

HOUSE BILL NO. HB0186

Motor vehicles sales tax adjustment.

Sponsored by: Representative(s) Childers, Simpson, Thompson and Wostenberg and Senator(s) Cathcart, Geis and Larson

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.

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

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

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

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16 (a) As used in this article:

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(viii) "Sales price":

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(B) Shall not include:

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(IV) The value of a previously owned motor vehicle sold within forty-five (45) days before or following the purchase of a replacement vehicle but prior to registration and payment of the sales tax on the replacement vehicle, by the person who has the tax liability for the replacement vehicle, if the previously owned vehicle was not traded in to the vendor from whom the replacement vehicle was purchased and the person presents a notarized bill of sale for the previously owned vehicle indicating to whom the vehicle was sold, sworn to by both the buyer and seller specifying the year, make and vehicle identification number. The bill of sale shall be sworn to before any officer authorized to administer oaths under W.S. 1-2-102. The value of the previously owned vehicle shall be based upon the sales price specified on the notarized bill of sale, but in no case shall it exceed the retail value of the vehicle as set forth in a current edition of any nationally recognized compilation of retail values.

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

39-16-101. Definitions.

(a) As used in this article:

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

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

(B) The value of a previously owned motor vehicle sold within forty-five (45) days before or following the purchase of a replacement vehicle but prior to registration and payment of the use tax on the replacement vehicle, by the person who has the tax liability for the replacement vehicle, if the previously owned vehicle was not traded in to the vendor from whom the replacement vehicle was purchased and the person presents a

1 notarized bill of sale for the previously owned vehicle
2 indicating to whom the vehicle was sold, sworn to by both
3 the buyer and seller specifying the year, make and vehicle
4 identification number. The bill of sale shall be sworn to
5 before any officer authorized to administer oaths under
6 W.S. 1-2-102. The value of the previously owned vehicle
7 shall be based upon the sales price specified on the
8 notarized bill of sale, but in no case shall it exceed the
9 retail value of the vehicle as set forth in a current
10 edition of any nationally recognized compilation of retail
11 values.

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

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17 **Section 2.** This act is effective July 1, 2003.

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(END)