

***Criminal Justice & Corrections
Committee***

HB 1895

Brief Description: *Creating the crime of theft of motor vehicle fuel.*

Sponsors: *Representatives Esser, Morris, Barlean, Cooper, Mielke, O'Brien, Mulliken, Ericksen, Hatfield, B. Chandler, Linville and Kirby.*

Brief Summary of Bill

- *Creates a crime called theft of motor vehicle fuel.*
- *Violation of the theft of motor vehicle fuel crime is penalized as a gross misdemeanor offense and suspension of one's driver's license for six months.*

Hearing Date: *2/23/01*

Staff: *Yvonne Walker (786-7841).*

Background:

The penalties for theft violations are generally based upon the value of the property stolen.

Theft in the first degree is when a person commits theft of property or services valued in excess of \$1,500. Theft in the first degree is a class B felony. A class B felony carries a maximum sentence of 10 years of incarceration, a fine of \$20,000, or both.

Theft in the second degree is when a person commits theft of property or services valued in excess of \$250, but does not exceed \$1,500. Theft in the second degree is a class C felony. A class C felony carries a maximum sentence of five years of incarceration, a fine of \$10,000, or both.

Theft in the third degree is when a person commits theft of property or services valued less than \$250. Theft in the third degree is a gross misdemeanor. A gross misdemeanor carries a maximum sentence of one year in jail, a fine of \$5,000, or both.

The theft of motor vehicle fuel is generally penalized based upon the value of the fuel that was stolen.

Summary of Bill:

Theft of motor fuel occurs when a person refuses to pay or evades payment for motor vehicle fuel that is pumped into a motor vehicle. Theft of motor fuel is a gross misdemeanor.

In addition to the gross misdemeanor penalties, the license, permit, or nonresident driving privilege of a person convicted of theft of motor vehicle fuel must be suspended by the Department of Licensing for six months.

Other technical corrections are made.

Appropriation: *None.*

Fiscal Note: *Requested on February 18, 2001.*

Effective Date: *Ninety days after adjournment of session in which bill is passed.*