

# FINAL BILL REPORT

## ESSB 6490

---

---

C 324 L 02  
Synopsis as Enacted

**Brief Description:** Increasing penalties for taking a motor vehicle without permission.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Roach, Kline, Rasmussen, Keiser, Regala, Benton, Honeyford, Oke, Hale, McDonald, Johnson, McCaslin, Kastama, Sheahan and Stevens).

**Senate Committee on Judiciary**

**Senate Committee on Ways & Means**

**House Committee on Criminal Justice & Corrections**

**House Committee on Appropriations**

**Background:** Under the Sentencing Reform Act (SRA), an adult offender convicted of a felony has a standard sentence range that is based on the seriousness of the offense and the offender's felony convictions. Taking a motor vehicle without permission, or riding in a vehicle knowing it was taken without permission, is a class C felony which carries a maximum term of five years or a fine of up to \$10,000 or both. It is ranked as a seriousness level I crime under the SRA which, for a first time offender, has a standard sentence range of 0 to 60 days. Juveniles who commit criminal offenses are sentenced under a determinate sentencing model. The sentence of the offender is based on the seriousness of the offense (offense category) and the number of prior adjudications. Taking a motor vehicle without permission is ranked at offense category C which, for a first-time offender, involves local sanctions. Local sanctions can include any combination of the following: 0-30 days confinement; 0-12 months community supervision; 0-150 hours community service; and a fine of \$0 to \$500.

**Summary:** The crime of taking a motor vehicle without permission is divided into two degrees. The current elements of the crime, taking the vehicle without permission or voluntarily riding in it with knowledge of the fact it was unlawfully taken, become taking a motor vehicle without permission in the second degree. It is a class C felony for adult offenders.

A person is guilty of taking a motor vehicle without permission in the first degree if a person takes a motor vehicle without permission and (1) alters the vehicle in order to change its appearance or primary identification; (2) removes or participates in removing a part or parts from the vehicle; (3) exports or attempts to export the vehicle across state lines or out of the U.S. for profit; (4) intends to sell the motor vehicle; or (5) is engaged in a conspiracy and the object of it is the theft of motor vehicles for sale to others. First degree taking a motor vehicle without permission is a class B felony and is ranked at seriousness level V for an adult offender.

The Sentencing Guidelines Commission is directed to study the impact of this act and whether additional sanctions or penalties are needed to reduce the incidence of the crime of taking a motor vehicle without permission.

**Votes on Final Passage:**

Senate	40	9	
House	75	21	(House amended)
Senate	40	6	(Senate concurred)

**Effective:** June 13, 2002