

SENATE FILE NO. SF0075

Recreational vehicle special sales permit.

Sponsored by: Senator(s) Hines and Representative(s)
Edwards

A BILL

for

1 AN ACT relating to motor vehicles; providing for a
2 temporary recreational vehicle display and sales permit as
3 specified; providing permit application requirements;
4 providing definitions; granting rulemaking authority; and
5 providing for an effective date.

6

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

8

9 **Section 1.** W.S. 31-16-127 is created to read:

10

11 **31-16-127. Temporary recreational vehicle display and**
12 **sales permit.**

13

14 (a) No out of state recreational vehicle dealer shall
15 display, demonstrate, exchange or sell a recreational
16 vehicle, as defined in W.S. 31-16-101(a)(xxiii), in this

1 state without a permit as provided in subsection (b) of
2 this section.

3

4 (b) The department shall issue a temporary
5 recreational vehicle display and sales permit to an out of
6 state recreational vehicle dealer not currently licensed in
7 Wyoming, subject to the following conditions:

8

9 (i) The applicant shall submit an application
10 accompanied by an application fee of three hundred dollars
11 (\$300.00) to the department at least ninety (90) days prior
12 to the recreational vehicle display and sales event. The
13 application shall be on a form approved by the department
14 and shall include:

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16 (A) The legal name and residence address of
17 the applicant and the trade name, if any, under which the
18 applicant intends to conduct his business. If the applicant
19 is a partnership, the name and residence address of each
20 partner, whether a limited or general partner, and the name
21 under which the partnership business is to be conducted.
22 If the applicant is a corporation, the name of the
23 corporation and the name and address of each of its
24 principal officers and directors. If the applicant is a

1 limited liability company, the name and address of the
2 members and managers;

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4 (B) Any other information the department may
5 reasonably require, including financial statements of new
6 applicants, past or present judicial, civil or
7 administrative dispositions of criminal, civil or
8 administrative actions relating to the conduct of the
9 business if currently licensed or a new applicant,
10 telephone numbers, sales and use tax numbers for the
11 business and declared business hours. Any new applicant for
12 a permit issued under this section, including all officers
13 of a corporation or members of a limited liability company
14 or limited partnership, shall submit to fingerprinting and
15 provide information necessary for a state and national
16 criminal history record background check and release of
17 information as provided in W.S. 7-19-106(k)(ii) and consent
18 to the release of any criminal history information to the
19 department;

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21 (C) An additional fee of fifty dollars
22 (\$50.00) for two (2) temporary recreational vehicle demo
23 plates;

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1 (D) An additional fee of five dollars
2 (\$5.00) for ten (10) temporary permits for issuance to
3 purchasers of recreational vehicles at the event;

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5 (E) Any additional fees required by state
6 and federal agencies for processing of criminal history
7 record information and fingerprint searches.

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9 (ii) The recreational vehicle display and sales
10 event is in conjunction with a state, regional or national
11 recreational vehicle rally at which at least one hundred
12 fifty (150) owned units are preregistered to attend;

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14 (iii) The application shall be accompanied by a
15 written statement from the owner or manager of the location
16 where the recreational vehicle display and sales event will
17 be conducted, describing the associated recreational
18 vehicle rally and the display and sales event;

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20 (iv) A permit pursuant to this section shall be
21 valid for a period up to seven (7) consecutive days,
22 beginning on the first day of the scheduled event;

23

1 (v) Not more than three (3) permits as provided
2 in this section shall be issued to any one (1) out of state
3 recreational vehicle dealer in one (1) calendar year;

4
5 (vi) The application shall be accompanied by a
6 cash or surety bond in the amount of fifty thousand dollars
7 (\$50,000.00) with a corporate surety duly licensed to do
8 business within this state. The bond shall:

9
10 (A) Be approved as to form by the attorney
11 general;

12
13 (B) Be conditioned that the applicant shall
14 not practice any fraud, fraudulent misrepresentations, or
15 violate any federal or state law, rules or regulations
16 relating to the conduct of the business;

17
18 (C) Guarantee the return of the temporary
19 recreational vehicle display and sales permit, recreational
20 vehicle demo plates, unused temporary permits and stubs of
21 temporary permits issued to purchasers;

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23 (D) Be forfeited to the department upon
24 substantial proof of violation;

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(E) Be returned by the department to the bond holder within thirty (30) days after the last day of the event if no sales were consummated in Wyoming or one hundred eighty (180) days after the last date of any sales transacted at the event if all conditions and guarantees of the bond have been met.

(vii) The permit shall be prominently displayed at the sales event in the location where the permit holder conducts business.

(c) For purposes of this section:

(i) "Out of state recreational vehicle dealer" means a dealer as defined in W.S. 31-16-101(a)(xviii) who is engaged in the business of selling or exchanging recreational vehicles and who is not licensed as a new vehicle dealer or used vehicle dealer as provided in this act;

(ii) "Recreational vehicle display and sales event" means any temporary private or public assembly of recreational vehicles at which recreational vehicles are

1 displayed to the public for the purpose of sale or
2 exchange.

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4 (d) The department shall adopt rules and regulations
5 to implement the provisions of this section.

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7 **Section 2.** W.S. 7-19-201(a) by creating a new
8 paragraph (vi), 31-16-101(a)(xx) and 31-16-104(a)(vii), by
9 creating a new paragraph (viii) and (d) are amended to
10 read:

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12 **7-19-201. State or national criminal history record**
13 **information.**

14

15 (a) The following persons shall be required to submit
16 to fingerprinting in order to obtain state and national
17 criminal history record information:

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19 (vi) Persons applying for a recreational vehicle
20 special sales permit under W.S. 31-16-127.

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22 **31-16-101. Definitions.**

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24 (a) As used in this act:

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2 (xx) "This act" means W.S. 31-16-101 through

3 ~~31-16-126~~ 31-16-127;

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5 **31-16-104. Classes of licenses and permits;**
6 **expiration.**

7

8 (a) Licenses issued under this act shall be the
9 following classes:

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11 (vii) Temporary ninety (90) day vehicle dealer
12 permit allows an applicant to operate a business under this
13 act for a period of ninety (90) days while the department
14 is completing an investigation for any purpose relative to
15 the business. The temporary permit terminates when the
16 applicant's license has been issued or refused but in no
17 case shall the temporary permit exceed ninety (90) days; ~~;~~

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19 (viii) Temporary recreational vehicle display
20 and sales permit pursuant to W.S. 31-16-127.

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22 (d) Except for temporary vehicle dealer permits and
23 special recreational vehicle display and sales permits,
24 licenses issued under this act shall be valid for one (1)

1 year and shall expire at midnight preceding the anniversary
2 date.

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4 **Section 3.** This act is effective July 1, 2006.

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(END)