

**Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 14-0286.01 Richard Sweetman x4333

HOUSE BILL 14-1084

HOUSE SPONSORSHIP

Murray, Court

SENATE SPONSORSHIP

Johnston,

House Committees

Judiciary
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CRIMES RELATED TO MOTOR VEHICLES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

A person commits ownership or operation of a chop shop if he or she knowingly:

- ! Owns, operates, or conducts a chop shop as defined in the bill;
- ! Transports an unlawfully obtained motor vehicle or major component motor vehicle part to or from a chop shop; or
- ! Sells or transfers to, or purchases or receives from, a chop

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

shop an unlawfully obtained motor vehicle or major component motor vehicle part.

Ownership or operation of a chop shop is a class 3 felony.

The bill repeals and relocates crimes related to vehicle identification numbers or numbers on major motor vehicle component parts.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 18-4-420 as
3 follows:

4 **18-4-420. Chop shop activity - ownership or operation of a**
5 **chop shop - altered or removed identification number - penalties -**
6 **definitions.** (1) A PERSON COMMITS OWNERSHIP OR OPERATION OF A CHOP
7 SHOP IF HE OR SHE KNOWINGLY:

8 (a) OWNS OR OPERATES A CHOP SHOP, KNOWING THAT IT IS A CHOP
9 SHOP, OR CONSPIRES WITH ANOTHER PERSON TO OWN, OPERATE, OR
10 CONDUCT A CHOP SHOP, KNOWING THAT IT IS A CHOP SHOP;

11 (b) TRANSPORTS AN UNLAWFULLY OBTAINED MOTOR VEHICLE OR
12 MAJOR COMPONENT MOTOR VEHICLE PART TO OR FROM A CHOP SHOP,
13 KNOWING THAT IT IS A CHOP SHOP; OR

14 (c) SELLS OR TRANSFERS TO, OR PURCHASES OR RECEIVES FROM,
15 A CHOP SHOP, KNOWING IT IS A CHOP SHOP, AN UNLAWFULLY OBTAINED
16 MOTOR VEHICLE OR MAJOR COMPONENT MOTOR VEHICLE PART.

17 (2) A VIOLATION OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS
18 SECTION IS A CLASS 4 FELONY. A VIOLATION OF PARAGRAPH (b) OR (c) OF
19 SUBSECTION (1) OF THIS SECTION IS A CLASS 5 FELONY.

20 (3) A PERSON COMMITS ALTERED OR REMOVED IDENTIFICATION
21 NUMBER IF, EXCEPT AS NECESSARY TO EFFECT LEGITIMATE REPAIRS, HE OR
22 SHE KNOWINGLY:

1 (a) REMOVES, CHANGES, ALTERS, COUNTERFEITS, DEFACES,
2 DESTROYS, DISGUISES, FALSIFIES, FORGES, OR OBLITERATES THE VEHICLE
3 IDENTIFICATION NUMBER, MANUFACTURER'S NUMBER, OR ENGINE NUMBER
4 OF A MOTOR VEHICLE OR MAJOR COMPONENT MOTOR VEHICLE PART; OR

5 (b) POSSESSES, PURCHASES, DISPOSES OF, SELLS, OR TRANSFERS A
6 MOTOR VEHICLE OR A MAJOR COMPONENT MOTOR VEHICLE PART THAT
7 CONTAINS A REMOVED, CHANGED, ALTERED, COUNTERFEITED, DEFACED,
8 DESTROYED, DISGUISED, FALSIFIED, FORGED, OR OBLITERATED VEHICLE
9 IDENTIFICATION NUMBER, MANUFACTURER'S NUMBER, OR ENGINE
10 NUMBER.

11 (4) ALTERED OR REMOVED IDENTIFICATION NUMBER IS A CLASS 5
12 FELONY.

13 (5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
14 REQUIRES:

15 (a) "CHOP SHOP" MEANS ANY BUILDING, LOT, FACILITY, OR OTHER
16 STRUCTURE OR PREMISE WHERE:

17 (I) ANY PERSON OR PERSONS POSSESS, RECEIVE, STORE,
18 DISASSEMBLE, OR ALTER, INCLUDING THE ALTERATION OR CONCEALMENT
19 OF ANY IDENTIFYING FEATURE OR NUMBER, AN UNLAWFULLY OBTAINED
20 MOTOR VEHICLE OR MAJOR COMPONENT MOTOR VEHICLE PART FOR THE
21 PURPOSE OF USING, SELLING, OR DISPOSING OF THE MOTOR VEHICLE OR
22 MAJOR COMPONENT MOTOR VEHICLE PART; OR

23 (II) TWO OR MORE UNLAWFULLY OBTAINED MOTOR VEHICLES ARE
24 PRESENT FOR THE PURPOSE OF ALTERATION, SALE, OR DISPOSAL; OR

25 (III) SIX OR MORE UNLAWFULLY OBTAINED MAJOR COMPONENT
26 MOTOR VEHICLE PARTS FROM TWO OR MORE MOTOR VEHICLES ARE
27 PRESENT FOR THE PURPOSE OF ALTERATION, SALE, OR DISPOSAL.

1 (b) "MAJOR COMPONENT MOTOR VEHICLE PART" MEANS ANY OF
2 THE FOLLOWING PARTS OF A MOTOR VEHICLE:

- 3 (I) THE ENGINE;
- 4 (II) THE TRANSMISSION;
- 5 (III) THE RIGHT OR LEFT FRONT FENDER;
- 6 (IV) THE HOOD;
- 7 (V) ANY DOOR ALLOWING ENTRANCE TO OR EGRESS FROM THE
8 PASSENGER COMPARTMENT OF THE VEHICLE;
- 9 (VI) THE FRONT OR REAR BUMPER;
- 10 (VII) THE RIGHT OR LEFT REAR QUARTER PANEL;
- 11 (VIII) THE DECK LID, TAILGATE, OR HATCHBACK;
- 12 (IX) THE TRUNK FLOOR PAN;
- 13 (X) THE CARGO BOX OF A PICKUP TRUCK;
- 14 (XI) THE FRAME, OR IF THE VEHICLE HAS A UNITIZED BODY, THE
15 SUPPORTING STRUCTURE OR STRUCTURES THAT SERVE AS THE FRAME;
- 16 (XII) THE CAB OF A TRUCK;
- 17 (XIII) THE BODY OF A PASSENGER VEHICLE;
- 18 (XIV) AN AIRBAG OR AIRBAG ASSEMBLY;
- 19 (XV) A WHEEL OR TIRE; OR
- 20 (XVI) ANY OTHER PART OF A MOTOR VEHICLE THAT IS
21 COMPARABLE IN DESIGN OR FUNCTION TO ANY OF THE PARTS THAT HAVE
22 BEEN LISTED, OR THAT HAVE BEEN LABELED WITH A UNIQUE TRACEABLE
23 IDENTIFICATION NUMBER, BY THE MANUFACTURER OF THE MOTOR VEHICLE
24 OR PART.

25 (c) "MOTOR VEHICLE" MEANS ALL VEHICLES OF WHATEVER
26 DESCRIPTION THAT ARE PROPELLED BY ANY POWER OTHER THAN
27 MUSCULAR POWER; EXCEPT THAT "MOTOR VEHICLE" DOES NOT INCLUDE

1 VEHICLES THAT RUN ON RAILS.

2 (d) "UNLAWFULLY OBTAINED" MEANS OBTAINED BY THEFT,
3 FRAUD, OR DECEIT, OR OBTAINED WITHOUT THE PERMISSION OF THE
4 OWNER.

5 **SECTION 2.** In Colorado Revised Statutes, **repeal** 42-5-102.

6 **SECTION 3. Potential appropriation.** Pursuant to section
7 2-2-703, Colorado Revised Statutes, any bill that results in a net increase
8 in periods of imprisonment in the state correctional facilities must include
9 an appropriation of moneys that is sufficient to cover any increased
10 capital construction and operational costs for the first five fiscal years in
11 which there is a fiscal impact. Because this act may increase periods of
12 imprisonment, this act may require a five-year appropriation.

13 **SECTION 4. Act subject to petition - effective date -**
14 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
15 the expiration of the ninety-day period after final adjournment of the
16 general assembly (August 6, 2014, if adjournment sine die is on May 7,
17 2014); except that, if a referendum petition is filed pursuant to section 1
18 (3) of article V of the state constitution against this act or an item, section,
19 or part of this act within such period, then the act, item, section, or part
20 will not take effect unless approved by the people at the general election
21 to be held in November 2014 and, in such case, will take effect on the
22 date of the official declaration of the vote thereon by the governor.

23 (2) This act applies to offenses committed on or after the
24 applicable effective date of this act.