

LFC Requester:	ISMAEL TORRES
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**AGENCY BILL ANALYSIS
2019 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:
Original **Amendment**
Correction **Substitute**

Date 03/05/19
Bill No: HB 509A

Sponsor: CREATE CRIME –
ILLEGALLY DISMANTLING
OF VEHICLES.
Short Title: _____

Agency Name and Code AODA/264
Number: _____
Person Writing ROSANNA C VAZQUEZ
Phone: _____ **Email** rosannacvazquez@gm

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY19	FY20		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY19	FY20	FY21		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY19	FY20	FY21	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

BILL AMENDMENT HB 509A

1. The significant amendment her is the removal of all the named car parts as previously set out in the last bill and includes all parts as so identified in motor vehicle code.
2. Adds “maintaining and controlling” to the crime description of a chop shop.
3. Adds additional descriptive language for concealment of manufacture serial number, engine number and number of assignment of motor vehicle department.

The initial HB 509 analysis is set forth:

Synopsis: HB 509 proposes to create the crime of illegally dismantling stolen vehicles. The Bill defines illegally dismantling stolen vehicles as “[a] person knowingly...”

1. Owning or operating a chop shop; THIRD DEGREE FELONY
2. Transporting an unlawfully obtained motor vehicle or major component of motor vehicle to or from a chop shop (knowing it is a chop shop);or FOURTH DEGREE FELONY
3. Selling or transporting or purchasing or receiving an unlawfully obtained motor vehicle or major component of a motor vehicle. FOURTH DEGREE FELONY.

“CHOP SHOP” is defined as a building, facility, lot or other structure where:

1. A person possesses, receives an unlawfully obtained motor vehicle or major component of a motor vehicle, for purpose of selling, using or disposing of an unlawfully obtained motor vehicle or major component of a motor vehicle;
2. Two or more unlawfully obtained motor vehicles, for the purposes of alteration, sale or disposal.
3. Six or more unlawfully obtained major component of motor vehicles for the purposes alteration, sale or disposal.

CONCERN ON THIS DEFINITION: SHOULD BE ONE OR MORE UNLAWFULLY OBTAINED MOTOR VEHICLE. WHY TWO?

“MAJOR COMPONENT OF A MOTOR VEHICLES” is defined as:

1. The bill lists most components of a motor vehicles EXCEPT
 Definition is missing “electrical components” such as alternators and catalytic converters, computer modules in the vehicles etc.. These are important because they are high values items and should be added.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

1. DEFINITION OF “CHOP SHOP”: UNCLEAR WHY IT REQUIRES TWO OR MORE UNLAWFULLY OBTAINED MOTOR VEHICLES?
If the vehicle is unlawfully obtained, then why is it necessary to have two or more motor vehicles, and not “One or more”?
2. DEFINITION OF “MAJOR COMPONENT OF MOTOR VEHICLES” should be amended to include all electrical components because the value of such is “major”.
3. Why is the Bill limited to motor vehicles and not boats?

PERFORMANCE IMPLICATIONS

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

There is currently not a law that defines “chop shop” and makes it a crime to work with or own a chop shop that is a major component of the stolen vehicle market.

AMENDMENTS

Not at this time