

HOUSE BILL NO. HB0151

Motor vehicles sales tax adjustment.

Sponsored by: Representative(s) Childers, Huckfeldt,
Jones, Reese, Simpson and Wostenberg and
Senator(s) Cathcart, Coe, Larson and
Sessions

A BILL

for

1 AN ACT relating to taxation and revenue; allowing a sales
2 or use tax adjustment to purchasers of motor vehicles who
3 have sold a previously owned vehicle within a specified
4 time of the purchase and registration of a replacement
5 vehicle; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 39-15-101(a)(viii)(B) by creating a
10 new subdivision (IV) and by creating a new paragraph
11 (xviii) and 39-16-101(a)(iv) and by creating a new
12 paragraph (xiii) are amended to read:

13

14 **39-15-101. Definitions.**

15

1 (a) As used in this article:

2

3 (viii) "Sales price":

4

5 (B) Shall not include:

6

7 (IV) The value of a previously owned
8 motor vehicle sold within forty-five (45) days before or
9 following the purchase of a replacement vehicle but prior
10 to registration and payment of the sales tax on the
11 replacement vehicle, by the person who has the tax
12 liability for the replacement vehicle, if the previously
13 owned vehicle was not traded in to the vendor from whom the
14 replacement vehicle was purchased and the person presents a
15 notarized bill of sale for the previously owned vehicle
16 indicating to whom the vehicle was sold, sworn to by both
17 the buyer and seller specifying the year, make and vehicle
18 identification number. The bill of sale shall be sworn to
19 in front of any officer authorized to administer oaths
20 under W.S. 1-2-102. The value of the previously owned
21 vehicle shall be based upon the sales price specified on
22 the notarized bill of sale, but in no case shall it exceed
23 the retail value of the vehicle as set forth in a current

1 edition of any nationally recognized compilation of retail
2 values.

3

4 (xviii) "Previously owned motor vehicle" means
5 and includes one (1) or more motor vehicles which was owned
6 by a person prior to the transfer of ownership.

7

8 **39-16-101. Definitions.**

9

10 (a) As used in this article:

11

12 (iv) "Sales price" means the consideration paid
13 by the purchaser of tangible personal property excluding:

14

15 (A) The actual trade-in value allowed on
16 tangible personal property and manufacturer rebates for
17 motor vehicles exchanged at the time of the transaction;

18

19 (B) The value of a previously owned motor
20 vehicle sold within forty-five (45) days before or
21 following the purchase of a replacement vehicle but prior
22 to registration and payment of the sales tax on the
23 replacement vehicle, by the person who has the tax
24 liability for the replacement vehicle, if the previously

1 owned vehicle was not traded in to the vendor from whom the
2 replacement vehicle was purchased and the person presents a
3 notarized bill of sale for the previously owned vehicle
4 indicating to whom the vehicle was sold, sworn to by both
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9 vehicle shall be based upon the sales price specified on
10 the notarized bill of sale, but in no case shall it exceed
11 the retail value of the vehicle as set forth in a current
12 edition of any nationally recognized compilation of retail
13 values.

14

15 (xiii) "Previously owned motor vehicle" means
16 and includes one (1) or more motor vehicles which was owned
17 by a person prior to the transfer of ownership.

18

19 **Section 2.** This act is effective July 1, 2002.

20

21

(END)