

# HOUSE BILL ANALYSIS

## HB 2002

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**Title:** An act relating to motor vehicle theft.

**Brief Description:** Increasing penalties for taking a motor vehicle without permission.

**Sponsors:** Representatives Lovick, Hurst, Cody, Cairnes, O'Brien, Schual-Berke, Edwards, Bush, Kagi, Delvin, Cooper, Schindler, Constantine, Ericksen, Haigh, Wood, Kenney, Keiser, Carrell, Campbell and Rockefeller.

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### HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

**Staff:** Jean Ann Quinn (786-7310).

**Background:**

Taking a motor vehicle without permission, or riding in a vehicle knowing it was taken without permission, is a class C felony, which carries a maximum term of five years, or a fine of up to \$10,000, or both. For adult offenders, it is ranked as a seriousness level I crime under the Sentencing Reform Act which, for a first time offender, has a standard sentence range of 0-60 days. For juvenile offenders, it is ranked as an offense category C crime which, for a first time offender, involves local sanctions. Local sanctions can include any combination of the following: 0 to 30 days confinement; 0-12 months community supervision; 0-150 hours community service; and a fine of \$0 to \$500.

**Summary:**

The crime is divided into two degrees. The current elements of the crime « taking the vehicle without permission or riding in it knowing it was taken without permission « become second degree motor vehicle theft, and the crime remains a class C, level I felony for adults and a category C offense for juveniles.

Taking a motor vehicle in the first degree is created and is committed if a person takes a motor vehicle without permission and he or she:

- (1) Has two or more prior convictions for motor vehicle theft;
- (2) Alters the vehicle to change its appearance or identification numbers;
- (3) Removes parts from the vehicle with the intent to sell the parts;
- (4) Exports or attempts to export the vehicle out-of-state or out of the country

- for profit;
- (5) Intends to sell the vehicle; or
  - (6) Is engaged in a conspiracy the object of which is the theft of motor vehicles for sale to others for profit.

Taking a motor vehicle without permission in the first degree is a class B felony and ranked as a seriousness level V crime for an adult offender (standard sentence range of 6-12 months for an offender without previous convictions). For juveniles, the crime is categorized as offense category B+ (standard sentence range of 15-36 weeks for an offender with no prior adjudications).

**Fiscal Note:** Available.

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

Office of Program Research