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HOUSE BILL 2322

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State of Washington

62nd Legislature

2012 Regular Session

By Representatives Kelley and Hurst

Read first time 01/11/12. Referred to Committee on Public Safety & Emergency Preparedness.

1 AN ACT Relating to motor vehicle chop shops; reenacting and  
2 amending RCW 9.94A.515; adding a new section to chapter 9A.56 RCW; and  
3 prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 9A.56 RCW  
6 to read as follows:

7 (1) A person is guilty of operating a motor vehicle chop shop if he  
8 or she owns, operates, maintains, or controls a chop shop or conducts  
9 operations in a chop shop. For purposes of this section, "chop shop"  
10 means any business, building, lot, facility, location, or other  
11 structure or premise where one or more persons engage in receiving,  
12 concealing, destroying, disassembling, dismantling, reassembling, or  
13 storing any stolen motor vehicle or motor vehicle part which has been  
14 unlawfully obtained in order to alter, counterfeit, deface, destroy,  
15 disguise, falsify, forge, obliterate, or remove the identity, including  
16 the vehicle identification number or derivative thereof, of such  
17 vehicle or vehicle part and to distribute, sell, or dispose of such  
18 vehicle or vehicle part.

19 (2) Operation of a motor vehicle chop shop is a class B felony.



1 Leading Organized Crime (RCW  
2 9A.82.060(1)(a))  
3 Malicious explosion 3 (RCW  
4 70.74.280(3))  
5 Sexually Violent Predator Escape  
6 (RCW 9A.76.115)  
7 IX Abandonment of Dependent Person 1  
8 (RCW 9A.42.060)  
9 Assault of a Child 2 (RCW 9A.36.130)  
10 Explosive devices prohibited (RCW  
11 70.74.180)  
12 Hit and Run--Death (RCW  
13 46.52.020(4)(a))  
14 Homicide by Watercraft, by being  
15 under the influence of intoxicating  
16 liquor or any drug (RCW  
17 79A.60.050)  
18 Inciting Criminal Profiteering (RCW  
19 9A.82.060(1)(b))  
20 Malicious placement of an explosive 2  
21 (RCW 70.74.270(2))  
22 Robbery 1 (RCW 9A.56.200)  
23 Sexual Exploitation (RCW 9.68A.040)  
24 Vehicular Homicide, by being under  
25 the influence of intoxicating liquor  
26 or any drug (RCW 46.61.520)  
27 VIII Arson 1 (RCW 9A.48.020)  
28 Commercial Sexual Abuse of a Minor  
29 (RCW 9.68A.100)  
30 Homicide by Watercraft, by the  
31 operation of any vessel in a  
32 reckless manner (RCW  
33 79A.60.050)  
34 Manslaughter 2 (RCW 9A.32.070)  
35 Promoting Prostitution 1 (RCW  
36 9A.88.070)  
37 Theft of Ammonia (RCW 69.55.010)

1 Vehicular Homicide, by the operation  
2 of any vehicle in a reckless manner  
3 (RCW 46.61.520)

4 VII Burglary 1 (RCW 9A.52.020)  
5 Child Molestation 2 (RCW 9A.44.086)  
6 Civil Disorder Training (RCW  
7 9A.48.120)  
8 Dealing in depictions of minor engaged  
9 in sexually explicit conduct 1  
10 (RCW 9.68A.050(1))  
11 Drive-by Shooting (RCW 9A.36.045)  
12 Homicide by Watercraft, by disregard  
13 for the safety of others (RCW  
14 79A.60.050)  
15 Indecent Liberties (without forcible  
16 compulsion) (RCW 9A.44.100(1)  
17 (b) and (c))  
18 Introducing Contraband 1 (RCW  
19 9A.76.140)  
20 Malicious placement of an explosive 3  
21 (RCW 70.74.270(3))  
22 Negligently Causing Death By Use of a  
23 Signal Preemption Device (RCW  
24 46.37.675)  
25 Sending, bringing into state depictions  
26 of minor engaged in sexually  
27 explicit conduct 1 (RCW  
28 9.68A.060(1))  
29 Unlawful Possession of a Firearm in  
30 the first degree (RCW 9.41.040(1))  
31 Use of a Machine Gun in Commission  
32 of a Felony (RCW 9.41.225)  
33 Vehicular Homicide, by disregard for  
34 the safety of others (RCW  
35 46.61.520)

36 VI Bail Jumping with Murder 1 (RCW  
37 9A.76.170(3)(a))

1 Bribery (RCW 9A.68.010)  
2 Incest 1 (RCW 9A.64.020(1))  
3 Intimidating a Judge (RCW 9A.72.160)  
4 Intimidating a Juror/Witness (RCW  
5 9A.72.110, 9A.72.130)  
6 Malicious placement of an imitation  
7 device 2 (RCW 70.74.272(1)(b))  
8 Possession of Depictions of a Minor  
9 Engaged in Sexually Explicit  
10 Conduct 1 (RCW 9.68A.070(1))  
11 Rape of a Child 3 (RCW 9A.44.079)  
12 Theft of a Firearm (RCW 9A.56.300)  
13 Unlawful Storage of Ammonia (RCW  
14 69.55.020)  
15 V Abandonment of Dependent Person 2  
16 (RCW 9A.42.070)  
17 Advancing money or property for  
18 extortionate extension of credit  
19 (RCW 9A.82.030)  
20 Bail Jumping with class A Felony  
21 (RCW 9A.76.170(3)(b))  
22 Child Molestation 3 (RCW 9A.44.089)  
23 Criminal Mistreatment 2 (RCW  
24 9A.42.030)  
25 Custodial Sexual Misconduct 1 (RCW  
26 9A.44.160)  
27 Dealing in Depictions of Minor  
28 Engaged in Sexually Explicit  
29 Conduct 2 (RCW 9.68A.050(2))  
30 Domestic Violence Court Order  
31 Violation (RCW 10.99.040,  
32 10.99.050, 26.09.300, 26.10.220,  
33 26.26.138, 26.50.110, 26.52.070,  
34 or 74.34.145)  
35 Driving While Under the Influence  
36 (RCW 46.61.502(6))  
37 Extortion 1 (RCW 9A.56.120)

1 Extortionate Extension of Credit (RCW  
2 9A.82.020)  
3 Extortionate Means to Collect  
4 Extensions of Credit (RCW  
5 9A.82.040)  
6 Incest 2 (RCW 9A.64.020(2))  
7 Kidnapping 2 (RCW 9A.40.030)  
8 Perjury 1 (RCW 9A.72.020)  
9 Persistent prison misbehavior (RCW  
10 9.94.070)  
11 Physical Control of a Vehicle While  
12 Under the Influence (RCW  
13 46.61.504(6))  
14 Possession of a Stolen Firearm (RCW  
15 9A.56.310)  
16 Rape 3 (RCW 9A.44.060)  
17 Rendering Criminal Assistance 1  
18 (RCW 9A.76.070)  
19 Sending, Bringing into State Depictions  
20 of Minor Engaged in Sexually  
21 Explicit Conduct 2 (RCW  
22 9.68A.060(2))  
23 Sexual Misconduct with a Minor 1  
24 (RCW 9A.44.093)  
25 Sexually Violating Human Remains  
26 (RCW 9A.44.105)  
27 Stalking (RCW 9A.46.110)  
28 Taking Motor Vehicle Without  
29 Permission 1 (RCW 9A.56.070)  
30 IV Arson 2 (RCW 9A.48.030)  
31 Assault 2 (RCW 9A.36.021)  
32 Assault 3 (of a Peace Officer with a  
33 Projectile Stun Gun) (RCW  
34 9A.36.031(1)(h))  
35 Assault by Watercraft (RCW  
36 79A.60.060)

1 Bribing a Witness/Bribe Received by  
2 Witness (RCW 9A.72.090,  
3 9A.72.100)  
4 Cheating 1 (RCW 9.46.1961)  
5 Commercial Bribery (RCW 9A.68.060)  
6 Counterfeiting (RCW 9.16.035(4))  
7 Endangerment with a Controlled  
8 Substance (RCW 9A.42.100)  
9 Escape 1 (RCW 9A.76.110)  
10 Hit and Run--Injury (RCW  
11 46.52.020(4)(b))  
12 Hit and Run with Vessel--Injury  
13 Accident (RCW 79A.60.200(3))  
14 Identity Theft 1 (RCW 9.35.020(2))  
15 Indecent Exposure to Person Under  
16 Age Fourteen (subsequent sex  
17 offense) (RCW 9A.88.010)  
18 Influencing Outcome of Sporting Event  
19 (RCW 9A.82.070)  
20 Malicious Harassment (RCW  
21 9A.36.080)  
22 Possession of Depictions of a Minor  
23 Engaged in Sexually Explicit  
24 Conduct 2 (RCW ((~~9.68[A].070~~))  
25 9.68A.070(2))  
26 Residential Burglary (RCW  
27 9A.52.025)  
28 Robbery 2 (RCW 9A.56.210)  
29 Theft of Livestock 1 (RCW 9A.56.080)  
30 Threats to Bomb (RCW 9.61.160)  
31 Trafficking in Stolen Property 1 (RCW  
32 9A.82.050)  
33 Unlawful factoring of a credit card or  
34 payment card transaction (RCW  
35 9A.56.290(4)(b))

1 Unlawful transaction of health  
2 coverage as a health care service  
3 contractor (RCW 48.44.016(3))  
4 Unlawful transaction of health  
5 coverage as a health maintenance  
6 organization (RCW 48.46.033(3))  
7 Unlawful transaction of insurance  
8 business (RCW 48.15.023(3))  
9 Unlicensed practice as an insurance  
10 professional (RCW 48.17.063(2))  
11 Use of Proceeds of Criminal  
12 Profiteering (RCW 9A.82.080 (1)  
13 and (2))  
14 Vehicular Assault, by being under the  
15 influence of intoxicating liquor or  
16 any drug, or by the operation or  
17 driving of a vehicle in a reckless  
18 manner (RCW 46.61.522)  
19 Viewing of Depictions of a Minor  
20 Engaged in Sexually Explicit  
21 Conduct 1 (RCW 9.68A.075(1))  
22 Willful Failure to Return from  
23 Furlough (RCW 72.66.060)  
24 III Animal Cruelty 1 (Sexual Conduct or  
25 Contact) (RCW 16.52.205(3))  
26 Assault 3 (Except Assault 3 of a Peace  
27 Officer With a Projectile Stun  
28 Gun) (RCW 9A.36.031 except  
29 subsection (1)(h))  
30 Assault of a Child 3 (RCW 9A.36.140)  
31 Bail Jumping with class B or C Felony  
32 (RCW 9A.76.170(3)(c))  
33 Burglary 2 (RCW 9A.52.030)  
34 Communication with a Minor for  
35 Immoral Purposes (RCW  
36 9.68A.090)

1 Criminal Gang Intimidation (RCW  
2 9A.46.120)  
3 Custodial Assault (RCW 9A.36.100)  
4 Cyberstalking (subsequent conviction  
5 or threat of death) (RCW  
6 9.61.260(3))  
7 Escape 2 (RCW 9A.76.120)  
8 Extortion 2 (RCW 9A.56.130)  
9 Harassment (RCW 9A.46.020)  
10 Intimidating a Public Servant (RCW  
11 9A.76.180)  
12 Introducing Contraband 2 (RCW  
13 9A.76.150)  
14 Malicious Injury to Railroad Property  
15 (RCW 81.60.070)  
16 Mortgage Fraud (RCW 19.144.080)  
17 Negligently Causing Substantial Bodily  
18 Harm By Use of a Signal  
19 Preemption Device (RCW  
20 46.37.674)  
21 Organized Retail Theft 1 (RCW  
22 9A.56.350(2))  
23 Perjury 2 (RCW 9A.72.030)  
24 Possession of Incendiary Device (RCW  
25 9.40.120)  
26 Possession of Machine Gun or Short-  
27 Barreled Shotgun or Rifle (RCW  
28 9.41.190)  
29 Promoting Prostitution 2 (RCW  
30 9A.88.080)  
31 Retail Theft with Extenuating  
32 Circumstances 1 (RCW  
33 9A.56.360(2))  
34 Securities Act violation (RCW  
35 21.20.400)  
36 Tampering with a Witness (RCW  
37 9A.72.120)

1 Telephone Harassment (subsequent  
2 conviction or threat of death)  
3 (RCW 9.61.230(2))  
4 Theft of Livestock 2 (RCW 9A.56.083)  
5 Theft with the Intent to Resell 1 (RCW  
6 9A.56.340(2))  
7 Trafficking in Stolen Property 2 (RCW  
8 9A.82.055)  
9 Unlawful Imprisonment (RCW  
10 9A.40.040)  
11 Unlawful possession of firearm in the  
12 second degree (RCW 9.41.040(2))  
13 Vehicular Assault, by the operation or  
14 driving of a vehicle with disregard  
15 for the safety of others (RCW  
16 46.61.522)  
17 Willful Failure to Return from Work  
18 Release (RCW 72.65.070)  
19 II Computer Trespass 1 (RCW  
20 9A.52.110)  
21 Counterfeiting (RCW 9.16.035(3))  
22 Escape from Community Custody  
23 (RCW 72.09.310)  
24 Failure to Register as a Sex Offender  
25 (second or subsequent offense)  
26 (RCW ((9A.44.130(11)(a)))  
27 9A.44.132)  
28 Health Care False Claims (RCW  
29 48.80.030)  
30 Identity Theft 2 (RCW 9.35.020(3))  
31 Improperly Obtaining Financial  
32 Information (RCW 9.35.010)  
33 Malicious Mischief 1 (RCW  
34 9A.48.070)  
35 Operation of a Motor Vehicle Chop  
36 Shop (section 1 of this act)

1 Organized Retail Theft 2 (RCW  
2 9A.56.350(3))  
3 Possession of Stolen Property 1 (RCW  
4 9A.56.150)  
5 Possession of a Stolen Vehicle (RCW  
6 9A.56.068)  
7 Retail Theft with Extenuating  
8 Circumstances 2 (RCW  
9 9A.56.360(3))  
10 Theft 1 (RCW 9A.56.030)  
11 Theft of a Motor Vehicle (RCW  
12 9A.56.065)  
13 Theft of Rental, Leased, or Lease-  
14 purchased Property (valued at one  
15 thousand five hundred dollars or  
16 more) (RCW 9A.56.096(5)(a))  
17 Theft with the Intent to Resell 2 (RCW  
18 9A.56.340(3))  
19 Trafficking in Insurance Claims (RCW  
20 48.30A.015)  
21 Unlawful factoring of a credit card or  
22 payment card transaction (RCW  
23 9A.56.290(4)(a))  
24 Unlawful Practice of Law (RCW  
25 2.48.180)  
26 Unlicensed Practice of a Profession or  
27 Business (RCW 18.130.190(7))  
28 Voyeurism (RCW 9A.44.115)  
29 I Attempting to Elude a Pursuing Police  
30 Vehicle (RCW 46.61.024)  
31 False Verification for Welfare (RCW  
32 74.08.055)  
33 Forgery (RCW 9A.60.020)  
34 Fraudulent Creation or Revocation of a  
35 Mental Health Advance Directive  
36 (RCW 9A.60.060)

1 Malicious Mischief 2 (RCW  
2 9A.48.080)  
3 Mineral Trespass (RCW 78.44.330)  
4 Possession of Stolen Property 2 (RCW  
5 9A.56.160)  
6 Reckless Burning 1 (RCW 9A.48.040)  
7 Taking Motor Vehicle Without  
8 Permission 2 (RCW 9A.56.075)  
9 Theft 2 (RCW 9A.56.040)  
10 Theft of Rental, Leased, or Lease-  
11 purchased Property (valued at two  
12 hundred fifty dollars or more but  
13 less than one thousand five  
14 hundred dollars) (RCW  
15 9A.56.096(5)(b))  
16 Transaction of insurance business  
17 beyond the scope of licensure  
18 (RCW 48.17.063)  
19 Unlawful Issuance of Checks or Drafts  
20 (RCW 9A.56.060)  
21 Unlawful Possession of Fictitious  
22 Identification (RCW 9A.56.320)  
23 Unlawful Possession of Instruments of  
24 Financial Fraud (RCW 9A.56.320)  
25 Unlawful Possession of Payment  
26 Instruments (RCW 9A.56.320)  
27 Unlawful Possession of a Personal  
28 Identification Device (RCW  
29 9A.56.320)  
30 Unlawful Production of Payment  
31 Instruments (RCW 9A.56.320)  
32 Unlawful Trafficking in Food Stamps  
33 (RCW 9.91.142)  
34 Unlawful Use of Food Stamps (RCW  
35 9.91.144)  
36 Vehicle Prowl 1 (RCW 9A.52.095)

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