

ORIGINAL HOUSE
BILL NO. 0032

ENGROSSED

ENROLLED ACT NO. 22, HOUSE OF REPRESENTATIVES

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING
2014 BUDGET SESSION

AN ACT relating to snowmobiles; increasing registration and user fees; eliminating user fees for resident snowmobiles; repealing requirement to show proof of sales tax paid; modifying applicability of registration statutes; repealing requirements for specified language on decals; providing for disposition of fees for replacement certificates and decals; providing definitions; and providing for an effective date.

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

Section 1. W.S. 31-2-401(a) by creating new paragraphs (iii) and (iv) and by renumbering (iii) as (v), 31-2-402(b), (d) and by creating a new subsection (e), 31-2-403, 31-2-404(a), (c)(intro), (i) and (ii), 31-2-405(a), 31-2-406, 31-2-408(a)(iii), by creating a new paragraph (iv) and (b) and 31-2-409(a)(intro), (ii), (b)(intro), (ii), (d)(ii), (e) and (f) are amended to read:

31-2-401. Definitions.

(a) For purposes of this act:

(iii) "Nonresident snowmobile" means any snowmobile that is not a resident snowmobile;

(iv) "Resident snowmobile" means any snowmobile:

(A) Titled in Wyoming;

(B) Owned by a Wyoming resident; or

(C) Which is used or kept in Wyoming for more than thirty (30) consecutive days.

ORIGINAL HOUSE
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SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING
2014 BUDGET SESSION

~~(iii)~~ (v) "This act" means W.S. 31-2-401 through 31-2-409.

31-2-402. Registration selling agents; application for registration.

(b) The department of state parks and cultural resources through the division of state parks and historic sites shall in accordance with W.S. 36-4-123, appoint selling agents to sell snowmobile registrations and user fees. Each selling agent shall retain one dollar (\$1.00) for each nonresident user fee sold under W.S. 31-2-409(a)(ii) or for each resident snowmobile registration sold under W.S. 31-2-404(a)(i). Designated department employees may sell snowmobile registrations and user fees, but no employee shall receive any commission on registrations or user fees collected.

(d) Except as hereafter provided, every person who owns or uses a resident snowmobile which will be operated within the state of Wyoming shall, for each snowmobile so owned or used file or cause to be filed each year beginning July 1, with any designated ~~registration~~-selling agent, an application for registration of the snowmobile which shall be in writing in duplicate. The application shall state the name and address of the owner and the name of the applicant and describe the snowmobile, including make, model, and any identifying serial numbers located on the snowmobile. ~~and whether the snowmobile will be operated for private or commercial use. At the time of application, the applicant shall also present proof in a form approved by the department of revenue that all sales or use tax due on the snowmobile have been paid. Any person who knowingly presents a false or fraudulent statement of proof is subject to the provisions of W.S. 6-5-303, in addition to~~

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BILL NO. 0032

ENROLLED ACT NO. 22, HOUSE OF REPRESENTATIVES

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING
2014 BUDGET SESSION

~~any penalties and interest due for nonpayment of sales or use tax on the snowmobile.~~

(e) Every person who owns or uses a nonresident snowmobile which will be operated within this state shall, for each snowmobile so owned or used, file or cause to be filed with a designated selling agent each year prior to the operation within the state, an application under W.S. 31-2-409 which states the name and mailing address of the owner of the snowmobile and the name of the applicant.

31-2-403. Required registration fee.

The owner of a resident snowmobile which will be operated within the state of Wyoming shall, upon the filing of an application, pay to the ~~registration~~-selling agent, in cash, money order, certified check or bank draft, a registration fee as provided by W.S. 31-2-404.

31-2-404. Amount of fee; ad valorem tax exemption; disposition of fees; duties of department of state parks and cultural resources.

(a) Except as provided in W.S. 31-2-408, the annual registration fee for a resident snowmobile is:

(i) For a snowmobile intended for private use
~~\$5.00~~ 35.00;

(ii) For a commercial snowmobile ~~\$75.00~~ 105.00.

(c) The ~~registration~~-selling agent shall forward to the department of state parks and cultural resources the original copy of the registration application together with:

ORIGINAL HOUSE
BILL NO. 0032

ENROLLED ACT NO. 22, HOUSE OF REPRESENTATIVES

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING
2014 BUDGET SESSION

(i) ~~Four dollars (\$4.00) of each~~ The registration fee as provided for in paragraph (a)(i) of this section minus one dollar (\$1.00);

(ii) ~~Seventy four dollars (\$74.00) of each~~ The registration fee as provided in paragraph (a)(ii) of this section minus one dollar (\$1.00);

31-2-405. Payment of fees; issuance of certificate and decal; trespass warning printed on decal.

(a) Resident snowmobile registration fees shall be paid before the expiration of ~~sixteen (16)~~ thirty (30) days after acquiring ownership of a snowmobile which will be operated within the state of Wyoming. Upon receipt of the registration fee the ~~registration~~ selling agent shall issue to the owner for each snowmobile a certificate of registration, setting forth the facts in the application, together with a numbered decal which shall bear a distinctive number assigned to the snowmobile and the date of expiration, which decal shall at all times be prominently displayed on the snowmobile.

31-2-406. Lost, mutilated or destroyed certificate or decal.

In the event of loss, mutilation or destruction of any ~~registration-resident or nonresident snowmobile~~ issued pursuant to this act, or numbered decal, the owner of a snowmobile may obtain a duplicate ~~registration~~ certificate or a new numbered decal from any ~~registration~~ selling agent or any authorized department of state parks and cultural resources employee upon filing an affidavit showing the loss, mutilation or destruction of the original ~~registration~~ certificate or numbered decal and paying a fee of ~~one dollar (\$1.00)~~ one-half (1/2) of the applicable

ORIGINAL HOUSE
BILL NO. 0032

ENROLLED ACT NO. 22, HOUSE OF REPRESENTATIVES

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING
2014 BUDGET SESSION

current registration or user fee. The ~~registration~~-selling agent shall forward to the division of parks and historic sites within the department ~~fifty cents (\$.50)~~ one-half (1/2) of the applicable current registration or user fee minus one dollar (\$1.00) of each duplicate ~~registration~~ certificate fee to be deposited to the general fund. It is unlawful for any person to willfully alter or mutilate any ~~registration~~-certificate or numbered decal.

31-2-408. Exemptions.

(a) The following snowmobiles are exempt from W.S. 31-2-401 through 31-2-407:

(iii) Nonresident snowmobiles, owned by out-of-state residents if a valid registration sticker from the owner's state of residence is affixed to those snowmobiles or if the owner can demonstrate other proof of valid registration in his state of residence. except to the extent a nonresident snowmobile meets the qualifications and requirements set forth in W.S. 31-2-402(e);

(iv) Snowmobiles used exclusively on private land.

(b) This section does not exempt snowmobiles which are leased or rented for hire as commercial snowmobiles as defined under W.S. 31-2-401(a)(i).

31-2-409. Snowmobile user fee; amount of fee; disposition of fees; account created; duties of department of state parks and cultural resources; duration of decal; exemptions.

(a) ~~In addition to the registration fees required under W.S. 31-2-403,~~ There shall be collected by

ORIGINAL HOUSE
BILL NO. 0032

ENROLLED ACT NO. 22, HOUSE OF REPRESENTATIVES

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING
2014 BUDGET SESSION

~~registration~~—selling agents an annual nonresident snowmobile user fee for nonresident snowmobiles operated in Wyoming as follows:

(ii) For any ~~other~~nonresident snowmobile not exempt under subsection (f) of this section \$~~25.00~~35.00.

(b) The ~~registration~~—selling agent shall forward to the department of state parks and cultural resources the original copy of the snowmobile user fee form together with:

(ii) ~~Twenty four dollars (\$24.00) of each~~The snowmobile user fee as provided in paragraph (a)(ii) of this section minus one dollar (\$1.00);

(d) The department of state parks and cultural resources shall:

(ii) Furnish a sufficient quantity of numbered decals and necessary forms to each ~~registration~~—selling agent;

(e) The annual nonresident snowmobile user fee numbered decal shall be valid from July 1 of the year designated until June 30 of the following year, with the date of expiration prominently displayed on the decal.

(f) ~~Snowmobiles for which registration fees have been paid under W.S. 31-2-404(a)(ii) and snowmobiles exempt under W.S. 31-2-408(a)(i) and (ii) are exempt from the provisions of this section.~~ The nonresident snowmobile user fee prescribed by paragraph (a)(ii) of this section may be waived on an annual basis by the director of the department of state parks and cultural resources in an area designated by the department through a cooperative agreement whereby

ORIGINAL HOUSE
BILL NO. 0032

ENROLLED ACT NO. 22, HOUSE OF REPRESENTATIVES

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING
2014 BUDGET SESSION

other governmental agencies agree to contribute to the snowmobile trail maintenance and grooming for that area.

Section 2. W.S. 31-2-405(b), 31-2-409(a)(i) and (b)(i) are repealed.

Section 3. This act is effective July 1, 2014.

(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

(ORIGINAL SIGNED BY
PRESIDENT AND SPEAKER)
SIGNED BY GOVERNOR
DATE: 3/6/2014
CHAPTER NO.: 30