

HOUSE BILL NO. HB0078

Salvage title-updates.

Sponsored by: Joint Transportation, Highways & Military
Affairs Interim Committee

A BILL

for

1 AN ACT relating to motor vehicle certificates of title;
2 revising procedures to acquire a salvage title; and
3 providing for an effective date.

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

6

7 **Section 1.** W.S. 31-2-107(a), (d) and by creating new
8 subsections (o) through (q) is amended to read:

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10 **31-2-107. Titles for damaged vehicles; return of**
11 **certificate of title and registration for damaged vehicle;**
12 **replacement title and registration.**

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14 (a) When a motor vehicle is declared a total loss by
15 the insurance company or, in the event an insurance company

1 is not involved in the settlement of the claim, sustains
2 damage in an amount exceeding seventy-five percent (75%) of
3 its actual retail cash value, as set forth in any current
4 edition of a nationally recognized automotive appraisal
5 guide or other source approved by the Wyoming insurance
6 department, the owner or insurance company, if it obtains
7 ownership of the vehicle through transfer of title as a
8 result of a settlement of an insurance claim, shall forward
9 the properly endorsed certificate of title to the office of
10 the county clerk that issued the certificate of title
11 together with an application for a certificate of title
12 branded salvage and payment of the fee required under W.S.
13 31-3-102(a)(vii) to obtain a properly branded certificate
14 of title. For purposes of this section, a certificate of
15 title endorsed by an electronic signature shall constitute
16 a properly endorsed certificate of title, which need not be
17 notarized. When any vehicle accident report is required
18 under chapter 5, article 11 of this title, the
19 investigating officer shall provide written notice to the
20 owner or operator of the vehicle of the requirements under
21 this section.

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

12
13 (o) If an insurance company is unable to obtain a
14 properly endorsed certificate of title within thirty (30)
15 days of payment of damages in a claim settlement involving
16 transfer of a salvage vehicle to the insurance company, the
17 insurance company, an occupational licensee of the
18 department authorized by the insurance company or a salvage
19 pool authorized by the insurance company may request the
20 county clerk issue a certificate of title branded salvage
21 for the vehicle. The request shall be submitted on a form
22 provided by the office of the county clerk and signed under
23 penalty of perjury. The request shall include and document

1 evidence that the insurance company has paid a claim on the
2 vehicle and has made at least two (2) written attempts to
3 obtain the properly endorsed certificate of title at the
4 last known address of the owner of the vehicle. The request
5 shall also include a disclosure of any and all security
6 interests, liens or encumbrances that are known to the
7 insurance company and that are outstanding against the
8 vehicle.

9
10 (p) The county clerk, upon receipt of a request
11 described in subsection (o) of this section and payment of
12 the fee required under W.S. 31-3-102(a)(vii), shall issue a
13 certificate of title branded salvage for the vehicle to the
14 requesting insurance company, an occupational licensee of
15 the department authorized by the insurance company or a
16 salvage pool authorized by the insurance company.

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

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