

HOUSE BILL REPORT

SHB 1542

As Passed House:
March 1, 2011

Title: An act relating to possession of motorcycle theft tools.

Brief Description: Making possession of motorcycle theft tools a crime.

Sponsors: House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Buys, Haler, Johnson and Condotta).

Brief History:

Committee Activity:

Public Safety & Emergency Preparedness: 2/9/11, 2/16/11 [DPS].

Floor Activity:

Passed House: 3/1/11, 97-1.

Brief Summary of Substitute Bill

- Prohibits any person from possessing or lending specified tools or hardware with the intent to unlawfully take a motorcycle without the owner's consent.

HOUSE COMMITTEE ON PUBLIC SAFETY & EMERGENCY PREPAREDNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Hurst, Chair; Ladenburg, Vice Chair; Pearson, Ranking Minority Member; Klippert, Assistant Ranking Minority Member; Armstrong, Goodman, Hope, Kirby, Moscoso and Ross.

Staff: Morgan Powell (786-7119) and Alexa Silver (786-7190).

Background:

Any person who makes, uses, or possesses a motor vehicle theft tool under circumstances showing an intent to use or employ or knowing they will be used or employed in the commission of a motor vehicle theft is guilty of Making or Possessing Motor Vehicle Theft Tools.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Motor vehicle theft tools can include: slim jims, altered or shaved keys, slide hammers, lock pullers, picklocks, or any other implement shown by facts and circumstances to be intended for use in motor vehicle theft. Making or Possessing Motor Vehicle Theft Tools is a gross misdemeanor and punishable by a maximum of one year in jail and a \$5,000 fine.

Summary of Substitute Bill:

Any person who possesses or lends any device designed to start a motorcycle without a manufacturer's key with the intent to unlawfully take a motorcycle without the consent of the owner is guilty of a gross misdemeanor.

Any person who possesses or lends any item of hardware with the intent to unlawfully take a motorcycle without the consent of the owner is guilty of a gross misdemeanor.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill follows recent legislation from California. There is a large amount of crime that migrates its way to the state from California. This bill is proactive in addressing such crimes.

(Information only) Intent can be proven based on the circumstances and facts of the case.

(Opposed) None.

Persons Testifying: (In support) Representative Buys, prime sponsor.

(Information only) Tom McBride, Washington Association of Prosecuting Attorneys.

Persons Signed In To Testify But Not Testifying: None.