

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. 14-1034.01 Richard Sweetman x4333

**SENATE BILL 14-176**

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**SENATE SPONSORSHIP**

**Johnston,**

**HOUSE SPONSORSHIP**

**Murray and Court,**

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**Senate Committees**

Judiciary  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING CRIMES RELATED TO ENTITIES THAT TRADE IN STOLEN**  
102 **VEHICLES, AND, IN CONNECTION THEREWITH, MAKING AN**  
103 **APPROPRIATION.**

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**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>.)*

The bill defines a chop shop as any building, lot, facility, or other structure or premise where:

! Any person or persons possess, receive, store, disassemble, or alter, including the alteration or concealment of any

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.*

identifying feature or number, an unlawfully obtained motor vehicle or major component motor vehicle part for the purpose of using, selling, or disposing of the motor vehicle or major component motor vehicle part; or

- ! Two or more unlawfully obtained motor vehicles are present for the purpose of alteration, sale, or disposal; or
- ! Six or more unlawfully obtained major component motor vehicle parts from 2 or more motor vehicles are present for the purpose of alteration, sale, or disposal.

A person commits a class 4 felony if he or she knowingly owns or operates a chop shop, knowing that it is a chop shop, or conspires with another person to own, operate, or conduct a chop shop, knowing that it is a chop shop.

A person commits a class 5 felony if he or she knowingly:

- ! Transports an unlawfully obtained motor vehicle or major component motor vehicle part to or from a chop shop, knowing that it is a chop shop; or
- ! Sells or transfers to, or purchases or receives from, a chop shop, knowing that it is a chop shop, an unlawfully obtained motor vehicle or major component motor vehicle part.

A person commits altering or removing a vehicle identification number if, except as necessary to effect legitimate repairs, he or she knowingly:

- ! Removes, changes, alters, counterfeits, defaces, destroys, disguises, falsifies, forges, or obliterates the vehicle identification number, manufacturer's number, or engine number of a motor vehicle or major component motor vehicle part; or
- ! Possesses, purchases, disposes of, sells, or transfers a motor vehicle or a major component motor vehicle part that contains a removed, changed, altered, counterfeited, defaced, destroyed, disguised, falsified, forged, or obliterated vehicle identification number, manufacturer's number, or engine number.

Altering or removing a vehicle identification number is a class 5 felony.

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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**

1 **chop shop - altered or removed identification number - penalties -**

2 **definitions.** (1) A PERSON COMMITS OWNERSHIP OR OPERATION OF A CHOP  
3 SHOP IF HE OR SHE KNOWINGLY:

4 (a) OWNS OR OPERATES A CHOP SHOP, KNOWING THAT IT IS A CHOP  
5 SHOP, OR CONSPIRES WITH ANOTHER PERSON TO OWN OR OPERATE A CHOP  
6 SHOP, KNOWING THAT IT IS A CHOP SHOP;

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

10 (c) SELLS OR TRANSFERS TO, OR PURCHASES OR RECEIVES FROM,  
11 A CHOP SHOP, KNOWING THAT IT IS A CHOP SHOP, AN UNLAWFULLY  
12 OBTAINED MOTOR VEHICLE OR MAJOR COMPONENT MOTOR VEHICLE PART.

13 (2) A VIOLATION OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS  
14 SECTION IS A CLASS 4 FELONY. A VIOLATION OF PARAGRAPH (b) OR (c) OF  
15 SUBSECTION (1) OF THIS SECTION IS A CLASS 5 FELONY.

16 (3) A PERSON COMMITS ALTERING OR REMOVING A VEHICLE  
17 IDENTIFICATION NUMBER IF, EXCEPT AS NECESSARY TO EFFECT  
18 LEGITIMATE REPAIRS, HE OR SHE KNOWINGLY:

19 (a) REMOVES, CHANGES, ALTERS, COUNTERFEITS, DEFACES,  
20 DESTROYS, DISGUISES, FALSIFIES, FORGES, OR OBLITERATES THE VEHICLE  
21 IDENTIFICATION NUMBER, MANUFACTURER'S NUMBER, OR ENGINE NUMBER  
22 OF A MOTOR VEHICLE OR MAJOR COMPONENT MOTOR VEHICLE PART; OR

23 (b) POSSESSES, PURCHASES, DISPOSES OF, SELLS, OR TRANSFERS A  
24 MOTOR VEHICLE OR A MAJOR COMPONENT MOTOR VEHICLE PART THAT  
25 CONTAINS A REMOVED, CHANGED, ALTERED, COUNTERFEITED, DEFACED,  
26 DESTROYED, DISGUISED, FALSIFIED, FORGED, OR OBLITERATED VEHICLE  
27 IDENTIFICATION NUMBER, MANUFACTURER'S NUMBER, OR ENGINE

1 NUMBER.

2 (4) ALTERING OR REMOVING A VEHICLE IDENTIFICATION NUMBER  
3 IS A CLASS 5 FELONY.

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

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

8 (I) ANY PERSON OR PERSONS POSSESS, RECEIVE, STORE,  
9 DISASSEMBLE, OR ALTER, INCLUDING THE ALTERATION OR CONCEALMENT  
10 OF ANY IDENTIFYING FEATURE OR NUMBER, AN UNLAWFULLY OBTAINED  
11 MOTOR VEHICLE OR MAJOR COMPONENT MOTOR VEHICLE PART FOR THE  
12 PURPOSE OF USING, SELLING, OR DISPOSING OF THE MOTOR VEHICLE OR  
13 MAJOR COMPONENT MOTOR VEHICLE PART; OR

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

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

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

21 (I) THE ENGINE;

22 (II) THE TRANSMISSION;

23 (III) A FRONT FENDER;

24 (IV) THE HOOD;

25 (V) ANY DOOR ALLOWING ENTRANCE TO OR EGRESS FROM THE  
26 PASSENGER COMPARTMENT OF THE VEHICLE;

27 (VI) THE FRONT OR REAR BUMPER;

- 1 (VII) A REAR QUARTER PANEL;
- 2 (VIII) THE DECK LID, TAILGATE, OR HATCHBACK;
- 3 (IX) THE TRUNK FLOOR PAN;
- 4 (X) THE CARGO BOX OF A PICKUP TRUCK;
- 5 (XI) THE FRAME, OR IF THE VEHICLE HAS A UNITIZED BODY, THE
- 6 SUPPORTING STRUCTURE OR STRUCTURES THAT SERVE AS THE FRAME;
- 7 (XII) THE CAB OF A TRUCK;
- 8 (XIII) THE BODY OF A PASSENGER VEHICLE;
- 9 (XIV) AN AIRBAG OR AIRBAG ASSEMBLY;
- 10 (XV) A WHEEL OR TIRE; OR
- 11 (XVI) ANY OTHER PART OF A MOTOR VEHICLE THAT IS
- 12 COMPARABLE IN DESIGN OR FUNCTION TO ANY OF THE PARTS THAT HAVE
- 13 BEEN LISTED, OR THAT HAVE BEEN LABELED WITH A UNIQUE TRACEABLE
- 14 IDENTIFICATION NUMBER, BY THE MANUFACTURER OF THE MOTOR VEHICLE
- 15 OR PART.

16 (c) "MOTOR VEHICLE" MEANS ALL VEHICLES OF WHATEVER  
17 DESCRIPTION THAT ARE PROPELLED BY ANY POWER OTHER THAN  
18 MUSCULAR POWER; EXCEPT THAT "MOTOR VEHICLE" DOES NOT INCLUDE  
19 VEHICLES THAT RUN ON RAILS.

20 (d) "UNLAWFULLY OBTAINED" MEANS OBTAINED BY THEFT,  
21 FRAUD, OR DECEIT OR OBTAINED WITHOUT THE PERMISSION OF THE  
22 OWNER.

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

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25 **SECTION 3.** In Colorado Revised Statutes, **add** 17-18-111 as  
26 follows:

27 **17-18-111. Appropriation to comply with section 2-2-703 - SB**

1 14-176 - repeal. (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE  
2 FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY  
3 BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT SENATE BILL 14-176,  
4 ENACTED IN 2014:

5 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, IN ADDITION TO  
6 ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE  
7 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT  
8 OTHERWISE APPROPRIATED, THE SUM OF TWENTY-ONE THOUSAND FOUR  
9 HUNDRED EIGHTY-FOUR DOLLARS (\$21,484).

10 (b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, IN ADDITION TO  
11 ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE  
12 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT  
13 OTHERWISE APPROPRIATED, THE SUM OF FORTY-TWO THOUSAND NINE  
14 HUNDRED SIXTY-EIGHT DOLLARS (\$42,968).

15 (c) FOR THE FISCAL YEAR BEGINNING JULY 1, 2017, IN ADDITION TO  
16 ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE  
17 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT  
18 OTHERWISE APPROPRIATED, THE SUM OF SIXTY-FOUR THOUSAND FOUR  
19 HUNDRED FIFTY-TWO DOLLARS (\$64,452).

20 (d) FOR THE FISCAL YEAR BEGINNING JULY 1, 2018, IN ADDITION TO  
21 ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE  
22 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT  
23 OTHERWISE APPROPRIATED, THE SUM EIGHTY-TWO THOUSAND FIVE  
24 HUNDRED THIRTY-FOUR DOLLARS (\$82,534).

25 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2019.

26 **SECTION 4. Act subject to petition - effective date -**  
27 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following

1 the expiration of the ninety-day period after final adjournment of the  
2 general assembly (August 6, 2014, if adjournment sine die is on May 7,  
3 2014); except that, if a referendum petition is filed pursuant to section 1  
4 (3) of article V of the state constitution against this act or an item, section,  
5 or part of this act within such period, then the act, item, section, or part  
6 will not take effect unless approved by the people at the general election  
7 to be held in November 2014 and, in such case, will take effect on the  
8 date of the official declaration of the vote thereon by the governor.

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