

April 5, 2007

**H 1354. MOTOR VEHICLE CHOP SHOP ACT (=S 1357).** Filed 4/5/07. *TO CREATE A UNIFORM MOTOR VEHICLE CHOP SHOP LAW REGARDING THE RECEIVING, POSSESSION, AND DISTRIBUTION OF STOLEN OR ALTERED MOTOR VEHICLES AND MOTOR VEHICLE PARTS.*

Identical to S 1357, filed 3/21/07.

**Intro. by Tillis.**

GS 20

May 2, 2007

**H 1354. MOTOR VEHICLE CHOP SHOP ACT.** Filed 4/5/07. House committee substitute makes the following changes to 1st edition. Amends the definition section as follows: (1) renumbers the proposed statute; (2) removes the definition of *unidentifiable*; and (3) adds a definition of *instrumentality*. Reorganizes and renumbers the proposed statute making chop shop operations illegal and requiring restitution. Also makes violations a Class H felony (previous language proposed a Class G felony and a Class F felony for second or subsequent violations). Removes proposed GS 20-403 (seizure of the motor vehicles, tools, implements, or other instrumentalities of the crime), GS 20-404 (civil proceedings), GS 20-405 (penalties), and the provision that prosecutions for offenses committed before the effective date of the act are not abated or affected by the act and the statutes that would be applicable but for the act remain applicable to those prosecutions. Amends GS 14-86.1(a) to include vehicles in violation of GS 20-401 in those that are subject to forfeiture and refers to definitions set out in GS 20-400. Amends GS 19-1 to include the building, use, ownership, etc. of a building used for chop shop activities as a nuisance. Amends GS 19-6.1 to include actions in which a preliminary injunction, permanent injunction, or an order of abatement has been issued and the nuisance consists of two prior occurrences within five years of violation of GS 20-401, in those in which the real property on which the nuisance exists is subject to forfeiture. Makes technical changes. Makes a conforming title change.

June 20, 2007

**H 1354. MOTOR VEHICLE CHOP SHOP ACT.** Filed 4/5/07. Senate committee substitute makes the following changes to 2nd edition. Deletes proposed new Article 18 of GS Chapter 14 (Motor Vehicle Chop Shop Act). Enacts new GS 14-72.7 making it a Class H felony to knowingly engage in listed chop shop activities. Exempts (1) listed activities if the person does not have knowledge of previous illegal activity concerning the vehicle or part, as long as the person does not remove a vehicle identification number or part number, and (2) listed activities occurring after law enforcement proceedings are complete or as a part of the proceedings if the activity does not conflict with the proceedings. Authorizes any court with jurisdiction in a criminal prosecution to also assess a civil penalty, not to exceed three times the assets obtained by the defendant, which must be remitted to the Civil Penalty and Forfeiture Fund. Allows victims of violations of chop shop activities to obtain appropriate relief in a civil action. Provides that any instrumentality possessed or used to engage in the prohibited activities is subject to seizure and forfeiture under GS 14-86.1. Defines *instrumentality*, *vehicle identification number*, and *vehicle part identification number*. Makes a conforming change to GS 14-86.1(a). Amends GS 19-1 to include as a nuisance the erection, establishment, continuance, maintenance, use, ownership, or leasing of any building or place for the purpose of carrying on, conduction, or engaging in activities in violation of GS 14-72.7 (was, wherein or where on chop shop activities are carried on, conducted, or permitted). Amends GS 19-6.1 to provide that for forfeiture to be based on two prior convictions of GS 14-72.7, the convictions must not come out of the same transaction or occurrence.

July 9, 2007

**SL 2007-178 (H 1354). MOTOR VEHICLE CHOP SHOP ACT. AN ACT TO CREATE A MOTOR VEHICLE CHOP SHOP LAW REGARDING THE RECEIVING, POSSESSION, AND DISTRIBUTION OF STOLEN OR ALTERED MOTOR VEHICLES AND MOTOR VEHICLE**

*PARTS*. Summarized in *Daily Bulletin* 4/5/07, 5/2/07, and 6/20/07. Enacted July 5, 2007. Effective December 1, 2007.