

2C:20-16

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 2C:20-16

(Auto theft--
maintenance of
facility for sale
of vehicles--
crime)

LAWS OF: 1991

CHAPTER: 80

Bill No: S1926

Sponsor(s): Lesniak

Date Introduced: Pre-filed

Committee: Assembly: Judiciary, Law and Public Safety & Defense

Senate: Judiciary

Amended during passage: No

Date of Passage: Assembly: March 11, 1991

Senate: March 4, 1991

Date of Approval: April 2, 1991

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: Yes

Following were printed:

Reports: No

Hearings: No

See newspaper clippings--attached:
KBG/SLJ

P.L.1991, CHAPTER 80, approved April 2, 1991
1990 Senate No. 1928

1 AN ACT concerning the offense of maintaining a facility for sale
2 of stolen automobiles or their parts and supplementing Title 2C
3 of the New Jersey Statutes.

4
5 BE IT ENACTED by the Senate and General Assembly of the
6 State of New Jersey:

7 1. a. A person who knowingly maintains or operates any
8 premises, place or facility used for the remodeling, repainting, or
9 separating of automobile parts for resale of any stolen
10 automobile is guilty of a crime of the second degree.

11 b. Notwithstanding any provision of law to the contrary, any
12 person convicted of a violation of this section shall forthwith
13 forfeit his right to operate a motor vehicle in this State for a
14 period to be fixed by the court at not less than three nor more
15 than five years. The court shall cause a report of the conviction
16 to be filed with the Director of the Division of Motor Vehicles.

17 2. This act shall take effect immediately.

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CRIMINAL JUSTICE

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Creates offense of maintaining facility for sale of stolen
automobiles or their parts.

SENATE, No. 1926

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Senator LESNIAK

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STATEMENT

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22 This bill creates a new criminal offense specifically prohibiting
23 the operation or maintenance of a facility for remodeling,
24 repainting or separating of stolen automobile parts for sale. This
25 bill classifies the operation of what are commonly referred to as
26 "chop shops" as a crime of the second degree. Crimes of the
27 second degree are punishable by between 5 and 10 years
28 imprisonment; a fine of up to \$100,000.00 or both.

29 In addition to any other authorized disposition, a person
30 convicted of this crime should have their driver's license
31 suspended for not less than 3 nor more than 5 years.

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CRIMINAL JUSTICE

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36 Creates offense of maintaining facility for sale of stolen
37 automobiles or their parts.

ASSEMBLY JUDICIARY, LAW AND
PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 1926

STATE OF NEW JERSEY

DATED: MARCH 7, 1991

The Assembly Judiciary, Law and Public Safety Committee reports favorably Senate No. 1926 of 1990.

This bill creates a new criminal offense specifically prohibiting the operation or maintenance of a facility for remodeling, repainting or separating of stolen automobile parts for sale. This bill would classify the operation of what are commonly referred to as "chop shops" as a crime of the second degree. Crimes of the second degree are punishable by between 5 and 10 years imprisonment, a fine of up to \$100,000.00 or both.

In addition to any other authorized disposition, a person convicted of this crime would have their driver's license suspended for not less than three nor more than five years.

This bill is identical to Assembly Bill No. 4482.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 1926

STATE OF NEW JERSEY

DATED: FEBRUARY 25, 1991

The Senate Judiciary Committee reports favorably Senate Bill No. 1926.

This bill creates a new criminal offense specifically prohibiting the operation or maintenance of a facility for remodeling, repainting or separating of stolen automobile parts for sale. This bill would classify the operation of what are commonly referred to as "chop shops" as a crime of the second degree. Crimes of the second degree are punishable by between 5 and 10 years imprisonment; a fine of up to \$100,000.00 or both.

In addition to any other authorized disposition, a person convicted of this crime would have their driver's license suspended for not less than 3 nor more than 5 years.

This bill was prefiled for introduction in the 1990 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.



OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001
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Release:

Tuesday
April 2, 1991

GOVERNOR FLORIO SIGNS PACKAGE AIMED AT TOUGHER LAWS, PENALTIES FOR CAR THEFTS

Car thieves will now face stiffer penalties and tougher laws in New Jersey -- a state ranked third highest in the number of car thefts -- under a package of legislation signed by Governor Jim Florio today.

"Yesterday we kept our promise to the drivers of New Jersey. The JUA surcharge is history and every car owner in this state is saving money. Today we're keeping a promise to another group of people: those who make a living stealing cars or cheating the insurance companies and honest drivers of this state," said Governor Florio. "The promise is we will catch you and you will go to jail."

"As you can see, this is one of the leading entry points for new cars," said the Governor, at a press conference at Port Elizabeth. "It's time our streets stopped being one of the leading points of exit for stolen cars. The bills I'm signing today will toughen our already tough efforts to fight auto theft and fraud."

The four bills will:

- **Increase penalties for auto theft.**
(A 2967/A 496/S 1925/S 812; Sponsored by Assemblymen Cohen, Deverin and Gill/Senators Lesniak and Rice)

Auto theft is currently a third degree crime, subject to 3-5 years of imprisonment and fines of up to \$7,500. Under the new law, additional penalties will be assessed of up to an additional \$1,000 and a 10-year license suspension for third-time offenders. The law also provides that Prosecutors can apply to have cases of auto theft by a juvenile waived from Family Court to adult court.

- **Creates the offense of employing a juvenile for auto theft**
(A 764/S 1294/S 1429; Sponsored by Assemblymen Duch and Gill/Senators Lesniak and Bassano)

Under this law, anyone over age 18 who knowingly uses, directs or hires someone 17 or younger to commit auto theft will be guilty of a second-degree crime. The standard penalty for a second degree crime is a prison term of 5-10 years and a fine of up to \$100,000.

- **Creates a new criminal offense of operating a facility for stolen parts**
(S 1926/A 4482; Senator Lesniak/Assemblymen Deverin and Cohen)

This law creates a new criminal offense for operating a "chop shop", which is a facility for remodeling, repainting or separating stolen auto parts. The new offense is a second degree crime, subject to 5-10 years imprisonment and up to \$100,000 in fines. Under current law, a person operating a "chop shop" would generally only be convicted of possession of stolen property, which is a third degree.

- **Creates a new criminal offense of a leader of an auto theft trafficking network**
(A 2996/S 778; Sponsored Assemblymen Cohen and Deverin/Senator Bubba)

This law creates a new offense of being a leader of an auto theft network. This bill is modeled on the federal "Drug Kingpin" statute. The offender must be found to have conspired with others as an organizer or manager of a scheme to unlawfully take or transport automobiles for profit. This crime is a second degree crime, subject to 5-10 years in prison or up to \$100,000 in fines. In addition, the court may impose a fine of up to \$250,000 or five times the value of the cars seized at the time of arrest.

Governor Florio cited a number of steps the state has taken under the state's new car insurance law -- Fair Auto Insurance Reform (F.A.I.R.). These steps include requiring all car insurance companies to submit anti-fraud plans, a photo inspection system to fight fraud and a car theft hotline.

"With these new laws and measures in F.A.I.R., we're shifting into high gear in the fight against theft and fraud, The result: the unfortunate trend in New Jersey towards more theft and fraud will go into reverse," said Governor Florio. "That's what the people of New Jersey demand and deserve. Car theft and jail. Perfect together."

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