

REFERENCE TITLE: theft; means of transportation; sentence

State of Arizona  
Senate  
Forty-eighth Legislature  
Second Regular Session  
2008

## **SB 1066**

Introduced by  
Senator Gray C

AN ACT

AMENDING SECTION 13-1814, ARIZONA REVISED STATUTES; RELATING TO THEFT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-1814, Arizona Revised Statutes, is amended to  
3 read:

4 13-1814. Theft of means of transportation; affidavit;  
5 classification

6 A. A person commits theft of means of transportation if, without  
7 lawful authority, the person knowingly does one of the following:

8 1. Controls another person's means of transportation with the intent  
9 to permanently deprive the person of the means of transportation.

10 2. Converts for an unauthorized term or use another person's means of  
11 transportation that is entrusted to or placed in the defendant's possession  
12 for a limited, authorized term or use.

13 3. Obtains another person's means of transportation by means of any  
14 material misrepresentation with intent to permanently deprive the person of  
15 the means of transportation.

16 4. Comes into control of another person's means of transportation that  
17 is lost or misdelivered under circumstances providing means of inquiry as to  
18 the true owner and appropriates the means of transportation to the person's  
19 own or another's use without reasonable efforts to notify the true owner.

20 5. Controls another person's means of transportation knowing or having  
21 reason to know that the property is stolen.

22 B. The inferences set forth in section 13-2305 apply to any  
23 prosecution under subsection A, paragraph 5 of this section.

24 C. A person who alleges that a theft of means of transportation has  
25 occurred shall attest to that fact by signing an affidavit that is provided  
26 by the law enforcement officer or agency when the report is taken in person  
27 or by signing and notarizing an affidavit that is provided by the law  
28 enforcement agency if the report is taken other than in person. If the  
29 affidavit is not taken in person by a law enforcement officer or agency, the  
30 person who alleges that a theft of means of transportation has occurred shall  
31 mail or deliver the signed and notarized affidavit to the appropriate local  
32 law enforcement agency within seven days after reporting the theft. If the  
33 appropriate law enforcement agency does not receive the signed and notarized  
34 affidavit within thirty days after the initial report, the vehicle  
35 information shall be removed from the databases of the national crime  
36 information center and the Arizona criminal justice information system. The  
37 affidavit provided by the law enforcement agency shall indicate that a person  
38 who falsely reports a theft of means of transportation may be subject to  
39 criminal prosecution.

40 D. A PERSON WHO IS CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF  
41 THIS SECTION IS NOT ELIGIBLE FOR SUSPENSION OF SENTENCE, PROBATION, PARDON OR  
42 RELEASE FROM CONFINEMENT ON ANY BASIS EXCEPT PURSUANT TO SECTION 31-233,  
43 SUBSECTION A OR B UNTIL THE SENTENCE IMPOSED BY THE COURT HAS BEEN SERVED OR  
44 THE SENTENCE IS COMMUTED.

45 ~~D.~~ E. Theft of means of transportation is a class 3 felony.