

FINAL BILL REPORT

HB 1895

C 325 L 01

Synopsis as Enacted

Brief Description: Creating the crime of theft of motor vehicle fuel.

Sponsors: By Representatives Esser, Morris, Barlean, Cooper, Mielke, O'Brien, Mulliken, Ericksen, Hatfield, B. Chandler, Linville and Kirby.

House Committee on Criminal Justice & Corrections
Senate Committee on Judiciary

Background:

The penalties for theft violations are generally based on the value of the property stolen.

Theft in the first degree occurs when a person commits theft of property or services valued in excess of \$1,500. Theft in the first degree is a class B felony. A class B felony carries a maximum sentence of 10 years of incarceration, a fine of \$20,000, or both.

Theft in the second degree occurs when a person commits theft of property or services valued in excess of \$250, but not exceeding \$1,500. Theft in the second degree is a class C felony. A class C felony carries a maximum sentence of five years of incarceration, a fine of \$10,000, or both.

Theft in the third degree occurs when a person commits theft of property or services valued less than \$250. Theft in the third degree is a gross misdemeanor. A gross misdemeanor carries a maximum sentence of one year in jail, a fine of \$5,000, or both.

The theft of motor vehicle fuel is generally penalized based upon the value of the fuel that was stolen.

Summary:

Theft of motor vehicle fuel occurs when a person refuses to pay or evades payment for motor vehicle fuel that is pumped into a motor vehicle. Theft of motor vehicle fuel is a gross misdemeanor.

In addition to the gross misdemeanor penalties, the license, permit, or nonresident driving privilege of a person convicted of theft of motor vehicle fuel must be suspended by the court for six months.

Other technical corrections are made.

Votes on Final Passage:

House 98 0

Senate 46 3 (Senate amended)

House 94 0 (House concurred)

Effective: July 22, 2001