JAN 1 8 2013

S.B. NO. 354

A BILL FOR AN ACT

RELATING TO UNLAWFUL CHOP SHOP ACTIVITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1	SECTION 1. The legislature finds that a chop shop is
2	street vernacular for a location where stolen motor vehicles or
3	motor vehicle parts are taken to be altered to conceal their
4	true identity. Chop shop activity may include theft of motor
5	vehicles and motor vehicle parts, defacing vehicle
6	identification numbers, re-stamping false vehicle identification
7	numbers into stolen vehicles, and the re-sale of these stolen
8	vehicles to unsuspecting innocent buyers.
9	The purpose of this Act is to establish a criminal offense
10	of unlawful chop shop activity.
11	SECTION 2. Chapter 708, Hawaii Revised Statutes, is
12	amended by adding a new part to be appropriately designated and
13	to read as follows:
14	"PART
15	UNLAWFUL CHOP SHOP ACTIVITY
16	§708- Definitions. As used in this part:
17	"Chop shop" means:

1	(1)	Any building, lot, or other premises that is used to
2		store, destroy, dismantle, diassemble, or reassemble a
3		motor vehicle or two or more motor vehicle parts that
4		the person knows to have been stolen; or
5	(2)	Any building lot, or other premises that is used to
6		alter, conceal, disguise, or remove the vehicle
7		identification number of at least one motor vehicle or
8		two or more motor vehicle parts from at least one
9		motor vehicle that the person knows to have been
10		stolen.
11	"Mot	or vehicle" means any automobile, motorcycle,
12	motorboat	, or other motor-propelled vehicle.
13	"Veh	icle identification number" means the number that the
14	manufactu	rer or a governmental agency assigns to a motor vehicle
15	for the p	urpose of identifying the motor vehicle or a major
16	component	part of the motor vehicle. Vehicle identification
17	number in	cludes any combination of numbers or letters.
18	§708	- Unlawful chop shop activity; prohibited conduct.
19	A person	commits the offense of unlawful chop shop activity if
20	the perso	n knowingly:
21	(a)	Owns or operates a chop shop;

2013-0155 SB SMA-1.doc

1	(d)	Transports a stolen motor vehicle or two or more
2		stolen motor vehicle parts to or from a chop shop;
3	(C)	Sells or transfers to, or purchases or receives from a
4		chop shop a stolen motor vehicle or two or more stolen
5		motor vehicle parts; or
6	(d)	Conducts or participates in the conduct of the affairs
7		of any chop shop by:
8		(A) Storing, destroying, dismantling, disassembling,
9		or reassembling a stolen motor vehicle or two or
10		more stolen motor vehicle parts; or
11		(B) Altering, concealing, disguising, or removing the
12		vehicle identification number of at least one
13		stolen motor vehicle or two or more motor vehicle
14		parts from at least one stolen motor vehicle.
15	§708	- Unlawful chop shop activity in the first degree.
16	(1)	A person commits the offense of unlawful chop shop
17	activity	in the first degree if the person commits unlawful chor
18	shop acti	vity and the total value of all stolen motor vehicles
19	or stolen	motor vehicle parts stored, transported, sold,
20	transferr	ed, purchased, received, destroyed, dismantled,
21	disassemb	led, reassembled, or made unidentifiable by altering,
22	concealin	g, disguising, or removing the vehicle identification
	2013-0155	SB SMA-1.doc

S.B. NO. **354**

- 1 number of the vehicle or vehicle parts by the person is equal to
- 2 or greater than \$100,000.
- 3 (2) Unlawful chop shop activity in the first degree is a
- 4 class A felony.
- 5 §708- Unlawful chop shop activity in the second degree.
- 6 (1) A person commits the offense of unlawful chop shop
- 7 activity in the second degree if the person commits unlawful
- 8 chop shop activity and the total value of all stolen motor
- 9 vehicles or stolen motor vehicle parts stored, transported,
- 10 sold, transferred, purchased, received, destroyed, dismantled,
- 11 disassembled, reassembled, or made unidentifiable by altering,
- 12 concealing, disguising, or removing the vehicle identification
- 13 number of the vehicle or vehicle parts by the person is less
- 14 than \$100,000.
- 15 (2) Unlawful chop shop activity in the second degree is a
- 16 class B felony.
- 17 §708- Forfeiture of property connected with chop shop
- 18 activity. Any motor vehicle, motor vehicle part, tool,
- 19 implement, or real property possessed or used in violation of
- 20 this part, or any money obtained in violation of this part may
- 21 be ordered forfeited to the State, subject to the requirements
- **22** of chapter 712A."

2013-0155 SB SMA-1.doc

	1	SECTION	3.	This	Act	does	not	affect	rights	and	duties	th
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- 2 matured, penalties that were incurred, and proceedings that were
- 3 begun before its effective date.
- 4 SECTION 4. This Act shall take effect on July 1, 2013.

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INTRODUCED BY:

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S.B. NO. **364**

Report Title:

Unlawful Chop Shop Activity

Description:

Establishes criminal offenses of unlawful chop shop activity in the first and second degrees.

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