

HOUSE BILL NO. HB0015

Motor vehicles-titles and bills of sale.

Sponsored by: Representative(s) Lindholm, Blackburn,
Burkhart, Duncan, Sommers and Zwonitzer and
Senator(s) Case and Driskill

A BILL

for

1 AN ACT relating to motor vehicles; removing requirement that
2 specified certificates of title and bills of sale for motor
3 vehicles be notarized; specifying the manner in which
4 interest is held in motor vehicles; modifying the form for
5 bills of sale; specifying applicability; and providing for an
6 effective date.

7

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

9

10 **Section 1.** W.S. 31-2-101, 31-2-103(a)(intro), (i) and
11 (d), 31-2-104(a), (h)(ii) and by creating a new subsection
12 (m), 31-2-112(b)(intro) and (i), 31-2-503(a)(intro), (i) and
13 (d) and 31-2-504(a) are amended to read:

14

15 **31-2-101. Required application.**

1

2 (a) Except as provided by W.S. 31-2-102 and pursuant to
3 W.S. 31-1-101(a)(xxi)(A) through (G), ~~every~~any owner of a
4 vehicle for which no Wyoming certificate of title has been
5 issued to the owner or the transferee upon transfer of
6 ownership of a vehicle for which a Wyoming certificate of
7 title is required, shall apply for a certificate of title at
8 the office of a county clerk, or if available, electronically,
9 within the same time periods as required by W.S.
10 31-2-201(a)(ii) and (iii).

11

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

19

20 **31-2-103. Contents of application; signature; vehicle**
21 **identification number; issuance of certificate.**

22

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

4
5 (i) The name and address of the owner, the manner
6 in which the ownership interest in the vehicle is to be held
7 and the person to whom the certificate of title is to be
8 delivered;

9
10 (d) Upon receipt of an application and payment of fees
11 any county clerk shall, if satisfied that the applicant is
12 the owner of the vehicle for which application for certificate
13 of title is made, issue a paper certificate of title or
14 electronic certificate of title, if available, upon a form or
15 electronic format, approved by and provided at cost to the
16 county clerk by the department in the name of the owner
17 bearing the signature and seal of the county clerk's office.
18 The county clerk shall not deliver a certificate of title
19 issued under this section until presentation of a receipt for
20 payment of sales or use tax pursuant to W.S. 39-15-107(b) or
21 39-16-107(b). If a lien is filed with respect to the vehicle,
22 the county clerk shall, within three (3) business days,
23 deliver a copy of the filed lien and a copy of the issued

1 title to the financial institution and if available, such
2 delivery may be made electronically. Each paper certificate
3 of title or electronic version, shall bear a document control
4 number with county designation and certificate of title
5 number. The title shall be completely filled out giving a
6 description of the vehicle including factory price in a manner
7 prescribed by the department, indicate all encumbrances or
8 liens on the vehicle and indicate the date of issue.
9 Certificates of title shall contain forms for assignment of
10 title or interest and warranty thereof by the owner with space
11 for notation of liens and encumbrances at the time of transfer
12 on the reverse side and contain space for the notarization of
13 the seller's signature for a sale or transfer of title.
14 Certificates of title are valid for the vehicle so long as
15 the vehicle is owned or held by the person in whose name the
16 title was issued. A certificate of title is prima facie proof
17 of ownership of the vehicle for which the certificate was
18 issued.

19

20 **31-2-104. Transfer of ownership.**

21

22 (a) Except as otherwise provided in this section, the
23 owner of a vehicle who sells or transfers his interest in a

1 vehicle for which a certificate of title has been issued shall
2 endorse an assignment and warranty of title upon the
3 certificate for the vehicle with a statement of all liens and
4 encumbrances thereon, which assignment, warranty and
5 statement shall be ~~subscribed~~signed and dated by the owner
6 before a notarial officer and acknowledged thereby in the
7 manner provided by law, to be dated and delivered to the
8 transferee at the time of delivering the vehicle. Except as
9 provided in subsection (b) of this section, the transferee
10 shall present the certificate to a county clerk and apply for
11 a new certificate of title within the same time periods as
12 required by W.S. 31-2-201(a)(ii).

13

14 (h) The requirement under subsection (a) of this
15 section to deliver a certificate of title to a transferee at
16 the time the vehicle is delivered does not apply to a
17 transferor if:

18

19 (ii) The transferor is an auctioneer of vehicles
20 and transfers the vehicle in the course of his business as an
21 auctioneer of vehicles or through an auctioneer of
22 vehicles. The transferor or auctioneer shall then deliver
23 the certificate of title to the transferee within thirty (30)

1 days of the date of sale and shall deliver to the transferee
2 at the time the vehicle is delivered a signed, notarized bill
3 of sale in substantially the following form:

4

5

VEHICLE BILL OF SALE

6

7 I, (NAME OF TRANSFEROR OR AUCTIONEER), on (date), hereby sell
8 and convey all (my interest the interest of (name of current
9 owner)) in the following described vehicle: (COLOR, YEAR,
10 MAKE, MODEL, VEHICLE IDENTIFICATION NUMBER) to (NAME OF
11 TRANSFEREE) in exchange for: (sales price). I hereby state
12 that the certificate of title for the above described vehicle
13 is held by (NAME OF TRANSFEROR-VEHICLE AUCTIONEER, BANK OR
14 OTHER FINANCIAL INSTITUTION) and that within thirty (30)
15 days, (NAME OF TRANSFEREE) will be provided a properly
16 executed title free of all liens for the vehicle unless
17 otherwise specified in this bill of sale. I understand that
18 by signing this bill of sale I will be subject to the
19 penalties for false statements or other violation of Wyoming
20 Statute 31-4-102.

21

22 DATE: _____

23

1 _____

2 (TRANSFEROR'S OR AUCTIONEER'S NOTARIZED SIGNATURE)

3

4 ~~(BILL OF SALE MUST BE NOTARIZED)~~

5

6 (m) If a motor vehicle is held by two (2) or more
7 persons, any person identified as an owner on the certificate
8 of title shall have the right to transfer all interest in the
9 vehicle without the signature of any other owner on the title
10 unless:

11

12 (i) The title states the vehicle is held in joint
13 tenancy with right of survivorship or tenancy by the entirety;

14

15 (ii) The title states the vehicle is held by
16 coowners in the conjunctive, by the use of the word "and" or
17 other similar language, in which event transfer shall require
18 the signature of each coowner;

19

20 (iii) A transfer of all interests in the vehicle
21 by an owner without the signature of any other owner is
22 otherwise prohibited by law.

23

1 **31-2-112. Glider kit vehicle certificate of title.**

2

3 (b) Applications for a glider kit vehicle certificate
4 of title shall ~~be under oath and~~ contain or be accompanied
5 by:

6

7 (i) The name and address of the owner, the manner
8 in which the ownership interest in the vehicle is to be held
9 and the person to whom the certificate of title is to be
10 delivered;

11

12 **31-2-503. Applications; contents; effect.**

13

14 (a) Applications for certificates of title shall ~~be~~
15 ~~under oath and~~ contain or be accompanied by:

16

17 (i) The name and address of the owner, the manner
18 in which the ownership interest in the mobile home is to be
19 held and the person to whom the certificate of title is to be
20 transferred;

21

22 (d) Upon receipt of an application and payment of fees
23 any county clerk shall, if satisfied that the applicant is

1 the owner of the mobile home for which application for
2 certificate of title is made, issue a certificate of title,
3 upon a form approved by and provided at cost to the county
4 clerk by the department of transportation, in the name of the
5 owner bearing the signature and seal of the county clerk's
6 office. Each certificate of title shall bear a distinct serial
7 number. The title shall be completely filled out giving a
8 description of the mobile home in a manner prescribed by the
9 department, indicate all encumbrances or liens on the mobile
10 home and indicate the date of issue. Certificates of title
11 shall contain forms for assignment of title or interest and
12 warranty by the owner with space for notation of liens and
13 encumbrances at the time of transfer on the reverse side and
14 contain space for the notarization of the seller's signature
15 for a sale or transfer of title. Certificates of title are
16 valid for the mobile home so long as the mobile home is owned
17 or held by the person in whose name the title was issued. A
18 certificate of title is prima facie proof of ownership of the
19 mobile home for which the certificate was issued.

20

21 **31-2-504. Transfer of ownership.**

22

1 (a) Except as otherwise provided in this section, the
 2 owner of a mobile home who sells or transfers his interest in
 3 a mobile home for which a certificate of title has been issued
 4 shall endorse an assignment and warranty of title upon the
 5 certificate for the mobile home with a statement of all liens
 6 and encumbrances thereon and that all taxes due thereon have
 7 been paid, which assignment, warranty and statement shall be
 8 ~~subscribed~~signed and dated by the owner before a notarial
 9 officer and acknowledged thereby in the manner provided by
 10 law, to be dated and delivered to the transferee at the time
 11 of delivering the mobile home.

12

13 **Section 2.** This act applies to certificates of title
 14 and bills of sale issued on or after January 1, 2020.

15

16 **Section 3.** This act is effective January 1, 2020.

17

18

(END)