

HCS HB 2902 -- AUTOMOBILE THEFT

SPONSOR: Mayhew

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Insurance by a vote of 9 to 1. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 11 to 0 with 1 member voting present.

The following is a summary of the House Committee Substitute for HB 2902.

Currently, a person who engages in the business of salvaging, wrecking, or dismantling vehicles for resale of the parts thereof must be licensed by the Department of Revenue (DOR). This bill modifies this provision to include those persons who engage in the buying or selling of catalytic converters or the component parts of catalytic converters.

Currently, all dealers of junk, scrap metal, or other secondhand property must keep records of certain transactions. This bill requires that all records of the purchase or trade-in of a detached catalytic converter must include:

- (1) Either proof that the seller is a bona fide automobile repair shop, or an affidavit that attests the detached catalytic converter was acquired lawfully; and
- (2) The make, model, year, and vehicle identification number of the vehicle from which the detached catalytic converter originated.

Currently, dealers in junk, scrap metal, or other secondhand property must keep records of certain transactions for a minimum of 36 months. This bill increases the length of time to four years. The DOR must provide a standardized form for recording the transactions, and must submit said forms at least monthly to DOR.

This bill provides that a person will have committed the offense of stealing, if for the purpose of depriving the owner of a lawful interest therein, he or she receives, retains, or disposes of a catalytic converter and knows it has been stolen, believes it has been stolen, or reasonably should have suspected that such property was stolen.

This bill provides that a person will have committed the offense of unlawful possession of a detached catalytic converter if the person possesses a catalytic converter with the intent to sell unless:

- (1) The catalytic converter is possessed in the course of a legitimate business purpose;
- (2) The catalytic converter is a component or constituent part of an item or equipment owned by the individual; or
- (3) The possession of the catalytic converter is for some other lawful purpose.

The commission of such an offense is a Class E felony.

This bill provides that the manufacture, sale, attempted sale, transfer, or possession of a motor vehicle key programming or emulating device, or a relay attack device, as such terms are defined in the bill, will be a class D felony. The bill provides exceptions for certain authorized users.

Any authorized user must report a lost or stolen device within 48 hours of becoming aware that the device was lost or stolen. Failure to comply with this reporting requirement will be a class A misdemeanor.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

**PROPONENTS:** Supporters say that law enforcement have a difficult time keeping up with new technology used for vehicle thefts. This bill addresses some of the new crimes police officers are seeing today.

Testifying in person for the bill were Representative Mayhew; Adam Eathington, National Insurance Crime Bureau.

**OPPONENTS:** There was no opposition voiced to the committee.

**OTHERS:** Others testifying on the bill say Missouri ranks as one of the highest states in the country for vehicle thefts. The vehicles are being used for other crimes like drug trafficking and armed robbery.

Testifying in person on the bill was Alex Vivas, Missouri State Highway Patrol.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.