

JAN 21 2021

---

# A BILL FOR AN ACT

RELATING TO THEFT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 708, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§708- Theft of catalytic converter. (1) A person  
5 commits the offense of theft of catalytic converter if the  
6 person:

7           (a) Obtains a catalytic converter through any means  
8 described in section 708-830; or

9           (b) Violates section 445-233 in regard to a scrap  
10 catalytic converter.

11           (2) For the purposes of this section, "catalytic  
12 converter" means a device that is incorporated in a motor  
13 vehicle's exhaust system and contains a catalyst for converting  
14 pollutant gas emissions into less harmful emissions.

15           (3) Theft of catalytic converter is a class C felony."



1 SECTION 2. Section 445-231, Hawaii Revised Statutes, is  
2 amended by adding a new definition to be appropriately inserted  
3 and to read as follows:

4 "Catalytic converter" means a device that is incorporated  
5 in a motor vehicle's exhaust system and contains a catalyst,  
6 including but not limited to palladium, platinum, and rhodium,  
7 for converting pollutant gas emissions into less harmful  
8 emissions."

9 SECTION 3. Section 445-233, Hawaii Revised Statutes, is  
10 amended as follows:

11 1. By amending subsection (b) to read:

12 "(b) If the scrap presented for purchase is copper,  
13 palladium, platinum, rhodium, a beer keg, [or] an urn, or scrap  
14 catalytic converter from which some or all of the catalyst  
15 metals have been removed, in whole or in part, the seller shall  
16 provide a copy of a receipt that describes, with particularity:

- 17 (1) The exact item that is being offered for sale;  
18 (2) Who issued the receipt;  
19 (3) The date of sale of the item prior to the item's being  
20 offered to the scrap dealer; and



1 (4) The price, if any, of the item when obtained by the  
2 seller."

3 2. By amending subsections (d) through (f) to read:

4 "(d) If the seller does not provide a copy of the receipt  
5 or the notarized declaration as required by subsections (b) and  
6 (c), the scrap dealer shall not purchase the copper, palladium,  
7 platinum, rhodium, beer keg, [€] urn, or scrap catalytic  
8 converter from which some or all of the catalyst metals have  
9 been removed, in whole or in part, and shall report the  
10 attempted sale to the police.

11 (e) If the scrap dealer purchases any copper, palladium,  
12 platinum, rhodium, beer keg, [€] urn, or scrap catalytic  
13 converter from which some or all of the catalyst metals have  
14 been removed, in whole or in part, the scrap dealer shall take a  
15 photograph or photographs of all of the [~~copper, beer keg, or~~  
16 ~~urn,~~] purchased items offered for sale.

17 (f) The scrap dealer shall also require the seller to  
18 verify the seller's identity by presenting a valid photo  
19 identification card or license issued by a federal or state  
20 government agency authorized to issue valid identification. If  
21 the scrap being offered for sale is copper, palladium, platinum,



# S.B. NO. 54

1 rhodium, a beer keg, [øø] an urn, or a scrap catalytic converter  
2 from which some or all of the catalyst metals have been removed,  
3 in whole or in part, the scrap dealer shall:

- 4 (1) Take a photograph of the seller; or
- 5 (2) Make a photocopy of the identification card or license  
6 of the seller."

7 SECTION 4. This Act does not affect rights and duties that  
8 matured, penalties that were incurred, and proceedings that were  
9 begun before its effective date.

10 SECTION 5. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 6. This Act shall take effect upon its approval.

13

INTRODUCED BY: \_\_\_\_\_



# S.B. NO. 54

**Report Title:**

Catalytic Converter; Theft; Penal Code; Class C Felony; Scrap Dealers; Statement

**Description:**

Establishes the offense of theft of catalytic converter as a class C felony. Defines "catalytic converter." Requires scrap dealers to follow the same requirements regarding a written statement for the purchase of palladium, platinum, rhodium, and a scrap catalytic converter from which some or all of the catalyst metals have been removed as is required for the purchase of copper, beer kegs, and urns.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

