen plates have expired. Upon loss, mutilation or destruction of a dealer plate or validation sticker the dealer may obtain a replacement dealer plate or validation sticker from the county treasurer from which he purchased the original plate in the same manner as the owner of a vehicle and upon payment of the appropriate fee under W.S. 31-3-102(a)(vi). Obtaining a replacement plate is not the purchase of an additional plate under W.S. 31-16-125(b)(i). Upon application for new license plates or stickers the county treasurer shall notify the department and the county sheriff as soon as possible of the loss, mutilation or destruction. The department shall notify the appropriate law enforcement agencies of any loss, mutilation or destruction of license plates or stickers.

31-2-213. Department to supply registration certificates, plates and stickers; removable windshield placards.

(b) The department may issue license plates, except dealer and antique motor vehicle license plates, which shall be valid for not more than eight (8) years if annual validation stickers are attached ~~covering the original year designation on the plate in the upper left corner of the license plate with the month and year of expiration clearly visible~~. Department authorized license plates and annual stickers shall be of colors that are readily distinguishable from the previous year.

31-2-214. Transfer of ownership.

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(a) Except as provided by subsections (b) through (d) of this section, upon transfer of ownership of a vehicle the registration of the vehicle expires and the original owner shall immediately remove the license plates from the vehicle. Within ~~ten~~ ~~(10)~~ forty-five (45) days after acquiring another vehicle for which the license plates would be proper, the original owner may file an application for the transfer of the license registration number to a vehicle acquired by him accompanied by the fees based on the amount which would be due on a new registration as of the date of transfer less any credit for the unused portion of the original registration fees for the original vehicle for the assignment of the plates to the recently acquired vehicle subject to the following:

31-2-215. Disabled veteran's license plates.

(a) A disabled veteran who receives fifty percent (50%) or more service connected disability compensation from the United States department of veteran's affairs and who is a resident at the time of application under subsection (b) of this section, may apply for distinctive license plates for a motor vehicle, other than a commercial vehicle, motorcycle, multipurpose vehicle, bus or motor home, owned or leased by him upon registration of the vehicle. These license plates shall be displayed upon the vehicle for which they are issued. The license plates shall bear a distinctive symbol or letters identifying the registrant as a disabled veteran. The department shall prescribe the symbol or letters which shall not include arabic numerals designating the county.

(b) Application for license plates under subsection (a) of this section shall be annually made to the county treasurer as provided by ~~W.S. 31-2-201~~ this article, except

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application shall be made not less than thirty (30) days before the last day of the applicant's annual registration month. Application forms shall be available at all county treasurer's offices.

31-2-216. Special plates; former prisoners of war.

(a) The county treasurer shall issue one (1) set of special license plates for either a passenger car, truck or motor home owned or leased by a former prisoner of war in accordance with this section for the year 1988 and thereafter.

31-2-217. Special plates; Pearl Harbor survivors; national guard members; purple heart recipients.

(a) The county treasurer shall issue one (1) set of special license plates to each applicant for either a passenger car, truck or motor home owned or leased by a survivor of Pearl Harbor or by a member of the Wyoming army or air national guard, in accordance with this section for the year 1990 and thereafter. For the year 1993 and thereafter, the county treasurer shall issue one (1) set of special license plates to each applicant for either a passenger car, truck or motor home owned by a purple heart recipient. These license plates shall be displayed upon the vehicle for which they are issued.

(b) Application for license plates under subsection (a) of this section shall be annually made to the county treasurer as provided by ~~W.S. 31-2-201~~ this article. Application forms shall be available at all county treasurer's offices. The registration fees prescribed by W.S. 31-3-101 shall accompany each application. No additional fee shall be charged for the license plates provided by this section.

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31-2-218. Firefighter's license plates.

(a) A firefighter employed by a city, county, state or duly created fire protection district or a volunteer firefighter as defined by W.S. 35-9-601 may apply for distinctive license plates for any motor vehicle that is not a commercial vehicle or multipurpose vehicle owned or leased by him upon registration of the vehicle. If the firefighter became a member of a bona fide fire department after January 1, 1995, he shall have a minimum of one (1) year service with the fire department and be firefighter one certified or engine boss wildfire certified in order to apply for the license plate. The fire chief or his designated assistant shall sign a written statement that the applicant is eligible to obtain the license plate. License plates issued under this section shall be displayed upon the vehicle for which they are issued. The license plates shall bear a distinctive symbol and letters identifying the registrant as a firefighter.

(b) Application for license plates under subsection (a) of this section shall be annually made to the county treasurer as provided by ~~W.S. 31-2-201~~ this article. The written statement of eligibility required under subsection (a) of this section shall be presented to the county treasurer before a license plate may be issued. Application forms shall be available at all county treasurer's offices. The fee required under W.S. 31-3-102(a)(viii) shall accompany each application.

31-2-219. University of Wyoming license plates.

(a) Any person required to register a vehicle in Wyoming pursuant to ~~W.S. 31-2-201~~ this article may apply to the University of Wyoming for a statement of eligibility

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for distinctive University of Wyoming license plates for any motor vehicle that is not a commercial vehicle or multipurpose vehicle owned or leased by the applicant upon registration of the vehicle. Upon payment by the applicant of a fee of one hundred dollars (\$100.00) established and assessed by the University of Wyoming, the university shall issue a written statement of eligibility for University of Wyoming license plates. Application shall be made at least thirty (30) days before registration of the vehicle expires. Any fees collected under this section shall be payable to the University of Wyoming, shall be deposited in a separate account and are continuously appropriated for use as provided in W.S. 21-17-118. The fee authorized under this section may be increased annually up to the percentage increase as shown by the Wyoming cost-of-living index as determined by the division of economic analysis of the department of administration and information.

31-2-220. Emergency medical technician's license plates.

(a) Any person certified by the department of health as an emergency medical technician may apply for distinctive license plates for any motor vehicle that is not a commercial vehicle or multipurpose vehicle owned or leased by that person upon registration of the vehicle. These license plates shall be displayed upon the vehicle for which they are issued. The license plates shall bear a distinctive symbol and letters identifying the registrant as an emergency medical technician.

(b) Application for license plates under subsection (a) of this section shall be annually made to the county treasurer as provided by ~~W.S. 31-2-201~~ this article. A written statement of eligibility, accompanied by a copy of the applicant's current emergency medical technician

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certification, shall be presented to the county treasurer before a license plate or renewal sticker may be issued. Application forms shall be available at all county treasurer's offices. The normal registration fees and the fee required under W.S. 31-3-102(a)(viii) shall accompany each application. A person issued distinctive license plates pursuant to this section who is no longer a certified emergency medical technician shall apply for regular license plates pursuant to ~~W.S. 31-2-201~~ this article before registration of the vehicle expires.

31-3-101. Registration fees; exemptions.

(a) Except as otherwise provided, the following fees shall accompany each application for the registration of a vehicle:

(i) A county registration fee computed as follows, or five dollars (\$5.00), whichever is greater:

(A) 3% of 60% of the factory price plus special equipment value for a vehicle in its first year of service;

(B) 3% of 50% of the factory price plus special equipment value for a vehicle in its second year of service;

(C) 3% of 40% of the factory price plus special equipment value for a vehicle in its third year of service;

(D) 3% of 30% of the factory price plus special equipment value for a vehicle in its fourth year of service;

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(E) 3% of 20% of the factory price plus special equipment value for a vehicle in its fifth year of service;

(F) 3% of 15% of the factory price plus special equipment value for a vehicle in its sixth year of service and thereafter.

(c) When ~~no~~a factory price or special equipment value is not available for the computation of fees as required by this act an affidavit of valuation executed by the owner may be accepted. When an affidavit is presented for a homemade trailer or homemade special equipment, an affidavit of valuation executed by the owner may be accepted but the valuation given shall not be less than the actual cost of construction of the trailer or homemade special equipment. The county clerk or treasurer may also utilize a valuation for any trailer set by the county assessor. In no event shall any special equipment for which a registration has been issued be assessed for property taxation purposes pursuant to W.S. 39-13-103.

(g) Owners of the following vehicles are exempt from the payment of fees provided by subsections (a) and (b) of this section:

(ii) Motor vehicles which ~~will have~~ not ~~be been~~ operated or driven upon Wyoming highways during the registration year upon the verified affidavit by the owner stating facts entitling him to relief;

(iii) Antique motor vehicles if registered pursuant to W.S. 31-2-223;

(h) Any owner of a vehicle who wishes to donate money to promote awareness and education efforts for procurement

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of organ and tissue donations for anatomical gifts shall be provided space on the registration form to do so pursuant to W.S. ~~31-2-201(b)(v)~~ 31-2-222(a)(v). Any money received under this subsection shall be forwarded by the county treasurer to the state treasurer to be deposited into a separate account to be used as provided by W.S. 35-5-118.

31-3-102. Miscellaneous fees.

(a) The following fees shall be collected for the instruments or privileges indicated:

(v) All ~~other~~ demo or manufacturer license plates.....\$ 25.00

(vi) Duplicate certificate of registration
.....\$ 4.00

(A) New ~~or duplicate~~ license plates upon loss, mutilation or destruction of initial plates. \$ 8.00

(C) Duplicate license plates that have to be produced for prestige, specialty and preferred number series plates upon loss, mutilation or destruction of initial license plates.....\$ 30.00

(vii) Certificate of title, ~~including a nontransferable certificate for registration purposes under W.S. 31-2-102(a)(iii),~~ original or duplicate\$9.00

(xvi) Demonstration permit under W.S. ~~31-2-201(g)~~ 31-2-201(n)\$ 10.00

31-3-103. Distribution of fees; refunds.

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(e) Fifty percent (50%) of the fees collected pursuant to W.S. ~~31-3-102(a)(vi)(A) and (B)~~ 31-3-102(a)(vi)(A) through (C) and (xii) shall be distributed to the county general fund in the county where the fees were collected.

(g) Fees collected by U-Drive-It ~~motor~~ vehicle or ~~car~~ rental ~~companies~~ vehicle agencies pursuant to W.S. 31-3-104 in excess of registration fees paid on trucks or passenger vehicles in Wyoming shall be distributed as follows:

31-3-104. Surcharge on rental and u-drive-it vehicles.

(a) Rental ~~companies~~ vehicle agencies engaged in the business of renting ~~passenger~~ rental or U-Drive-It ~~motor~~ vehicles for periods of ~~twenty-nine (29)~~ thirty-one (31) days or less shall collect, at the time the vehicle is rented in Wyoming, a four percent (4%) surcharge on each rental contract. For purposes of this section, a vehicle is rented in Wyoming if possession is obtained by the renter in Wyoming. The surcharge shall be computed on the total dollar amount stated in the rental contract, except that taxes imposed by chapters 15 and 16 of title 39 shall not be used in computing the surcharge. The surcharge paid under this section shall not be subject to the taxes imposed by chapters 15 and 16 of title 39.

(b) The surcharge shall be noted in the rental contract and collected in accordance with the terms of the contract. Except as provided in subsection (c) of this section, the surcharge shall be retained by the vehicle owner or the rental ~~company~~ vehicle agency engaged in the business of renting ~~passenger~~ rental or U-Drive-It ~~motor~~ vehicles as reimbursement for registration fees paid under W.S. 31-3-101.

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(c) On February 15 of each year, all rental ~~companies~~ vehicle agencies which collect surcharges pursuant to this section shall file a report with the department stating the total amount of registration fees paid in Wyoming on ~~its passenger~~ their rental or U-Drive-It ~~motor~~ vehicles for the preceding calendar year, the total amount of passenger rental or U-Drive-It ~~motor~~ vehicle rental revenues earned ~~on rentals~~ in Wyoming for the preceding calendar year and the amount by which the total amount of the surcharges collected for the preceding calendar year exceeds the total amount of Wyoming registration fees on passenger rental or U-Drive-It ~~motor~~ vehicles paid for the preceding calendar year. All surcharge revenues collected in excess of the total amount of Wyoming registration fees paid on passenger rental or U-Drive-It ~~motor~~ vehicles shall be remitted to the department for distribution in accordance with W.S. 31-3-103. For a period of three (3) years after filing the report required under this subsection:

(i) The rental ~~company~~ vehicle agency shall retain copies of rental contracts;

(ii) The department may require rental ~~companies~~ vehicle agencies to furnish copies of rental contracts for purposes of ensuring compliance with this section.

(d) Any rental ~~company~~ vehicle agency which makes a false report to the department with the intent to misrepresent the amount of registration fees paid on passenger rental or U-Drive-It ~~motor~~ vehicles or the amount of surcharges collected is guilty of a misdemeanor and upon conviction is subject to a fine of not more than seven hundred fifty dollars (\$750.00), imprisonment for not more than six (6) months, or both. Each violation constitutes a separate offense.

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31-4-101. General prohibitions.

(a) No person shall knowingly operate, nor shall an owner knowingly permit to be operated, upon any highway any vehicle:

(i) Unless a valid certificate of title, ~~or nontransferable certificate under W.S. 31-2-102(a)(iii),~~ certificate of registration and license plates or temporary permits have been issued for the vehicle except as otherwise provided by this act;

(e) No person shall operate a vehicle in any manner with an expired or improper registration, permit, decal or any other department approved registration upon any highway or other publicly maintained roadway in this state.

31-18-201. Commercial vehicles; registration; exemptions.

(t) An owner of a commercial vehicle engaged in the motion picture industry whose vehicle is properly registered in another state and not entitled to the registration or licensing exemption under W.S. ~~31-2-201(d)~~ 31-2-224 or this section may, as an alternative to registration or proportional registration and in lieu of the fee required by W.S. 39-17-106(g) and 39-17-206(d), apply to the department for a temporary permit to operate the vehicle in Wyoming for ninety (90) days upon payment of the appropriate fees prescribed in subsection (s) of this section. As used in this subsection, "motion picture industry" includes all filming in this state for commercial purposes including advertising. Any person operating a vehicle in Wyoming beyond the period authorized in the temporary permit is subject to a civil penalty requiring

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full registration of the vehicle in Wyoming for the registration year in which the violation occurred and payment of all fees required for registration.

Section 3. W.S. 31-2-208 through 31-2-210 are amended and renumbered as 31-2-221 through 31-2-223 to read:

~~31-2-208~~ 31-2-221. **Prestige license plates.**

Excluding dealer, antique, specialty, apportioned, publicly owned vehicle and radio amateur license plates, upon payment of the regular registration fees prescribed by W.S. 31-3-101 and a prestige license plate fee and application to the department, the distinctive license plate number assigned to a vehicle may consist of such combination of alphabetical letters or arabic numerals not currently held nor requested by any vehicle owner in the same county if approved by the department. Application shall be made to the department not later than sixty (60) days before the first day of the annual registration month for the vehicle. An owner having prestige license plates is entitled to the first priority for similar plates upon timely and proper application for license plates. A request for renewal of the registration for the prestige license plate may be made to a county treasurer for issuance of a renewal registration and validation sticker.

~~31-2-209~~ 31-2-222. **Radio amateur license plates.**

A resident who is the owner of a motor vehicle that is not a commercial vehicle or multipurpose vehicle and who is licensed by the federal communications commission to engage in private and experimental two-way radio operation and holding a bona fide novice class license or higher may apply to the department for radio amateur license plates for one (1) passenger car and one (1) pickup truck only

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whereby the distinctive license plate number assigned to the motor vehicles shall consist of the figures and letters that make up the call sign of the radio amateur as issued by the federal communications commission. Upon payment of the additional radio amateur license plate fee the department shall furnish radio amateur license plates of such size and design as prescribed by the department to the county treasurer of the county in which the approved applicant resides. The county treasurer shall issue the plates to the applicant upon payment of the regular registration fees. A request for renewal of the registration for the radio amateur license plate may be made to a county treasurer for issuance of a renewal registration and validation sticker. The department may promulgate rules and regulations as provided by the Wyoming Administrative Procedure Act to implement the provisions of this section.

~~31-2-210~~ 31-2-223. **Antique motor vehicles.**

(a) Antique motor vehicles ~~shall~~ may be registered and licensed pursuant to this section.

(b) The owner of an antique motor vehicle shall register the vehicle within ten (10) days from the date of acquisition of the vehicle by submitting an application to the department indicating:

(i) The owner has resided in Wyoming for at least one (1) year;

(ii) The vehicle is owned and operated solely for the purposes of organized antique car club activities, parades, exhibitions, tours and other related activities and will not be used for general transportation;

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(iii) The vehicle is titled in Wyoming.

(c) Upon receipt of an approved application and payment of fees the vehicle shall be registered and license plates issued therefor. The registration expires upon transfer of ownership of the vehicle. Notwithstanding W.S. 31-2-205(a)(i)(A), a license plate shall only be required to be displayed on the rear of those antique motor vehicles that were originally manufactured to have one (1) license plate.

Section 4. W.S. 31-1-201(g), 31-2-102(a)(iv) and (vi), 31-2-104(g), 31-2-107(c), 31-2-108(a), 31-2-201(a)(iv)(A) through (C) and (b) through (h), 31-2-206(b), (j) and (m), 31-3-101(a)(ii)(G) and (b)(xii) and 31-3-102(a)(iv)(intro) and (xviii) are repealed.

Section 5. No vehicle, including a trailer, watercraft or snowmobile, previously not required to be titled under title 31 of the Wyoming statutes, shall be required to be titled under this act until such time as the owner of such vehicle transfers his right to the vehicle, at which time the owner and subsequent owners shall be required to comply with this act.

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Section 6. This act is effective January 1, 2010.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk