

## HOUSE BILL NO. HB0015

Motor vehicles-titles and bills of sale.

Sponsored by: Representative(s) Lindholm, Blackburn, 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; specifying applicability;  
5 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. 31-2-101, 31-2-103(a)(intro), (i) and  
10 (d), 31-2-104(a), (h)(i), (ii) and by creating a new  
11 subsection (m), 31-2-112(b)(intro) and (i),  
12 31-2-201(a)(ii)(C), 31-2-503(a)(intro), (i) and (d) and  
13 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 or transferee upon transfer of  
13 ownership of any vehicle that has an identifying number  
14 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~~  
13 ~~of a sale or transfer of title.~~ Certificates of title are  
14 valid for the vehicle so long as the vehicle is owned or held  
15 by the person in whose name the title was issued. A  
16 certificate of title is prima facie proof of ownership of the  
17 vehicle for which the certificate was issued.

18

19 **31-2-104. Transfer of ownership.**

20

21 (a) Except as otherwise provided in this section, the  
22 owner of a vehicle who sells or transfers his interest in a  
23 vehicle for which a certificate of title has been issued shall

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

12

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

17

18 (i) The certificate of title is being held by a  
19 bank or other financial institution on the date the vehicle  
20 is delivered. The transferor shall then deliver to the  
21 transferee a dealer's invoice or a signed,~~notarized~~ bill of  
22 sale, in substantially the form specified in paragraph (ii)  
23 of this subsection, and the certificate of title shall be

1 delivered to the transferee within thirty (30) days from the  
2 date of the sale; or

3

4 (ii) The transferor is an auctioneer of vehicles  
5 and transfers the vehicle in the course of his business as an  
6 auctioneer of vehicles or through an auctioneer of  
7 vehicles. The transferor or auctioneer shall then deliver  
8 the certificate of title to the transferee within thirty (30)  
9 days of the date of sale and shall deliver to the transferee  
10 at the time the vehicle is delivered a signed, ~~notarized~~ bill  
11 of sale in substantially the following form:

12

13 VEHICLE BILL OF SALE

14

15 I, (NAME OF TRANSFEROR OR AUCTIONEER), on (date), hereby sell  
16 and convey all (my interest the interest of (name of current  
17 owner)) in the following described vehicle: (COLOR, YEAR,  
18 MAKE, MODEL, VEHICLE IDENTIFICATION NUMBER) to (NAME OF  
19 TRANSFEREE) in exchange for: (sales price). I hereby state  
20 that the certificate of title for the above described vehicle  
21 is held by (NAME OF TRANSFEROR-VEHICLE AUCTIONEER, BANK OR  
22 OTHER FINANCIAL INSTITUTION) and that within thirty (30)  
23 days, (NAME OF TRANSFEREE) will be provided a properly

1 executed title free of all liens for the vehicle unless  
2 otherwise specified in this bill of sale.

3

4 DATE: \_\_\_\_\_

5

6 \_\_\_\_\_

7 (TRANSFEROR'S OR AUCTIONEER'S SIGNATURE)

8

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

10

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

16

17 (i) The title states the vehicle is held in joint  
18 tenancy with right of survivorship as provided in subsection  
19 (j) of this section;

20

21 (ii) The title states the vehicle is held by  
22 coowners in the conjunctive, by the use of the word "and" or

1 other similar language, in which event transfer shall require  
2 the signature of each coowner;

3  
4 (iii) A transfer of all interests in the vehicle  
5 by an owner without the signature of any other owner is  
6 otherwise prohibited by law.

7  
8 **31-2-112. Glider kit vehicle certificate of title.**

9  
10 (b) Applications for a glider kit vehicle certificate  
11 of title shall ~~be under oath and~~ contain or be accompanied  
12 by:

13  
14 (i) The name and address of the owner, the manner  
15 in which the ownership interest in the vehicle is to be held  
16 and the person to whom the certificate of title is to be  
17 delivered;

18  
19 **31-2-201. Registration required; timelines.**

20  
21 (a) Except as provided in W.S. 31-2-224 and subsection  
22 (q) of this section, every owner, or if applicable, operator  
23 or lessee, of a vehicle which will be operated or driven upon



1 any highway in Wyoming, shall be required to obtain  
2 registration at the following times:

3

4 (ii) Upon transfer of ownership of a vehicle:

5

6 (C) Within sixty (60) days if transferred  
7 under the provisions of W.S. 31-2-104(h). Vehicles may be  
8 operated by the transferee during this sixty (60) day period  
9 when accompanied by a ~~notarized~~signed bill of sale;

10

11 **31-2-503. Applications; contents; effect.**

12

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

15

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

20

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

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

19

20 **31-2-504. Transfer of ownership.**

21

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

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

10

11 **Section 2.** This act applies to certificates of title  
12 and bills of sale issued on or after July 1, 2019.

13

14 **Section 3.** This act is effective July 1, 2019.

15

16

(END)