

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1503

5 By: Representative Gazaway
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For An Act To Be Entitled

8 AN ACT TO CREATE THE OFFENSE OF OPERATING A CHOP
9 SHOP; TO CREATE THE OFFENSE OF DEALING IN STOLEN OR
10 FORGED MOTOR VEHICLE PARTS; AND FOR OTHER PURPOSES.
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Subtitle

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14 TO CREATE THE OFFENSE OF OPERATING A CHOP
15 SHOP; AND TO CREATE THE OFFENSE OF
16 DEALING IN STOLEN OR FORGED MOTOR VEHICLE
17 PARTS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code Title 5, Chapter 36, Subchapter 1, is amended
23 to add an additional section to read as follows:

24 5-36-109. Operating a chop shop – Dealing in stolen or forged motor
25 vehicle parts.

26 (a) As used in this section:

27 (1) “Chop shop” means a place used for the purpose of selling,
28 transferring, purchasing, or receiving a motor vehicle or a motor vehicle
29 part with the purpose to misrepresent the identity of or prevent the
30 identification of the motor vehicle or motor vehicle part by modifying the
31 vehicle identification number;

32 (2) "Modify" means to:

33 (A) Alter;

34 (B) Counterfeit;

35 (C) Deface;

36 (D) Destroy;



- 1 (E) Disguise;
- 2 (F) Falsify;
- 3 (G) Forge;
- 4 (H) Obliterate; or
- 5 (I) Remove; and

6 (3)(A) "Motor vehicle" means a device:

7 (i) In, upon, or by which a person or property is or
 8 may be transported or drawn upon a highway; and

9 (ii) That is self-propelled or may be connected to
 10 and towed by a self-propelled device.

11 (B) "Motor vehicle" includes a land-based, self-propelled
 12 device not designed for use upon a highway, including without limitation:

- 13 (i) Farm machinery; and
- 14 (ii) A steam shovel.

15 (b)(1) A person commits operating a chop shop if he or she knowingly:

16 (A) Owns, operates, or conducts a chop shop;

17 (B) Transports a motor vehicle or motor vehicle part to or
 18 from a chop shop;

19 (C) Sells, transfers, purchases, or receives a motor
 20 vehicle or motor vehicle part either to or from a chop shop; or

21 (D) Modifies or removes a vehicle identification number
 22 with the purpose of misrepresenting the identity or preventing the
 23 identification of a motor vehicle or motor vehicle part.

24 (2) Operating a chop shop is a Class C felony.

25 (c)(1) A person commits dealing in stolen or forged motor vehicle
 26 parts if he or she knowingly sells, transfers, purchases, possesses, or
 27 receives a motor vehicle or motor vehicle part with a modified vehicle
 28 identification number.

29 (2) Dealing in stolen or forged motor vehicle parts is a Class D
 30 felony.

31 (d) This section does not apply to:

32 (1) A motor vehicle scrap processor who, in the normal course of
 33 a legal business and in good faith, processes a motor vehicle or motor
 34 vehicle part by crushing, compacting, or other similar method, if the vehicle
 35 identification number is not removed from the motor vehicle or motor vehicle
 36 part before or during processing; or

1 (2)(A) An owner or authorized possessor of a motor vehicle or
2 motor vehicle part:

3 (i) That has been recovered by a law enforcement
4 agency or law enforcement officer after having been stolen; or

5 (ii) With a vehicle identification number that has
6 been modified and the modification of the vehicle identification number of
7 the motor vehicle or motor vehicle part is known to or has been reported to a
8 law enforcement agency or law enforcement officer.

9 (B) It is presumed that a law enforcement agency or law
10 enforcement officer has knowledge of all vehicle identification numbers on a
11 motor vehicle or motor vehicle part that are modified when the law
12 enforcement agency or law enforcement officer delivers or returns the motor
13 vehicle or motor vehicle part to its owner or authorized possessor after it
14 has been recovered by a law enforcement agency or law enforcement officer
15 after having been reported stolen.

16 (e) In addition to any other sentence authorized by law, a person who
17 commits operating a chop shop or dealing in stolen or forged motor vehicle
18 parts upon conviction shall be ordered to make restitution to:

19 (1) A lawful owner of the stolen motor vehicle or the stolen
20 motor vehicle part;

21 (2) A lawful owner's insurer if the lawful owner has been
22 compensated by the insurer; and

23 (3) Any other person who sustained financial loss as a result of
24 the commission of operating a chop shop or dealing in stolen or forged motor
25 vehicle parts.

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