

# SENATE BILL REPORT

## HB 1895

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As Reported By Senate Committee On:  
Judiciary, March 22, 2001

**Title:** An act relating to theft of motor vehicle fuel.

**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.

**Brief History:**

**Committee Activity:** Judiciary: 3/22/01 [DP, DNP].

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass.

Signed by Senators Kline, Chair; Constantine, Vice Chair; Costa, Johnson, Kastama, Long, McCaslin, Roach and Thibaudeau.

**Minority Report:** Do not pass.

Signed by Senator Zarelli.

**Staff:** Aldo Melchiori (786-7439)

**Background:** Theft in the first degree is committed when a person wrongfully obtains property or services valued in excess of \$1,500. Theft in the first degree is a class B felony ranked at level II on the sentencing grid (0-3 months for a first offense). A person commits theft in the second degree by wrongfully obtaining property or services valued in excess of \$250, but not exceeding \$1,500. Theft in the second degree is a class C felony ranked at level I on the sentencing grid (0-2 months for a first offense). Theft in the third degree is committed when a person wrongfully obtains property or services valued less than \$250. Theft in the third degree is a gross misdemeanor carrying a maximum sentence of up to one year in jail.

**Summary of Bill:** A person is guilty of theft of motor vehicle fuel when he or she refuses to pay or evades payment for motor vehicle fuel that is pumped into a motor vehicle. Theft of motor fuel is a gross misdemeanor. In addition, the license, permit, or nonresident driving privilege of a person convicted of theft of motor vehicle fuel must be suspended by the Department of Licensing for six months.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** When the price of gasoline rises, the incidence of theft of gasoline from service stations rises. Other states that have enacted license suspension legislation have experienced a 50 percent reduction in these offenses.

**Testimony Against:** None.

**Testified:** Representative Esser; Tim Hamilton, AUTO; T.K. Bentler, Washington Association of Neighborhood Stores; Charlie Brown, Washington Oil Marketers Association.