



2003 ASSEMBLY BILL 280

April 18, 2003 - Introduced by Representatives STONE, PETTIS, LADWIG, VAN ROY, TURNER, HAHN, HINES, OLSEN, HUNDERTMARK, ALBERS, BIES, MCCORMICK, VRAKAS, OTT, TOWNSEND and JESKEWITZ, cosponsored by Senator ROESSLER. Referred to Committee on Transportation.

1 **AN ACT to create** 341.607 of the statutes; **relating to:** displaying, possessing,
2 selling, or offering to sell a stolen registration plate and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, no person may display on a motor vehicle a registration plate, insert tag, decal, or other evidence of registration not issued for that motor vehicle. Any person who does so may be required to forfeit not more than \$500. Also under current law, subject to one exception, no person may transfer to another person or offer for sale a registration plate issued by the Department of Transportation. Any person who does so is guilty of a Class H felony and may be fined not more than \$10,000 or imprisoned for not more than six years or both.

This bill creates specific prohibitions against displaying a stolen registration plate on a motor vehicle or possessing, selling, or offering to sell a stolen registration plate. Under the bill, violators may be fined not more than \$10,000 or imprisoned for not more than nine months or both.

The bill provides that a person charged with displaying a stolen registration plate or possessing, selling, or offering to sell a stolen registration plate may raise the affirmative defense that he or she did not know and could not, by reasonable effort, have known that the registration plate was stolen. Any person who raises this affirmative defense must prove it by clear, satisfactory, and convincing evidence.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a

