

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

AN ACT relating to motor vehicles; revising notarization requirements for certificates of title and bills of sale for motor vehicles be notarized; specifying the manner in which interest is held in motor vehicles; modifying the form for bills of sale; specifying applicability; and providing for an effective date.

12/14/2018 Bill Number Assigned
1/8/2019 H Received for Introduction
1/9/2019 H Introduced and Referred to H08 - Transportation
1/18/2019 H08 - Transportation:Recommend Amend and Do Pass 6-3-0-0-0

ROLL CALL

Ayes: Representative(s) Blake, Brown, Eklund, Loucks, MacGuire, Western

Nays: Representative(s) Crank, Newsome, Obermueller

Ayes 6 Nays 3 Excused 0 Absent 0 Conflicts 0

1/18/2019 H Placed on General File

HB0015HS001/ADOPTED

Page 1-line 4 After "vehicles;" insert "modifying the form for bills of sale;".
Page 7-line 2 After "sale." insert "I understand that by signing this bill of sale I will be subject to the penalties for false statements or other violation of Wyoming Statute 31-4-102.".
Page 7-line 15 Delete ":".
Page 7-lines 17 through 22 Delete entirely.
Page 8-lines 1 through 5 Delete entirely.
Page 8-line 6 After "otherwise" insert "specified on the title or".
Page 11-line 12 Delete "July 1, 2019" and insert "January 1, 2020".
Page 11-line 14 Delete "July 1, 2019" and insert "January 1, 2020".
LOUCKS, VICE-CHAIRMAN

HB0015HW001/ADOPTED

Page 1-line 10 After "(h)" delete "(i)".
Page 1-line 12 Delete "31-2-201(a)(ii)(C)",
Page 2-line 12 After "owner" insert ", owner's agent".
Page 3-lines 10 through 23 Delete entirely.
Page 4-lines 1 through 17 Delete entirely and insert:
"(d) Upon receipt of an application and payment of fees any county clerk shall, if satisfied that the applicant is the owner of the vehicle for which application for certificate of title is made, issue a paper certificate of title or electronic certificate of title, if available, upon a form or electronic format, approved by and provided at cost to the county clerk by the department in the name of the owner bearing the signature and seal of the county clerk's office. The county clerk shall not deliver a certificate of title issued under this section until presentation of a receipt for payment of sales or use tax pursuant to W.S. 39-15-107(b) or 39-16-107(b). If a lien is filed with respect to the vehicle, the county clerk shall, within three (3) business days, deliver

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

Page 5-lines 5 through 6 Reinsert all stricken language.

Page 5-lines 18 through 23 Delete entirely.

Page 6-lines 1 and 2 Delete entirely.

Page 6-line 10 Reinsert stricken language.

Page 7-line 7 After "AUCTIONEER'S" insert "NOTARIZED".

Page 8-lines 19 through 23 Delete entirely.

Page 9-lines 1 through 9 Delete entirely.

Page 9-lines 21 through 23 Delete entirely.

Page 10-lines 1 through 18 Delete entirely and insert:

"(d) Upon receipt of an application and payment of fees any county clerk shall, if satisfied that the applicant is the owner of the mobile home for which application for certificate of title is made, issue a certificate of title, upon a form approved by and provided at cost to the county clerk by the department of transportation, in the name of the owner bearing the signature and seal of the county clerk's office. Each certificate of title shall bear a distinct serial number. The title shall be completely filled out giving a description of the mobile home in a manner prescribed by the department, indicate all encumbrances or liens on the mobile home and indicate the date of issue. Certificates of title shall contain forms for assignment of title or interest and warranty by the owner with space for notation of liens and encumbrances at the time of transfer on the reverse side and contain space for the notarization of the seller's signature for a sale or transfer of title. Certificates of title are valid for the mobile home so long as the mobile home is owned or held by the person in whose name the title was issued. A certificate of title is prima facie proof of ownership of the mobile home for which the certificate was issued."

Page 11-line 6 Reinsert stricken "before a notarial".

Page 11-lines 7 and 8 Reinsert all stricken language. LINDHOLM

1/25/2019 H COW:Passed

1/28/2019 H 2nd Reading:Passed

HB0015H3001/ADOPTED

Page 7-line 15 Delete the House standing committee amendment (HB0015HS001/A) to this line.

Page 7-lines 17 through 19 Delete entirely including the House standing committee amendment (HB0015HS001/A) to these lines and insert:

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

Page 7-lines 21 and 22 Delete the House standing committee amendment (HB0015HS001/A) to these lines.

Page 8-lines 1 through 6 Delete the House standing committee amendment
(HB0015HS001/A) to these lines. STITH, LINDHOLM

1/29/2019 H 3rd Reading:Passed 38-21-1-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Dayton-Selman, Duncan, Eyre, Freeman, Furphy, Gray, Greear, Haley, Hallinan, Hunt, Kinner, Kirkbride, Larsen, Lindholm, Loucks, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Simpson, Sommers, Stith, Washut, Western, Winter, Yin, Zwonitzer

Nays: Representative(s) Crank, Edwards, Eklund, Flitner, Harshman, Henderson, Jennings, Laursen, MacGuire, Miller, Newsome, Nicholas, Obermueller, Roscoe, Salazar, Schwartz, Styvar, Sweeney, Tass, Walters, Wilson

Excused: Representative Northrup

Ayes 38 Nays 21 Excused 1 Absent 0 Conflicts 0

1/30/2019 S Received for Introduction

2/4/2019 S Introduced and Referred to S08 - Transportation

2/12/2019 S08 - Transportation:Recommend Do Pass 4-1-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Hutchings, Pappas, Steinmetz

Nays: Senator Von Flatern

Ayes 4 Nays 1 Excused 0 Absent 0 Conflicts 0

2/12/2019 S Placed on General File

HB0015SW001/ADOPTED (TO ENGROSSED COPY)

Page 1-line 1 Delete "removing requirement that" and insert "revising notarization requirements for".

Page 1-line 3 Delete "be notarized". VON FLATERN

2/20/2019 S COW:Passed

2/21/2019 S 2nd Reading:Passed

HB0015S3001/ADOPTED (TO ENGROSSED COPY)

Page 1-line 10 After "(i)" insert ", (ix)".

Page 1-line 11 After "(h)" insert "(i)".

Page 1-line 12 Before "31-2-503(a)(intro)" insert
"31-2-201(a)(ii)(C)".

Page 3-after line 8 Insert:

"(ix) Such other information as required by the department or county clerk which ~~may shall~~ include ~~but not be limited to~~ a vehicle bill of sale ~~or similar document that substantially conforms with the form provided in W.S. 31-2-104(h)(ii), and which may include~~ any other documentation necessary to verify proof of ownership including an affidavit for proof of ownership or any surety bond required by this act. Any affidavit for proof of ownership shall be prescribed pursuant to W.S. 31-1-201(d) and shall be utilized by each county of this state;".

Page 5-after line 17 Insert:

"(i) The certificate of title is being held by a bank or other financial institution on the date the vehicle is delivered. The transferor shall then deliver to the transferee a dealer's invoice or a signed, ~~notarized~~ bill of sale, in substantially the form specified in paragraph (ii) of this subsection, and the certificate of title shall be delivered to the transferee within thirty (30) days from the date of the sale; or".

Page 6-line 2 Strike ", notarized".
Page 6-line 7 Before "NAME" insert "PRINTED".
Page 6-line 10 Before "NAME" insert "PRINTED".
Page 6-line 13 Before "NAME" insert "PRINTED".
Page 6-line 15 Before "NAME" insert "PRINTED".
Page 6-line 17 Delete "understand that".
Page 6-lines 18 through 20 Delete entirely and insert "certify (or declare) under penalty of perjury under the laws of the State of Wyoming that the contents of this document are true and correct.".
Page 7-line 2 Delete "NOTARIZED".
Page 7-after line 2 Insert:
"

(TRANSFEROR'S OR AUCTIONEER'S ADDRESS, PHONE NUMBER AND DRIVER'S LICENSE, IDENTIFICATION OR DEALER NUMBER)".

Page 8-after line 10 Insert:

"31-2-201. Registration required; timelines.

(a) Except as provided in W.S. 31-2-224 and subsection (q) of this section, every owner, or if applicable, operator or lessee, of a vehicle which will be operated or driven upon any highway in Wyoming, shall be required to obtain registration at the following times:

(ii) Upon transfer of ownership of a vehicle:

(C) Within sixty (60) days if transferred under the provisions of W.S. 31-2-104(h). Vehicles may be operated by the transferee during this sixty (60) day period when accompanied by a ~~notarized~~-signed bill of sale that substantially conforms with the form provided in W.S. 31-2-104(h)(ii);". BOUCHARD

HB0015S3002/ADOPTED

(TO ENGROSSED COPY)

Page 4-line 12 Strike "the notarization of".
Page 4-line 13 After "signature" insert ", printed name, address, phone number and driver's license or identification number"; after "title." insert "The reverse side, above the seller's signature line, shall contain the statement, "I certify under penalty of perjury under the laws of the State of Wyoming that the contents of this document are true and correct."".
Page 5-line 5 After "owner" insert ", shall include the certification statement identified in W.S. 31-2-103(d)".
Page 5-line 6 Strike entirely.
Page 5-line 7 Strike through "dated"; after "and" insert "shall be".
Page 9-line 14 Strike "the notarization of"; after "signature" insert ", printed name, address, phone number and driver's license or identification number".
Page 9-line 15 After "transfer of title." insert "The reverse side, above the seller's signature line, shall contain the statement, "I certify under penalty of perjury under the laws of the State of Wyoming that the contents of this document are true and correct."".
Page 10-line 8 Strike "before a notarial" and insert ", shall include the certification statement identified in W.S. 31-2-503(d)".
Page 10-line 9 Strike entirely.
Page 10-line 10 Strike "law, to be dated"; after "and" insert "shall be". BOUCHARD

2/22/2019 S 3rd Reading:Passed 29-1-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Ellis, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

Nays: Senator Gierau

Ayes 29 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

2/22/2019 H Received for Concurrence

2/25/2019 H Concur:Failed 2-55-3-0-0

ROLL CALL

Ayes: Representative(s) Crank, Gray

Nays: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clifford, Connolly, Dayton-Selman, Duncan, Edwards, Eklund, Eyre, Flitner, Freeman, Furphy, Greear, Haley, Hallinan, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen, Laursen, Lindholm, Loucks, MacGuire, Miller, Newsome, Nicholas, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Yin, Zwonitzer

Excused: Representative(s) Clem, Harshman, Northrup

Ayes 2 **Nays** 55 **Excused** 3 **Absent** 0 **Conflicts** 0

2/25/2019 H Appointed JCC01 Members

Representative(s) Eklund, Brown, Lindholm

2/25/2019 S Appointed JCC01 Members

Senator(s) Driskill, Bouchard, Nethercott

2/27/2019 H Adopted HB0015JC001: 57-1-2-0-0

HB0015JC001/HADOPTED (TO ENGROSSED COPY)

Adopt the following Senate amendments:

HB0015SW001/AE

Delete the following Senate amendments:

HB0015S3001/AE

HB0015S3002/AE

Further amend the ENGROSSED COPY as follows:

(TO ENGROSSED COPY)

Page 1-line 10 After "(i)" insert ", (ix)".

Page 1-line 11 After "(h)" insert "(i)".

Page 1-line 12 Before "31-2-503(a)(intro)" insert
"31-2-201(a)(ii)(C)".

Page 3-after line 8 Insert:

"(ix) Such other information as required by the department or county clerk which may include ~~but not be limited to~~ a vehicle bill of sale ~~or similar document that substantially conforms with the form provided in W.S. 31-2-104(h)(ii)~~, and any other documentation necessary to verify proof of ownership including an affidavit for proof of ownership or any surety bond required by this act. Any affidavit for proof of ownership shall be prescribed pursuant to W.S. 31-1-201(d) and shall be utilized by each county of this state;"

Page 5-after line 17 Insert:

"(i) The certificate of title is being held by a bank or other financial institution on the date the vehicle is delivered. The transferor shall then deliver to the transferee a dealer's invoice or a signed, ~~notarized~~

bill of sale, in substantially the form specified in paragraph (ii) of this subsection, and the certificate of title shall be delivered to the transferee within thirty (30) days from the date of the sale; or".

Page 6-line 2 Strike ", notarized".
Page 6-line 7 Before "NAME" insert "PRINTED".
Page 6-line 10 Before "NAME" insert "PRINTED".
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Page 6-line 17 Delete "understand that".
Page 6-lines 18 through 20 Delete entirely and insert "certify (or declare) under penalty of perjury under the laws of the State of Wyoming that the contents of this document are true and correct.".
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Page 7-after line 2 Insert:
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(TRANSFEROR'S OR AUCTIONEER'S ADDRESS, PHONE NUMBER AND DRIVER'S LICENSE, IDENTIFICATION OR DEALER NUMBER)".

Page 8-after line 10 Insert:
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(ii) Upon transfer of ownership of a vehicle:
(C) Within sixty (60) days if transferred under the provisions of W.S. 31-2-104(h). Vehicles may be operated by the transferee during this sixty (60) day period when accompanied by a ~~notarized~~-signed bill of sale that substantially conforms with the form provided in W.S. 31-2-104(h)(ii)";. EKLUND, BROWN, LINDHOLM, DRISKILL, BOUCHARD, NETHERCOTT

ROLL CALL

Ayes: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Edwards, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Greear, Haley, Hallinan, Harshman, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen, Laursen, Lindholm, Loucks, MacGuire, Miller, Newsome, Nicholas, Obermueller, Olsen, Paxton, Pelkey, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Washut, Western, Wilson, Winter, Yin, Zwonitzer

Nays: Representative Walters

Excused: Representative(s) Northrup, Piiparinen

Ayes 57 **Nays** 1 **Excused** 2 **Absent** 0 **Conflicts** 0

2/27/2019 S Adopted HB0015JC001: 29-0-1-0-0

HB0015JC001/HADOPTEDSADOPTED (TO ENGROSSED COPY)

Adopt the following Senate amendments:

HB0015SW001/AE

Delete the following Senate amendments:

HB0015S3001/AE

HB0015S3002/AE

Further amend the ENGROSSED COPY as follows:

(TO ENGROSSED COPY)

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Page 1-line 11 After "(h)" insert "(i),".

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"31-2-201(a)(ii)(C),".

Page 3-after line 8 Insert:

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Page 6-lines 18 through 20 Delete entirely and insert "certify (or declare) under penalty of perjury under the laws of the State of Wyoming that the contents of this document are true and correct.".

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(ii) Upon transfer of ownership of a vehicle:

(C) Within sixty (60) days if transferred under the provisions of W.S. 31-2-104(h). Vehicles may be operated by the transferee during this sixty (60) day period when accompanied by a ~~notarized~~-signed bill of sale that substantially conforms with the form provided in W.S. 31-2-104(h)(ii);". EKLUND, BROWN, LINDHOLM, DRISKILL, BOUCHARD, NETHERCOTT

ROLL CALL

Ayes: Senator(s) Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

Excused: Senator Agar

Ayes 29 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

2/27/2019 H Speaker Signed HEA No. 0123
2/27/2019 S President Signed HEA No. 0123
3/8/2019 Governor Signed HEA No. 0123
3/8/2019 Assigned Chapter Number 194

Chapter No. 194 Session Laws of Wyoming 2019