

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 6490

Chapter 324, Laws of 2002

57th Legislature
2002 Regular Session

MOTOR VEHICLE THEFT

EFFECTIVE DATE: 6/13/02

Passed by the Senate March 11, 2002
YEAS 40 NAYS 6

BRAD OWEN
President of the Senate

Passed by the House March 8, 2002
YEAS 75 NAYS 21

FRANK CHOPP
**Speaker of the
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6490** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

Approved April 2, 2002

FILED

April 2, 2002 - 10:46 a.m.

GARY LOCKE
Governor of the State of Washington

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 6490

AS AMENDED BY THE HOUSE

Passed Legislature - 2002 Regular Session

State of Washington 57th Legislature 2002 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Roach, Kline, Rasmussen, Keiser, Regala, Benton, Honeyford, Oke, Hale, McDonald, Johnson, McCaslin, Kastama, Sheahan and Stevens)

READ FIRST TIME 02/12/2002.

1 AN ACT Relating to motor vehicle theft; amending RCW 9A.56.070 and
2 13.40.0357; reenacting and amending RCW 9.94A.515; creating a new
3 section; and prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 9A.56.070 and 1975 1st ex.s. c 260 s 9A.56.070 are
6 each amended to read as follows:

7 ~~(1) ((Every person who shall))~~ (a) A person is guilty of taking a
8 motor vehicle without permission in the first degree if he or she,
9 without the permission of the owner or person entitled to possession,
10 intentionally takes or drives away an automobile or motor vehicle,
11 whether propelled by steam, electricity, or internal combustion engine,
12 that is the property of another, and he or she:

13 (i) Alters the motor vehicle for the purpose of changing its
14 appearance or primary identification, including obscuring, removing, or
15 changing the manufacturer's serial number or the vehicle identification
16 number plates;

17 (ii) Removes, or participates in the removal of, parts from the
18 motor vehicle with the intent to sell the parts;

1 (iii) Exports, or attempts to export, the motor vehicle across
2 state lines or out of the United States for profit;

3 (iv) Intends to sell the motor vehicle; or

4 (v) Is engaged in a conspiracy and the central object of the
5 conspiratorial agreement is the theft of motor vehicles for sale to
6 others for profit.

7 (b) Taking a motor vehicle without permission in the first degree
8 is a class B felony.

9 (2)(a) A person is guilty of taking a motor vehicle without
10 permission in the second degree if he or she, without the permission
11 of the owner or person entitled to ((the)) possession ((thereof)),
12 intentionally takes or drives away any automobile or motor vehicle,
13 whether propelled by steam, electricity, or internal combustion engine,
14 that is the property of another, ((shall be deemed guilty of a felony,
15 and every person)) or he or she voluntarily ((riding)) rides in or upon
16 ((said)) the automobile or motor vehicle with knowledge of the fact
17 that the ((same)) automobile or motor vehicle was unlawfully taken
18 ((shall be equally guilty with the person taking or driving said
19 automobile or motor vehicle and shall be deemed guilty of taking a
20 motor vehicle without permission)).

21 ((+2)) (b) Taking a motor vehicle without permission in the second
22 degree is a class C felony.

23 **Sec. 2.** RCW 9.94A.515 and 2001 2nd sp.s. c 12 s 361, 2001 c 300 s
24 4, 2001 c 217 s 12, and 2001 c 17 s 1 are each reenacted and amended to
25 read as follows:

26 TABLE 2

27 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

28 XVI	Aggravated Murder 1 (RCW 10.95.020)
29 XV	Homicide by abuse (RCW 9A.32.055)
30	Malicious explosion 1 (RCW 70.74.280(1))
31	Murder 1 (RCW 9A.32.030)
32 XIV	Murder 2 (RCW 9A.32.050)
33 XIII	Malicious explosion 2 (RCW 70.74.280(2))
34	Malicious placement of an explosive 1 (RCW
35	70.74.270(1))

1 XII Assault 1 (RCW 9A.36.011)
2 Assault of a Child 1 (RCW 9A.36.120)
3 Malicious placement of an imitation device
4 1 (RCW 70.74.272(1)(a))
5 Rape 1 (RCW 9A.44.040)
6 Rape of a Child 1 (RCW 9A.44.073)
7 XI Manslaughter 1 (RCW 9A.32.060)
8 Rape 2 (RCW 9A.44.050)
9 Rape of a Child 2 (RCW 9A.44.076)
10 X Child Molestation 1 (RCW 9A.44.083)
11 Indecent Liberties (with forcible
12 compulsion) (RCW 9A.44.100(1)(a))
13 Kidnapping 1 (RCW 9A.40.020)
14 Leading Organized Crime (RCW
15 9A.82.060(1)(a))
16 Malicious explosion 3 (RCW 70.74.280(3))
17 Manufacture of methamphetamine (RCW
18 69.50.401(a)(1)(ii))
19 Over 18 and deliver heroin,
20 methamphetamine, a narcotic from
21 Schedule I or II, or flunitrazepam
22 from Schedule IV to someone under 18
23 (RCW 69.50.406)
24 Sexually Violent Predator Escape (RCW
25 9A.76.115)
26 IX Assault of a Child 2 (RCW 9A.36.130)
27 Controlled Substance Homicide (RCW
28 69.50.415)
29 Explosive devices prohibited (RCW
30 70.74.180)
31 Hit and Run--Death (RCW 46.52.020(4)(a))
32 Homicide by Watercraft, by being under the
33 influence of intoxicating liquor or
34 any drug (RCW 79A.60.050)
35 Inciting Criminal Profiteering (RCW
36 9A.82.060(1)(b))
37 Malicious placement of an explosive 2 (RCW
38 70.74.270(2))

1 Over 18 and deliver narcotic from Schedule
2 III, IV, or V or a nonnarcotic, except
3 flunitrazepam or methamphetamine, from
4 Schedule I-V to someone under 18 and 3
5 years junior (RCW 69.50.406)
6 Robbery 1 (RCW 9A.56.200)
7 Sexual Exploitation (RCW 9.68A.040)
8 Vehicular Homicide, by being under the
9 influence of intoxicating liquor or
10 any drug (RCW 46.61.520)

11 VIII Arson 1 (RCW 9A.48.020)
12 Deliver or possess with intent to deliver
13 m e t h a m p h e t a m i n e (R C W
14 69.50.401(a)(1)(ii))
15 Homicide by Watercraft, by the operation of
16 any vessel in a reckless manner (RCW
17 79A.60.050)
18 Manslaughter 2 (RCW 9A.32.070)
19 Manufacture, deliver, or possess with
20 intent to deliver amphetamine (RCW
21 69.50.401(a)(1)(ii))
22 Manufacture, deliver, or possess with
23 intent to deliver heroin or cocaine
24 (RCW 69.50.401(a)(1)(i))
25 Possession of Ephedrine, Pseudoephedrine,
26 or Anhydrous Ammonia with intent to
27 manufacture methamphetamine (RCW
28 69.50.440)
29 Promoting Prostitution 1 (RCW 9A.88.070)
30 Selling for profit (controlled or
31 counterfeit) any controlled substance
32 (RCW 69.50.410)
33 Theft of Anhydrous Ammonia (RCW 69.55.010)
34 Vehicular Homicide, by the operation of any
35 vehicle in a reckless manner (RCW
36 46.61.520)

37 VII Burglary 1 (RCW 9A.52.020)
38 Child Molestation 2 (RCW 9A.44.086)

1 Dealing in depictions of minor engaged in
2 sexually explicit conduct (RCW
3 9.68A.050)
4 Drive-by Shooting (RCW 9A.36.045)
5 Homicide by Watercraft, by disregard for
6 the safety of others (RCW 79A.60.050)
7 Indecent Liberties (without forcible
8 compulsion) (RCW 9A.44.100(1) (b) and
9 (c))
10 Introducing Contraband 1 (RCW 9A.76.140)
11 Involving a minor in drug dealing (RCW
12 69.50.401(f))
13 Malicious placement of an explosive 3 (RCW
14 70.74.270(3))
15 Sending, bringing into state depictions of
16 minor engaged in sexually explicit
17 conduct (RCW 9.68A.060)
18 Unlawful Possession of a Firearm in the
19 first degree (RCW 9.41.040(1)(a))
20 Use of a Machine Gun in Commission of a
21 Felony (RCW 9.41.225)
22 Vehicular Homicide, by disregard for the
23 safety of others (RCW 46.61.520)
24 VI Bail Jumping with Murder 1 (RCW
25 9A.76.170(3)(a))
26 Bribery (RCW 9A.68.010)
27 Incest 1 (RCW 9A.64.020(1))
28 Intimidating a Judge (RCW 9A.72.160)
29 Intimidating a Juror/Witness (RCW
30 9A.72.110, 9A.72.130)
31 Malicious placement of an imitation device
32 2 (RCW 70.74.272(1)(b))
33 Manufacture, deliver, or possess with
34 intent to deliver narcotics from
35 Schedule I or II (except heroin or
36 cocaine) or flunitrazepam from
37 Schedule IV (RCW 69.50.401(a)(1)(i))
38 Rape of a Child 3 (RCW 9A.44.079)
39 Theft of a Firearm (RCW 9A.56.300)

1 Unlawful Storage of Anhydrous Ammonia (RCW
2 69.55.020)

3 V Abandonment of dependent person 1 (RCW
4 9A.42.060)

5 Advancing money or property for
6 extortionate extension of credit (RCW
7 9A.82.030)

8 Bail Jumping with class A Felony (RCW
9 9A.76.170(3)(b))

10 Child Molestation 3 (RCW 9A.44.089)

11 Criminal Mistreatment 1 (RCW 9A.42.020)

12 Custodial Sexual Misconduct 1 (RCW
13 9A.44.160)

14 Delivery of imitation controlled substance
15 by person eighteen or over to person
16 under eighteen (RCW 69.52.030(2))

17 Domestic Violence Court Order Violation
18 (RCW 10.99.040, 10.99.050, 26.09.300,
19 26.10.220, 26.26.138, 26.50.110,
20 26.52.070, or 74.34.145)

21 Extortion 1 (RCW 9A.56.120)

22 Extortionate Extension of Credit (RCW
23 9A.82.020)

24 Extortionate Means to Collect Extensions of
25 Credit (RCW 9A.82.040)

26 Incest 2 (RCW 9A.64.020(2))

27 Kidnapping 2 (RCW 9A.40.030)

28 Perjury 1 (RCW 9A.72.020)

29 Persistent prison misbehavior (RCW
30 9.94.070)

31 Possession of a Stolen Firearm (RCW
32 9A.56.310)

33 Rape 3 (RCW 9A.44.060)

34 Rendering Criminal Assistance 1 (RCW
35 9A.76.070)

36 Sexual Misconduct with a Minor 1 (RCW
37 9A.44.093)

38 Sexually Violating Human Remains (RCW
39 9A.44.105)

1 Stalking (RCW 9A.46.110)
2 Taking Motor Vehicle Without Permission 1
3 (RCW 9A.56.070(1))

4 IV Arson 2 (RCW 9A.48.030)
5 Assault 2 (RCW 9A.36.021)
6 Assault by Watercraft (RCW 79A.60.060)
7 Bribing a Witness/Bribe Received by Witness
8 (RCW 9A.72.090, 9A.72.100)
9 Commercial Bribery (RCW 9A.68.060)
10 Counterfeiting (RCW 9.16.035(4))
11 Escape 1 (RCW 9A.76.110)
12 Hit and Run--Injury (RCW 46.52.020(4)(b))
13 Hit and Run with Vessel--Injury Accident
14 (RCW 79A.60.200(3))
15 Identity Theft 1 (RCW 9.35.020(2)(a))
16 Indecent Exposure to Person Under Age
17 Fourteen (subsequent sex offense) (RCW
18 9A.88.010)
19 Influencing Outcome of Sporting Event (RCW
20 9A.82.070)
21 Knowingly Trafficking in Stolen Property
22 (RCW 9A.82.050(2))
23 Malicious Harassment (RCW 9A.36.080)
24 Manufacture, deliver, or possess with
25 intent to deliver narcotics from
26 Schedule III, IV, or V or nonnarcotics
27 from Schedule I-V (except marijuana,
28 amphetamine, methamphetamines, or
29 flunitrazepam) (RCW 69.50.401(a)(1)
30 (iii) through (v))
31 Residential Burglary (RCW 9A.52.025)
32 Robbery 2 (RCW 9A.56.210)
33 Theft of Livestock 1 (RCW 9A.56.080)
34 Threats to Bomb (RCW 9.61.160)
35 Use of Proceeds of Criminal Profiteering
36 (RCW 9A.82.080 (1) and (2))
37 Vehicular Assault, by being under the
38 influence of intoxicating liquor or
39 any drug, or by the operation or

1 driving of a vehicle in a reckless
2 manner (RCW 46.61.522)
3 Willful Failure to Return from Furlough
4 (RCW 72.66.060)

5 III Abandonment of dependent person 2 (RCW
6 9A.42.070)
7 Assault 3 (RCW 9A.36.031)
8 Assault of a Child 3 (RCW 9A.36.140)
9 Bail Jumping with class B or C Felony (RCW
10 9A.76.170(3)(c))
11 Burglary 2 (RCW 9A.52.030)
12 Communication with a Minor for Immoral
13 Purposes (RCW 9.68A.090)
14 Criminal Gang Intimidation (RCW 9A.46.120)
15 Criminal Mistreatment 2 (RCW 9A.42.030)
16 Custodial Assault (RCW 9A.36.100)
17 Delivery of a material in lieu of a
18 controlled substance (RCW
19 69.50.401(c))
20 Escape 2 (RCW 9A.76.120)
21 Extortion 2 (RCW 9A.56.130)
22 Harassment (RCW 9A.46.020)
23 Intimidating a Public Servant (RCW
24 9A.76.180)
25 Introducing Contraband 2 (RCW 9A.76.150)
26 Maintaining a Dwelling or Place for
27 Controlled Substances (RCW
28 69.50.402(a)(6))
29 Malicious Injury to Railroad Property (RCW
30 81.60.070)
31 Manufacture, deliver, or possess with
32 intent to deliver marijuana (RCW
33 69.50.401(a)(1)(iii))
34 Manufacture, distribute, or possess with
35 intent to distribute an imitation
36 controlled substance (RCW
37 69.52.030(1))
38 Patronizing a Juvenile Prostitute (RCW
39 9.68A.100)

1 Perjury 2 (RCW 9A.72.030)
2 Possession of Incendiary Device (RCW
3 9.40.120)
4 Possession of Machine Gun or Short-Barreled
5 Shotgun or Rifle (RCW 9.41.190)
6 Promoting Prostitution 2 (RCW 9A.88.080)
7 Recklessly Trafficking in Stolen Property
8 (RCW 9A.82.050(1))
9 Securities Act violation (RCW 21.20.400)
10 Tampering with a Witness (RCW 9A.72.120)
11 Telephone Harassment (subsequent conviction
12 or threat of death) (RCW 9.61.230)
13 Theft of Livestock 2 (RCW 9A.56.080)
14 Unlawful Imprisonment (RCW 9A.40.040)
15 Unlawful possession of firearm in the
16 second degree (RCW 9.41.040(1)(b))
17 Unlawful Use of Building for Drug Purposes
18 (RCW 69.53.010)
19 Vehicular Assault, by the operation or
20 driving of a vehicle with disregard
21 for the safety of others (RCW
22 46.61.522)
23 Willful Failure to Return from Work Release
24 (RCW 72.65.070)
25 II Computer Trespass 1 (RCW 9A.52.110)
26 Counterfeiting (RCW 9.16.035(3))
27 Create, deliver, or possess a counterfeit
28 controlled substance (RCW
29 69.50.401(b))
30 Escape from Community Custody (RCW
31 72.09.310)
32 Health Care False Claims (RCW 48.80.030)
33 Identity Theft 2 (RCW 9.35.020(2)(b))
34 Improperly Obtaining Financial Information
35 (RCW 9.35.010)
36 Malicious Mischief 1 (RCW 9A.48.070)
37 Possession of controlled substance that is
38 either heroin or narcotics from

1 Schedule I or II or flunitrazepam from
2 Schedule IV (RCW 69.50.401(d))
3 Possession of phencyclidine (PCP) (RCW
4 69.50.401(d))
5 Possession of Stolen Property 1 (RCW
6 9A.56.150)
7 Theft 1 (RCW 9A.56.030)
8 Theft of Rental, Leased, or Lease-purchased
9 Property (valued at one thousand five
10 hundred dollars or more) (RCW
11 9A.56.096(4))
12 Trafficking in Insurance Claims (RCW
13 48.30A.015)
14 Unlawful Practice of Law (RCW 2.48.180)
15 Unlicensed Practice of a Profession or
16 Business (RCW 18.130.190(7))
17 I Attempting to Elude a Pursuing Police
18 Vehicle (RCW 46.61.024)
19 False Verification for Welfare (RCW
20 74.08.055)
21 Forged Prescription (RCW 69.41.020)
22 Forged Prescription for a Controlled
23 Substance (RCW 69.50.403)
24 Forgery (RCW 9A.60.020)
25 Malicious Mischief 2 (RCW 9A.48.080)
26 Possess Controlled Substance that is a
27 Narcotic from Schedule III, IV, or V
28 or Non-narcotic from Schedule I-V
29 (except phencyclidine or
30 flunitrazepam) (RCW 69.50.401(d))
31 Possession of Stolen Property 2 (RCW
32 9A.56.160)
33 Reckless Burning 1 (RCW 9A.48.040)
34 Taking Motor Vehicle Without Permission 2
35 (RCW 9A.56.070(2))
36 Theft 2 (RCW 9A.56.040)
37 Theft of Rental, Leased, or Lease-purchased
38 Property (valued at two hundred fifty
39 dollars or more but less than one

1	D+	Reckless Endangerment	
2		(9A.36.050)	E
3	C+	Promoting Suicide Attempt	
4		(9A.36.060)	D+
5	D+	Coercion (9A.36.070)	E
6	C+	Custodial Assault (9A.36.100)	D+
7		Burglary and Trespass	
8	B+	Burglary 1 (9A.52.020)	C+
9	B	Residential Burglary	
10		(9A.52.025)	C
11	B	Burglary 2 (9A.52.030)	C
12	D	Burglary Tools (Possession of)	
13		(9A.52.060)	E
14	D	Criminal Trespass 1 (9A.52.070)	E
15	E	Criminal Trespass 2 (9A.52.080)	E
16	C	Vehicle Prowling 1 (9A.52.095)	D
17	D	Vehicle Prowling 2 (9A.52.100)	E
18		Drugs	
19	E	Possession/Consumption of Alcohol	
20		(66.44.270)	E
21	C	Illegally Obtaining Legend Drug	
22		(69.41.020)	D
23	C+	Sale, Delivery, Possession of Legend	
24		Drug with Intent to Sell	
25		(69.41.030)	D+
26	E	Possession of Legend Drug	
27		(69.41.030)	E
28	B+	Violation of Uniform Controlled	
29		Substances Act - Narcotic,	
30		Methamphetamine, or Flunitrazepam	
31		Sale (69.50.401(a)(1) (i) or (ii))	B+
32	C	Violation of Uniform Controlled	
33		Substances Act - Nonnarcotic Sale	
34		(69.50.401(a)(1)(iii))	C
35	E	Possession of Marihuana <40 grams	
36		(69.50.401(e))	E
37	C	Fraudulently Obtaining Controlled	
38		Substance (69.50.403)	C

1	C+	Sale of Controlled Substance	
2		for Profit (69.50.410)	C+
3	E	Unlawful Inhalation (9.47A.020)	E
4	B	Violation of Uniform Controlled	
5		Substances Act - Narcotic,	
6		Methamphetamine, or Flunitrazepam	
7		Counterfeit Substances	
8		(69.50.401(b)(1) (i) or (ii))	B
9	C	Violation of Uniform Controlled	
10		Substances Act - Nonnarcotic	
11		Counterfeit Substances	
12		(69.50.401(b)(1) (iii), (iv), (v))	C
13	C	Violation of Uniform Controlled	
14		Substances Act - Possession of a	
15		Controlled Substance	
16		(69.50.401(d))	C
17	C	Violation of Uniform Controlled	
18		Substances Act - Possession of a	
19		Controlled Substance	
20		(69.50.401(c))	C
21		Firearms and Weapons	
22	B	Theft of Firearm (9A.56.300)	C
23	B	Possession of Stolen Firearm	
24		(9A.56.310)	C
25	E	Carrying Loaded Pistol Without	
26		Permit (9.41.050)	E
27	C	Possession of Firearms by Minor (<18)	
28		(9.41.040(1)(b)(iii))	C
29	D+	Possession of Dangerous Weapon	
30		(9.41.250)	E
31	D	Intimidating Another Person by use	
32		of Weapon (9.41.270)	E
33		Homicide	
34	A+	Murder 1 (9A.32.030)	A
35	A+	Murder 2 (9A.32.050)	B+
36	B+	Manslaughter 1 (9A.32.060)	C+
37	C+	Manslaughter 2 (9A.32.070)	D+
38	B+	Vehicular Homicide (46.61.520)	C+

1		Kidnapping	
2	A	Kidnap 1 (9A.40.020)	B+
3	B+	Kidnap 2 (9A.40.030)	C+
4	C+	Unlawful Imprisonment	
5		(9A.40.040)	D+
6		Obstructing Governmental Operation	
7	D	Obstructing a Law Enforcement	
8		Officer (9A.76.020)	E
9	E	Resisting Arrest (9A.76.040)	E
10	B	Introducing Contraband 1	
11		(9A.76.140)	C
12	C	Introducing Contraband 2	
13		(9A.76.150)	D
14	E	Introducing Contraband 3	
15		(9A.76.160)	E
16	B+	Intimidating a Public Servant	
17		(9A.76.180)	C+
18	B+	Intimidating a Witness	
19		(9A.72.110)	C+
20		Public Disturbance	
21	C+	Riot with Weapon (9A.84.010)	D+
22	D+	Riot Without Weapon	
23		(9A.84.010)	E
24	E	Failure to Disperse (9A.84.020)	E
25	E	Disorderly Conduct (9A.84.030)	E
26		Sex Crimes	
27	A	Rape 1 (9A.44.040)	B+
28	A-	Rape 2 (9A.44.050)	B+
29	C+	Rape 3 (9A.44.060)	D+
30	A-	Rape of a Child 1 (9A.44.073)	B+
31	B+	Rape of a Child 2 (9A.44.076)	C+
32	B	Incest 1 (9A.64.020(1))	C
33	C	Incest 2 (9A.64.020(2))	D
34	D+	Indecent Exposure	
35		(Victim <14) (9A.88.010)	E
36	E	Indecent Exposure	
37		(Victim 14 or over) (9A.88.010)	E
38	B+	Promoting Prostitution 1	

1		(9A.88.070)	C+
2	C+	Promoting Prostitution 2	
3		(9A.88.080)	D+
4	E	O & A (Prostitution) (9A.88.030)	E
5	B+	Indecent Liberties (9A.44.100)	C+
6	A-	Child Molestation 1 (9A.44.083)	B+
7	B	Child Molestation 2 (9A.44.086)	C+
8		Theft, Robbery, Extortion, and Forgery	
9	B	Theft 1 (9A.56.030)	C
10	C	Theft 2 (9A.56.040)	D
11	D	Theft 3 (9A.56.050)	E
12	B	Theft of Livestock (9A.56.080)	C
13	C	Forgery (9A.60.020)	D
14	A	Robbery 1 (9A.56.200)	B+
15	B+	Robbery 2 (9A.56.210)	C+
16	B+	Extortion 1 (9A.56.120)	C+
17	C+	Extortion 2 (9A.56.130)	D+
18	C	Identity Theft 1 (9.35.020(2)(a))	D
19	D	Identity Theft 2 (9.35.020(2)(b))	E
20	D	Improperly Obtaining Financial	
21		Information (((9.35.010)))	
22		<u>(9.35.010)</u>	E
23	B	Possession of Stolen Property 1	
24		(9A.56.150)	C
25	C	Possession of Stolen Property 2	
26		(9A.56.160)	D
27	D	Possession of Stolen Property 3	
28		(9A.56.170)	E
29	C	Taking Motor Vehicle Without	
30		((Owner's)) Permission <u>1 and 2</u>	
31		(9A.56.070 <u>(1) and (2)</u>)	D
32		Motor Vehicle Related Crimes	
33	E	Driving Without a License	
34		(46.20.005)	E
35	B+	Hit and Run - Death	
36		(46.52.020(4)(a))	C+
37	C	Hit and Run - Injury	
38		(46.52.020(4)(b))	D

1	D	Hit and Run-Attended	
2		(46.52.020(5))	E
3	E	Hit and Run-Unattended	
4		(46.52.010)	E
5	C	Vehicular Assault (46.61.522)	D
6	C	Attempting to Elude Pursuing	
7		Police Vehicle (46.61.024)	D
8	E	Reckless Driving (46.61.500)	E
9	D	Driving While Under the Influence	
10		(46.61.502 and 46.61.504)	E
11		Other	
12	B	Bomb Threat (9.61.160)	C
13	C	Escape 1 (9A.76.110)	C
14	C	Escape 2 (9A.76.120)	C
15	D	Escape 3 (9A.76.130)	E
16	E	Obscene, Harassing, Etc.,	
17		Phone Calls (9.61.230)	E
18	A	Other Offense Equivalent to an	
19		Adult Class A Felony	B+
20	B	Other Offense Equivalent to an	
21		Adult Class B Felony	C
22	C	Other Offense Equivalent to an	
23		Adult Class C Felony	D
24	D	Other Offense Equivalent to an	
25		Adult Gross Misdemeanor	E
26	E	Other Offense Equivalent to an	
27		Adult Misdemeanor	E
28	V	Violation of Order of Restitution,	
29		Community Supervision, or	
30		Confinement (13.40.200)	V

31 Escape 1 and 2 and Attempted Escape 1 and 2 are classed as C offenses
32 and the standard range is established as follows:

33 1st escape or attempted escape during 12-month period - 4 weeks
34 confinement

35 2nd escape or attempted escape during 12-month period - 8 weeks
36 confinement

37 3rd and subsequent escape or attempted escape during 12-month
38 period - 12 weeks confinement

1 If the court finds that a respondent has violated terms of an order,
 2 it may impose a penalty of up to 30 days of confinement.

3 **JUVENILE SENTENCING STANDARDS**

4 This schedule must be used for juvenile offenders. The court may
 5 select sentencing option A, B, or C.

6 **OPTION A**
 7 **JUVENILE OFFENDER SENTENCING GRID**
 8 **STANDARD RANGE**

9		<hr/>					
10	A+	180 WEEKS TO AGE 21 YEARS					
11		<hr/>					
12	A	103 WEEKS TO 129 WEEKS					
13		<hr/>					
14	A-	15-36	52-65	80-100	103-129		
15		WEEKS	WEEKS	WEEKS	WEEKS		
16		EXCEPT					
17		30-40					
18		WEEKS FOR					
19		15-17					
20		YEAR OLDS					
21		<hr/>					
22	Current	B+	15-36	52-65	80-100	103-129	
23	Offense		WEEKS	WEEKS	WEEKS	WEEKS	
24	Category		<hr/>				
25		B	LOCAL		52-65		
26			SANCTIONS (LS)	15-36 WEEKS	WEEKS		
27			<hr/>		<hr/>		
28		C+	LS				
29				15-36 WEEKS			
30			<hr/>				
31		C	LS		15-36 WEEKS		
32			Local Sanctions:				
33			0 to 30 Days			<hr/>	
34		D+	LS	0 to 12 Months Community Supervision			
35				0 to 150 Hours Community Service			
36		D	LS	\$0 to \$500 Fine			
37		E	LS				
38			<hr/>				
39			0	1	2	3	4 or more
40			PRIOR ADJUDICATIONS				

1 NOTE: References in the grid to days or weeks mean periods of
2 confinement.

3 (1) The vertical axis of the grid is the current offense category.
4 The current offense category is determined by the offense of
5 adjudication.

6 (2) The horizontal axis of the grid is the number of prior
7 adjudications included in the juvenile's criminal history. Each prior
8 felony adjudication shall count as one point. Each prior violation,
9 misdemeanor, and gross misdemeanor adjudication shall count as 1/4
10 point. Fractional points shall be rounded down.

11 (3) The standard range disposition for each offense is determined
12 by the intersection of the column defined by the prior adjudications
13 and the row defined by the current offense category.

14 (4) RCW 13.40.180 applies if the offender is being sentenced for
15 more than one offense.

16 (5) A current offense that is a violation is equivalent to an
17 offense category of E. However, a disposition for a violation shall
18 not include confinement.

19 **OR**

20 **OPTION B**

21 **CHEMICAL DEPENDENCY DISPOSITION ALTERNATIVE**

22 If the juvenile offender is subject to a standard range disposition
23 of local sanctions or 15 to 36 weeks of confinement and has not
24 committed an A- or B+ offense, the court may impose a disposition under
25 RCW 13.40.160(4) and 13.40.165.

26 **OR**

27 **OPTION C**

28 **MANIFEST INJUSTICE**

29 If the court determines that a disposition under option A or B would
30 effectuate a manifest injustice, the court shall impose a disposition
31 outside the standard range under RCW 13.40.160(2).

32 NEW SECTION. **Sec. 4.** The sentencing guidelines commission shall
33 study the impact of the sentencing changes in this act upon the
34 incidence of the crime of taking a motor vehicle without permission.

1 By December 2004, the commission shall submit a report to the governor
2 and the legislature. The report shall address:

3 (1) Whether the creation of the crime of taking a motor vehicle
4 without permission in the first degree and the increased penalties for
5 that new crime have resulted in a reduction in the number of
6 convictions for taking a motor vehicle without permission in the first
7 or second degree; and

8 (2) Whether there are other actions, either civil or criminal, that
9 could have the effect of further decreasing the incidence of these
10 crimes, including but not limited to: The revocation of driving
11 privileges, double scoring of prior convictions, or increasing
12 penalties for juveniles.

Passed the Senate March 11, 2002.

Passed the House March 8, 2002.

Approved by the Governor April 2, 2002.

Filed in Office of Secretary of State April 2, 2002.