

ORIGINAL SENATE  
FILE NO. SF0025

ENROLLED ACT NO. 5, SENATE

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2025 GENERAL SESSION

AN ACT relating to motor vehicles; creating an electronic lien and title system; requiring the department of transportation to implement and administer an electronic lien and title system; providing a definition; exempting mobile homes; making conforming amendments; requiring rulemaking; requiring a report; and providing for effective dates.

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

**Section 1.** W.S. 31-2-113 is created to read:

**31-2-113. Electronic lien and title system.**

(a) As used in this section "electronic lien and title system" means a statewide electronic lien and title system implemented by the department to process through electronic means:

(i) Certificates of title for vehicles including new, transferred and corrected certificates of title;

(ii) Certificate of title data in which a lien is notated;

(iii) The notification, maintenance, perfection and release of security interests in vehicles; and

(iv) Payment of sales or use tax pursuant to W.S. 39-15-107(b) or 39-16-107(b).

(b) The department shall implement and administer an electronic lien and title system as provided in this section.

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(c) The department may contract with one (1) or more vendors to develop, implement and provide ongoing administration of the electronic lien and title system required under subsection (b) of this section. The vendors may charge a transaction fee for each transaction provided through the electronic lien and title system to recover the vendor's costs associated with the development, implementation and ongoing administration of the electronic lien and title system. No vendor shall charge any fees under this subsection to the state or counties.

(d) Except for persons who are not normally engaged in the business or practice of financing vehicles, all dealers, lenders, lienholders, insurance companies and secured parties shall use the electronic lien and title system required under subsection (b) of this section. All counties shall use the electronic lien and title system required under subsection (b) of this section. Each person not normally engaged in the business or practice of financing vehicles including owners may use the electronic lien and title system or request a paper certificate of title at the office of a county clerk.

(e) This section shall not apply to certificates of title for mobile homes as defined in W.S. 31-2-501(a)(ii).

**Section 2.** W.S. 31-1-202(c) and (d), 31-2-101, 31-2-103(a)(intro), (v), (vi) and (d), 31-2-104(a), (h)(i) and (ii), 31-2-105(a), (b)(intro), (i)(D) and (c) through (f) and 31-2-107(a), (f) through (j) and (o) are amended to read:

**31-1-202. Records.**

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(c) Within three (3) business days after issuance of a vehicle registration or certificate of title, county treasurers and county clerks shall forward a record thereof to the department. County clerks shall forward a record of certificate of title electronically through the electronic lien and title system established under W.S. 31-2-113. County treasurers shall notify the department and sheriff of his county of loss or mutilation of license plates.

(d) The department shall maintain records of vehicle registrations from all counties indexed by distinctive vehicle numbers assigned by the department, the name of the registered owner and vehicle identification numbers. The department shall maintain a record of all vehicle certificates of title from all counties in the electronic lien and title system established under W.S. 31-2-113. Records are public and open to inspection by the public during reasonable office hours. The department shall maintain a vehicle identification number index of all vehicles for which certificates of title have been issued. Upon receipt of a notice of issuance of a certificate of title from any county clerk the department may destroy all records relating to former transfers of title to the vehicle and shall retain only the notice of issuance of the certificate of title in effect at any time. The department may annually compile and publish a list of all registered vehicles and supplements thereto which shall be furnished to Wyoming peace officers and the Wyoming office of homeland security without charge.

**31-2-101. Required application; resident and nonresident applications.**

(a) Except as provided by W.S. 31-2-102 and pursuant to W.S. 31-1-101(a)(xxi)(A) through (G), any owner of a

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vehicle for which no Wyoming certificate of title has been issued to the owner or the transferee upon transfer of ownership of a vehicle for which a Wyoming certificate of title is required, shall apply for a certificate of title electronically through the electronic lien and title system established under W.S. 31-2-113 or at the office of a county clerk, ~~or if available, electronically,~~ within the same time periods as required by W.S. 31-2-201(a)(ii) and (iii).

(b) Any owner, owner's agent or transferee upon transfer of ownership of any vehicle that has an identifying number pursuant to W.S. 31-1-101(a)(ix), including off-road recreational or multipurpose vehicles and, for the purpose of titling under this section, including snowmobiles and watercraft, shall apply for a certificate of title electronically through the electronic lien and title system established under W.S. 31-2-113 or at the office of a county clerk.

(c) Any nonresident person registered as a business entity under the laws of another state in the United States and who operates a vehicle in this state for business or commercial purposes for which no Wyoming certificate of title has been issued may apply for a certificate of title for that vehicle electronically through the electronic lien and title system established under W.S. 31-2-113 or at the office of a county clerk. ~~, or if available, electronically.~~

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

(a) Applications for paper certificates of title or electronic certificates of title, ~~if available,~~ shall contain or be accompanied by:

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(v) The current title containing an assignment and warranty of title, if applicable, and an affidavit by the seller, either on a separate form through the electronic lien and title system established under W.S. 31-2-113 that provides remote authentication or contained on the current title, which shall contain a reference to the federal regulations stating that failure to complete or providing false information may result in fines and imprisonment and may include a department approved statement in substantially the following form: "I state that the odometer now reads .... miles (no tenths) and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein unless one (1) of the following statements is checked: A. I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage is in excess of its mechanical limits; B. I hereby certify that the odometer reading is NOT the actual mileage. WARNING-ODOMETER DISCREPANCY", to be retained by the county clerk upon issuance of a new title. This paragraph shall not apply to vehicles not originally manufactured with an odometer;

(vi) In the case of a vehicle registered or titled in a state other than Wyoming, or any homemade vehicle, rebuilt vehicle, reconstructed vehicle, any vehicle assembled from a kit or any vehicle for which a bond is required, a current statement submitted to the office of the county clerk or through the electronic lien and title system established under W.S. 31-2-113, made by a Wyoming law enforcement officer, or licensed Wyoming dealer only for vehicles in his inventory or possession, that the vehicle identification number on the vehicle has been inspected and that the inspection occurred in Wyoming and certifying the correct vehicle identification number

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displayed on the vehicle. Any licensed Wyoming dealer performing an inspection of a vehicle identification number under this section shall, in addition to the requirements of this act, do so pursuant to W.S. 31-11-108. In the case of a vehicle not in Wyoming, the vehicle identification number may be inspected and certified on a form approved by the department if the inspection is made by an authorized law enforcement officer of a city, county or state law enforcement agency or a commissioned officer at a federal military installation or any other person authorized to do so by law and delivered to the county clerk in the county where the application for certificate of title is made along with payment for the inspection fee required under W.S. 31-3-102(b)(iv);

(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 if requested by the applicant 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) or presentation of a county treasurer receipt noting a valid exemption from paying the sales or use tax. 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~~ The delivery may be made electronically. Each paper certificate of title ~~or and~~ electronic ~~version,~~

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certificate of title 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 or an electronic signature in accordance with W.S. 40-21-101 through 40-21-119, 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.

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

(a) Except as otherwise provided in this section, the owner of a vehicle who sells or transfers his interest in a vehicle for which a certificate of title has been issued shall endorse an assignment and warranty of title upon the certificate for the vehicle with a statement of all liens and encumbrances thereon, which assignment, warranty and statement shall be signed and dated by the owner before a notarial officer and acknowledged thereby in the manner provided by law or signed electronically in accordance with W.S. 40-21-101 through 40-21-119, to be dated and delivered to the transferee at the time of delivering the vehicle. Delivery may be made electronically through the electronic lien and title system established under W.S. 31-2-113. Except as provided in subsection (b) of this section, the

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transferee shall present the certificate to a county clerk and apply for a new certificate of title electronically through the electronic lien and title system established under W.S. 31-2-113 or at the office of a county clerk within the same time periods as required by W.S. 31-2-201(a)(ii).

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

(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 bill of sale, in substantially the form specified in paragraph (ii) of this subsection, and the certificate of title shall be delivered either in person or electronically through the electronic lien and title system established under W.S. 31-2-113 to the transferee within thirty (30) days from the date of the sale; or

(ii) The transferor is an auctioneer of vehicles and transfers the vehicle in the course of his business as an auctioneer of vehicles or through an auctioneer of vehicles. The transferor or auctioneer shall then deliver the certificate of title either in person or electronically through the electronic lien and title system established under W.S. 31-2-113 to the transferee within thirty (30) days of the date of sale and shall deliver to the transferee at the time the vehicle is delivered a signed bill of sale in substantially the following form:

VEHICLE BILL OF SALE



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I, (PRINTED NAME OF TRANSFEROR OR AUCTIONEER), on (date), hereby sell and convey all (my interest the interest of (name of current owner)) in the following described vehicle: (COLOR, YEAR, MAKE, MODEL, VEHICLE IDENTIFICATION NUMBER) to (PRINTED NAME OF TRANSFEREE) in exchange for: (sales price). I hereby state that the certificate of title for the above described vehicle is held by (PRINTED NAME OF TRANSFEROR-VEHICLE AUCTIONEER, BANK OR OTHER FINANCIAL INSTITUTION) and that within thirty (30) days, (PRINTED NAME OF TRANSFEREE) will be provided a properly executed title free of all liens for the vehicle unless otherwise specified in this bill of sale. I 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.

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

\_\_\_\_\_

(TRANSFEROR'S OR AUCTIONEER'S SIGNATURE)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

(a) Upon loss of a paper certificate of title, the owner may apply to the county clerk issuing the original

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title for a duplicate paper certificate of title or electronic certificate of title. For purposes of applying for a duplicate title, "owner" means any one (1) person listed as owner on the face of the title. The applicant shall file an affidavit describing the loss of a paper certificate of title with the county clerk. Upon payment of fees the county clerk shall issue a duplicate paper certificate of title or electronic certificate of title corresponding to the original certificate and containing the following notation prominently displayed in capital letters on the face of the certificate: "THIS IS A DUPLICATE CERTIFICATE OF TITLE AND MAY BE SUBJECT TO THE RIGHTS OF A PERSON OR PERSONS UNDER THE ORIGINAL CERTIFICATE".

(b) If an applicant for a paper certificate of title or electronic certificate of title required by this act is unable to provide the county clerk with a certificate of title that assigns the prior owner's interest, a notarized bill of sale or other evidence of ownership that satisfies the county clerk that the applicant owns the vehicle, a paper certificate of title or electronic certificate of title may be issued only if:

(i) The applicant submits an affidavit of vehicle ownership on a form prescribed by the department that shall be signed and sworn before a person who is authorized to administer oaths and affirmations. The affidavit shall contain:

(D) A statement that the applicant is the true and lawful owner of the vehicle and has the right to have a paper certificate of title or electronic certificate of title issued.

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(c) If the vehicle for which the applicant is applying for a paper certificate of title or electronic certificate of title has a value less than two thousand five hundred dollars (\$2,500.00), a paper title or electronic title may be issued without a bond if the applicant presents an affidavit of vehicle ownership, a notarized bill of sale, a certified, written statement of the value from a properly licensed Wyoming vehicle dealer and a vehicle identification number (VIN) inspection, or any other information the county clerk may require for proof of ownership, at the time of application.

(d) Any bond required by this section shall be executed by a surety duly authorized to carry on business in Wyoming or by individual sureties qualified as provided by W.S. 1-1-104 and 1-1-105. The amount of any bond required under this section shall not be less than double the value of the vehicle determined at the time of the application. If the value of the vehicle cannot be determined from any prior registration or title, the applicant shall provide the county clerk the value of the vehicle. The value of the vehicle shall be determined by the applicant or the surety from any current national appraisal guide, current or past registration if the value is present on any registration for the vehicle, or the value may be on certified written statement obtained from a properly licensed Wyoming vehicle dealer. The bond shall be conditioned to indemnify a prior owner, lienholder, subsequent purchaser, secured creditor or encumbrancer of the vehicle and any respective successors in interest against expenses, losses or damages, including reasonable attorney fees, caused by the issuance of the paper certificate of title or electronic certificate of title or by a defect in or undisclosed security interest upon the right, title and interest of the applicant in the vehicle.

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(e) If any person suffers a loss or damage by reason of the filing or issuance of the paper certificate of title or electronic certificate of title as provided in this section, such person shall have a right of action to seek relief directly against the applicant and the surety on the applicant's bond against either of whom the person damaged may proceed independently of the other, but the aggregate liability of the surety to any or all persons seeking relief shall not exceed the total amount of the bond.

(f) If an applicant is applying for a paper certificate of title or electronic certificate of title to a vehicle which he will restore for his own personal use, a paper title or electronic title may be issued without a bond required by this section if the applicant presents an affidavit of vehicle ownership, a notarized bill of sale, a certified written statement of the value of the vehicle and a vehicle identification number (VIN) inspection, at the time of application. If the value of the vehicle cannot be determined from any prior registration or title, the applicant shall provide the county clerk the value of the vehicle. The value of the vehicle shall be determined from any current national appraisal guide, or the applicant may elect to submit a certified written statement obtained from a properly licensed Wyoming vehicle dealer stating the appraised value of the vehicle. Any paper certificate of title or electronic certificate of title issued under this subsection shall state on its face that it is nontransferable for one hundred eighty (180) days from the date title issued. Notwithstanding the other requirements of this subsection, a vehicle shall only be eligible to be titled under this subsection if, on the date the applicant purchased the vehicle it was not operational and could not have been rendered operational without substantial repairs

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to one (1) or more of the vehicle's mechanical systems. The department shall define the term "substantial repairs" by rule and regulation.

**31-2-107. Titles for damaged vehicles; return of certificate of title and registration for damaged vehicle; replacement title and registration.**

(a) When a motor vehicle is declared a total loss by the insurance company or, in the event an insurance company is not involved in the settlement of the claim, sustains damage in an amount exceeding seventy-five percent (75%) of its actual retail cash value, as set forth in any current edition of a nationally recognized automotive appraisal guide or other source approved by the Wyoming insurance department, the owner or insurance company, if it obtains ownership of the vehicle through transfer of title as a result of a settlement of an insurance claim, shall forward the properly endorsed certificate of title, either to the office of the county clerk or electronically through the electronic lien and title system established under W.S. 31-2-113, to the office of the county clerk that issued the certificate of title together with an electronic application, submitted through the electronic lien and title system, for a certificate of title branded salvage and payment of the fee required under W.S. 31-3-102(a)(vii) to obtain a properly branded certificate of title. The owner or insurance company may request a paper certificate of title branded salvage from the office of the county clerk. For purposes of this section, a certificate of title endorsed by an electronic signature shall constitute a properly endorsed certificate of title, which need not be notarized. When any vehicle accident report is required under chapter 5, article 11 of this title, the investigating officer shall provide written notice to the

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owner or operator of the vehicle of the requirements under this section.

(f) If the owner of a motor vehicle retains the vehicle upon a settlement with an insurance company, and the vehicle has incurred damage requiring the vehicle to be issued a certificate of title branded "nonrepairable" or "salvage", the owner shall apply for the certificate of title electronically through the electronic lien and title system established under W.S. 31-2-113 or at the office of the county clerk in his own name with the applicable brand displayed on the certificate of title before the vehicle is commercially repaired or ownership of the vehicle is transferred.

(g) If an insurance company is not involved in a damage settlement involving a salvage vehicle, the motor vehicle owner shall apply for a certificate of title branded "salvage"<sup>7</sup> electronically through the electronic lien and title system established under W.S. 31-2-113 or at the office of the county clerk before the vehicle is commercially repaired or ownership of the vehicle is transferred.

(h) If a leased motor vehicle incurs damage requiring the vehicle to be issued a certificate of title branded "salvage", the lessor shall apply for a properly branded certificate of title electronically through the electronic lien and title system established under W.S. 31-2-113 or at the office of the county clerk after being notified by the lessee that the vehicle has been damaged. The lessee of the vehicle shall inform the lessor that the leased vehicle has been damaged within thirty (30) days after the occurrence of the damage.

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(j) Any person acquiring ownership of a damaged motor vehicle that meets the definition of a salvage vehicle for which a certificate of title branded "salvage" has not been issued shall apply for a certificate of title electronically through the electronic lien and title system established under W.S. 31-2-113 or at the office of a county clerk before the vehicle is further transferred.

(o) If an insurance company is unable to obtain a properly endorsed certificate of title within thirty (30) days of payment of damages in a claim settlement involving transfer of a salvage vehicle to the insurance company, the insurance company, an occupational licensee of the department authorized by the insurance company or a salvage pool authorized by the insurance company may request the county clerk issue a certificate of title branded salvage for the vehicle. The request shall be submitted ~~on~~ electronically through the electronic lien and title system established under W.S. 31-2-113 in a ~~form~~-format provided by the office of the county clerk and signed electronically with an electronic signature in accordance with W.S. 40-21-101 through 40-21-119 under penalty of perjury. The request shall include and document evidence that the insurance company has paid a claim on the vehicle and has made at least two (2) written attempts to obtain the properly endorsed certificate of title at the last known address of the owner of the vehicle. The request shall also include a disclosure of any and all security interests, liens or encumbrances that are known to the insurance company and that are outstanding against the vehicle.

### **Section 3.**

(a) The department of transportation shall promulgate any rules necessary to implement this act. The department

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of transportation may contract with one (1) or more vendors to develop and implement the electronic lien and title system as authorized under section 1 of this act.

(b) Upon promulgating a fee schedule for the electronic lien and title system or not later than November 1, 2026, whichever is earlier, the department of transportation shall report to the joint transportation, highways and military affairs interim committee on the fee schedule that will be used to implement the electronic lien and title system.



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**Section 4.**

(a) Except as provided in subsection (b) of this section, this act is effective July 1, 2027.

(b) Sections 3 and 4 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk