

JAN 19 2022

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 "chop shop" is
2 street vernacular for a location where stolen motor vehicles, or
3 stolen motor vehicle parts, are taken to be altered to conceal
4 their true identity. Chop shop activity may include the theft
5 of motor 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 the criminal
10 offenses of unlawful chop shop activity in the first and second
11 degrees and to provide for the forfeiture of property connected
12 with chop shop activity.

13 SECTION 2. Chapter 708, Hawaii Revised Statutes, is
14 amended by adding a new part to be appropriately designated and
15 to read as follows:



"PART

UNLAWFUL CHOP SHOP ACTIVITY

§708- Definitions. As used in this part:

"Chop shop" means:

- (1) Any building, lot, or other premises that is used by a person to store, destroy, dismantle, disassemble, or reassemble a motor vehicle, or two or more motor vehicle parts, that the person knows to have been stolen; or
- (2) Any building, lot, or other premises that is used by a person to alter, conceal, disguise, or remove the vehicle identification number of at least one motor vehicle, or two or more motor vehicle parts from at least one motor vehicle, that the person knows to have been stolen.

"Motor vehicle" means any automobile, motorcycle, motorboat, or other motor-propelled vehicle.

"Vehicle identification number" means the number that the manufacturer or a governmental agency assigns to a motor vehicle for the purpose of identifying the motor vehicle or a major



1 component part of the motor vehicle. "Vehicle identification
2 number" includes any combination of numbers or letters.

3 **§708- Unlawful chop shop activity.** A person commits
4 unlawful chop shop activity if the person knowingly:

5 (1) Owns or operates a chop shop;

6 (2) Transports a stolen motor vehicle, or two or more
7 stolen motor vehicle parts, to or from a chop shop;

8 (3) Sells or transfers to, or purchases or receives from,
9 a chop shop a stolen motor vehicle or two or more
10 stolen motor vehicle parts; or

11 (4) Conducts or participates in the conduct of the affairs
12 of any chop shop by:

13 (a) Storing, destroying, dismantling, disassembling,
14 or reassembling a stolen motor vehicle, or two or
15 more stolen motor vehicle parts; or

16 (b) Altering, concealing, disguising, or removing the
17 vehicle identification number of at least one
18 stolen motor vehicle, or two or more motor
19 vehicle parts from at least one stolen motor
20 vehicle.



1 **§708- Unlawful chop shop activity in the first degree.**

2 (1) A person commits the offense of unlawful chop shop activity
3 in the first degree if the person commits unlawful chop shop
4 activity and the total value of all stolen motor vehicles or
5 stolen motor vehicle parts stored, transported, sold,
6 transferred, purchased, received, destroyed, dismantled,
7 disassembled, reassembled, or made unidentifiable by altering,
8 concealing, disguising, or removing the vehicle identification
9 number of the motor vehicle or motor vehicle parts by the person
10 is equal to or greater than \$250,000.

11 (2) Unlawful chop shop activity in the first degree is a
12 class A felony.

13 **§708- Unlawful chop shop activity in the second degree.**

14 (1) A person commits the offense of unlawful chop shop activity
15 in the second degree if the person commits unlawful chop shop
16 activity and the total value of all stolen motor vehicles or
17 stolen motor vehicle parts stored, transported, sold,
18 transferred, purchased, received, destroyed, dismantled,
19 disassembled, reassembled, or made unidentifiable by altering,
20 concealing, disguising, or removing the vehicle identification



1 number of the motor vehicle or motor vehicle parts by the person
2 is less than \$250,000, but equal to or greater than \$100,000.

3 (2) Unlawful chop shop activity in the second degree is a
4 class B felony.

5 **§708- Forfeiture of property connected with chop shop**
6 **activity.** Any motor vehicle, motor vehicle part, tool,
7 implement, or real property possessed or used in violation of
8 this part, or any money obtained in violation of this part, may
9 be ordered forfeited to the State, subject to the requirements
10 of chapter 712A."

11 SECTION 3. This Act does not affect rights and duties that
12 matured, penalties that were incurred, and proceedings that were
13 begun before its effective date.

14 SECTION 4. This Act shall take effect upon its approval.

15
INTRODUCED BY: _____

MMJ

By Request



S.B. NO. 2097

Report Title:

Maui County Council Package; Penal Code; Chop Shops; Unlawful Chop Shop Activity

Description:

Establishes the criminal offenses of unlawful chop shop activity in the first and second degrees. Provides for the forfeiture of property connected with chop shop activity. Defines "chop shop."

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

