

SENATE BILL REPORT

HB 1869

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 22, 1994

Brief Description: Failing to return leased or rented machinery, equipment, or motor vehicles.

SPONSORS: Representative R. Meyers

HOUSE COMMITTEE ON JUDICIARY

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended.

Signed by Senators A. Smith, Chairman; Ludwig, Vice Chairman; Hargrove, Nelson, Roach and Schow.

Staff: Dick Armstrong (786-7460)

Hearing Dates: February 18, 1994; February 22, 1994

BACKGROUND:

A person is guilty of criminal possession of rented machinery, equipment or a motor vehicle if the value of the property exceeds \$1,500, and the renter:

- (a) fails to return the property when due under the terms of a written agreement;
- (b) is served by registered or certified mail at the renter's last known address with a written demand to return the property within 72 hours; and
- (c) willfully neglects to return the property within five business days from the date of service.

Law enforcement officials often enter information on stolen vehicles into the computer system of the National Crime Information Center. This information system is a primary tool of law enforcement in apprehending offenders who are driving stolen cars, especially if the offenders have taken the car into another state.

The crime of criminal possession of rented motor vehicles is unique to the state of Washington and does not "qualify" for the type of crime that can be entered into the federal system, since the vehicle is not "stolen."

SUMMARY:

A person who fails to return rented equipment, machinery or a motor vehicle as required under the terms of the rental

agreement and is 15 full business days late "in honoring the terms of the agreement" is guilty of a class C felony.

SUMMARY OF PROPOSED COMMITTEE AMENDMENT:

The provisions of the original bill are deleted.

If proper notification is given, a rented motor vehicle that has not been returned to the owner after 15 days from the date set by the terms of the rental agreement will be considered a stolen vehicle by law enforcement.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

The intent of the original bill is to allow law enforcement to treat a rented car that is actually stolen as a "stolen" vehicle.

TESTIMONY AGAINST: None

TESTIFIED: Rick Jensen, Car Rental Association