

## HOUSE BILL NO. HB0044

Mobile home and vehicle titles and transfers.

Sponsored by: Representative(s) Newsome, Haroldson, Paxton  
and Winter and Senator(s) Kost

A BILL

for

1 AN ACT relating to motor vehicles; modifying provisions  
2 related to the issuance and transfer of titles and  
3 duplicate titles; requiring a county treasurer to issue an  
4 excise tax receipt; authorizing transfer of interest in a  
5 mobile home by a single co-owner as specified; conforming a  
6 provision; and providing for an effective date.

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

9

10 **Section 1.** W.S. 31-2-103(d), 31-2-104(m)(intro) and  
11 (ii), 31-2-105(a), 31-2-501(b), 31-2-504 by creating a new  
12 subsection (d), 31-2-505, 39-15-107(b)(i) and  
13 39-16-107(b)(ii) are amended to read:

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1           **31-2-103. Contents of application; signature; vehicle**  
2 **identification number; issuance of certificate.**

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

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

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17 **31-2-104. Transfer of ownership.**

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19 (m) If a ~~motor~~ vehicle is held by two (2) or more  
20 persons, any person identified as an owner on the  
21 certificate of title shall have the right to transfer all  
22 interest in the vehicle without the signature of any other  
23 owner on the title unless:

1

2 (ii) The title states the vehicle is held by  
3 ~~eeowners~~ co-owners in the conjunctive, by the use of the  
4 word "and" or other similar language, in which event  
5 transfer shall require the signature of each ~~eeowner~~  
6 co-owner;

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8 **31-2-105. Duplicate titles; affidavit of vehicle**  
9 **ownership.**

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11 (a) Upon loss of a certificate of title, the owner  
12 may apply to the county clerk issuing the original title  
13 for a duplicate title. For purposes of applying for a  
14 duplicate title, "owner" means any one (1) person listed as  
15 owner on the face of the title. The applicant shall file an  
16 affidavit describing the loss with the county clerk. Upon  
17 payment of fees the county clerk shall issue a duplicate  
18 certificate of title corresponding to the original  
19 certificate and containing the following notation  
20 prominently displayed in capital letters on the face of the  
21 certificate: "THIS IS A DUPLICATE CERTIFICATE OF TITLE AND  
22 MAY BE SUBJECT TO THE RIGHTS OF A PERSON OR PERSONS UNDER  
23 THE ORIGINAL CERTIFICATE".

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2           **31-2-501. Definitions; application required.**

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4           (b) Except as provided by W.S. 31-2-502, ~~every~~any  
5 owner of a mobile home located in this state for which no  
6 Wyoming certificate of title has been issued to the owner,  
7 or the transferee upon transfer of ownership of a mobile  
8 home, shall apply for a certificate of title at the office  
9 of a county clerk within forty-five (45) days of the date  
10 the mobile home became subject to this act, or upon a  
11 transfer, within forty-five (45) days of the date of  
12 transfer.

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14           **31-2-504. Transfer of ownership.**

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16           (d) If a mobile home is held by two (2) or more  
17 persons, any person identified as an owner on the  
18 certificate of title shall have the right to transfer all  
19 interest in the mobile home without the signature of any  
20 other owner on the title unless:

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1           (i) The title states the mobile home is held in  
2 joint tenancy with right of survivorship or tenancy by the  
3 entirety;

4  
5           (ii) The title states the mobile home is held by  
6 co-owners in the conjunctive, by the use of the word "and"  
7 or other similar language, in which event transfer shall  
8 require the signature of each co-owner;

9  
10           (iii) A transfer of all interests in the mobile  
11 home by an owner without the signature of any other owner  
12 is otherwise prohibited by law.

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14           **31-2-505. Duplicate titles.**

15  
16 Upon loss of a certificate of title, the owner may apply to  
17 the county clerk issuing the original title for a duplicate  
18 title. For purposes of applying for a duplicate title,  
19 "owner" means any one (1) person listed as owner on the  
20 face of the title. The applicant shall file an affidavit  
21 describing the loss with the county clerk. Upon payment of  
22 fees the county clerk shall issue a duplicate certificate  
23 of title corresponding to the original certificate and

1 containing the following notation prominently displayed in  
2 capital letters on the face of the certificate: "THIS IS A  
3 DUPLICATE CERTIFICATE OF TITLE AND MAY BE SUBJECT TO THE  
4 RIGHTS OF A PERSON OR PERSONS UNDER THE ORIGINAL  
5 CERTIFICATE".

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7 **39-15-107. Compliance; collection procedures.**

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9 (b) Payment. The following shall apply:

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11 (i) Except as provided by paragraph (viii) of  
12 this subsection, no vendor shall collect taxes imposed by  
13 this article upon the sale of motor vehicles, house  
14 trailers, trailer coaches, trailers or semitrailers. The  
15 taxes imposed shall be collected by the county treasurer  
16 prior to the first registration in Wyoming and not upon  
17 subsequent registration by the same applicant. The county  
18 treasurer shall provide the applicant a receipt specifying  
19 the amount of sales tax collected and noting any valid  
20 exemption from sales tax. The county treasurer shall  
21 collect and remit to the department the tax in effect in  
22 the county of the owner's principal residence;

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1           **39-16-107. Compliance; collection procedures.**

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3           (b) Payment. The following shall apply:

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5                   (ii) Except as provided by paragraph (iv) of  
6 this subsection, no vendor shall collect the taxes imposed  
7 by this article upon the sale of motor vehicles, house  
8 trailers, trailer coaches, trailers or semitrailers as  
9 defined by W.S. 31-1-101. The taxes imposed shall be  
10 collected by the county treasurer prior to the first  
11 registration in Wyoming and not upon subsequent  
12 registration by the same owner. The county treasurer shall  
13 provide the applicant a receipt specifying the amount of  
14 use tax collected and noting any valid exemption from use  
15 tax. The county treasurer shall collect and remit to the  
16 department the tax in effect in the county of the owner's  
17 principal residence. The tax shall not be collected if  
18 previously registered by the same nonresident owner in  
19 another state. The county treasurer may also collect the  
20 tax due and any interest, penalties or costs of collection  
21 through the use of a collection agency or by the filing of  
22 a civil action;

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1            **Section 2.** This act is effective July 1, 2022.

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(END)