

August 26, 2021

MEMO TO: GET-4 File

F R O M: Tamara Paltin, Councilmember *Tamara D. M. Paltin*

SUBJECT: **TRANSMITTAL OF LEGISLATIVE PROPOSAL RELATING TO  
2022 HAWAII STATE ASSOCIATION OF COUNTIES  
LEGISLATIVE PACKAGE** (PAF 21-216)

The attached legislative proposal pertains to Item 4 on the Committee's agenda.

paf:kmatt:21-216e

Attachment

# Resolution

No. \_\_\_\_\_

APPROVING FOR INCLUSION IN THE 2022  
HAWAII STATE ASSOCIATION OF COUNTIES  
LEGISLATIVE PACKAGE A STATE BILL TO  
ESTABLISH CRIMINAL OFFENSES OF  
UNLAWFUL CHOP SHOP ACTIVITY

WHEREAS, a “chop shop” is a place of criminal activity, often mimicking a legitimate auto body or repair shop, where stolen motor vehicles or motor vehicle parts are taken to be altered to conceal their true identity; and

WHEREAS, chop shop activity may include the theft of motor vehicles and motor vehicle parts, defacing vehicle identification numbers, re-stamping false vehicle identification numbers into stolen vehicles, and re-sale of these stolen vehicles to unsuspecting, innocent buyers; and

WHEREAS, according to a “Crime in the U.S. 2019” report by the Federal Bureau of Investigation’s Criminal Justice Information Services Division, Hawai‘i had the third-highest motor vehicle theft rate in the nation at 371.1 per 100,000 people; and

WHEREAS, in 2019, the Maui Police Department reported 661 motor vehicle theft offenses and \$4,421,246 in stolen motor vehicle property; and

WHEREAS, there is no State statute covering the criminal misconduct of chop shop activity, and the need for such a statute has been established through numerous auto theft investigations that led to the discovery of chop shop activity as part of the criminal misconduct; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That the proposed State bill, attached as Exhibit “A,” to establish criminal offenses of unlawful chop shop activity, is approved for inclusion in the 2022 Hawai‘i State Association of Counties Legislative Package; and

**Resolution No. \_\_\_\_\_**

2. That certified copies of this Resolution be transmitted to the Hawaii State Association of Counties Executive Committee.

paf:kmatt:21-216c



\_\_\_\_.B. NO. \_\_\_\_\_

1 "Chop shop" means:

2 (1) Any building, lot, or other premises that is used to  
3 store, destroy, dismantle, disassemble, or reassemble a motor  
4 vehicle or two or more motor vehicle parts that the person knows  
5 to have been stolen; or

6 (2) Any building lot, or other premises that is used to  
7 alter, conceal, disguise, or remove the vehicle identification  
8 number of at least one motor vehicle or two or more motor vehicle  
9 parts from at least one motor vehicle that the person knows to  
10 have been stolen.

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

13 "Vehicle identification number" means the number that the  
14 manufacturer or a governmental agency assigns to a motor vehicle  
15 for the purpose of identifying the motor vehicle or a major  
16 component part of the motor vehicle. "Vehicle identification  
17 number" includes any combination of numbers or letters.

18 **§708- Unlawful chop shop activity.** A person commits  
19 unlawful chop shop activity if the person knowingly:

20 (a) Owns or operates a chop shop;

21 (b) Transports a stolen motor vehicle or two or more stolen  
22 motor vehicle parts to or from a chop shop;

\_\_\_\_.B. NO. \_\_\_\_\_

1 (c) Sells or transfers to, or purchases or receives from a  
2 chop shop a stolen motor vehicle or two or more stolen motor  
3 vehicle parts; or

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

6 (A) Storing, destroying, dismantling, disassembling, or  
7 reassembling a stolen motor vehicle or two or more stolen motor  
8 vehicle parts; or

9 (B) Altering, concealing, disguising, or removing the  
10 vehicle identification number of at least one stolen motor vehicle  
11 or two or more motor vehicle parts from at least one stolen motor  
12 vehicle.

13 **§708- Unlawful chop shop activity in the first degree. (1)**

14 A person commits the offense of unlawful chop shop activity in the  
15 first degree if the person commits unlawful chop shop activity and  
16 the total value of all stolen motor vehicles or stolen motor  
17 vehicle parts stored, transported, sold, transferred, purchased,  
18 received, destroyed, dismantled, disassembled, reassembled, or  
19 made unidentifiable by altering, concealing, disguising, or  
20 removing the vehicle identification number of the motor vehicle or  
21 motor vehicle parts by the person is equal to or greater than  
22 \$250,000.

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

3           **§708- Unlawful chop shop activity in the second degree.**

4           (1) A person commits the offense of unlawful chop shop activity  
5 in the second degree if the person commits unlawful chop shop  
6 activity and the total value of all stolen motor vehicles or stolen  
7 motor vehicle parts stored, transported, sold, transferred,  
8 purchased, received, destroyed, dismantled, disassembled,  
9 reassembled, or made unidentifiable by altering, concealing,  
10 disguising, or removing the vehicle identification number of the  
11 motor vehicle or motor vehicle parts by the person is less than  
12 \$250,000, but equal to or greater than \$100,000.

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

15           **§708- Forfeiture of property connected with chop shop**  
16 **activity.** Any motor vehicle, motor vehicle part, tool, implement,  
17 or real property possessed or used in violation of this part, or  
18 any money obtained in violation of this part may be ordered  
19 forfeited to the State, subject to the requirements of chapter  
20 712A.""

21           SECTION 3. Statutory material to be repealed is bracketed  
22 and in strikethrough. New statutory material is underscored.

\_\_\_\_.B. NO. \_\_\_\_\_

1 SECTION 4. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 5. This Act shall take effect upon its approval.

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6 INTRODUCED BY: \_\_\_\_\_

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8 paf:kmat:21-216a