

Department of Legislative Services  
Maryland General Assembly

**FISCAL NOTE****Revised**

House Bill 313 (Delegate E. Burns. *et al.*)

Judiciary

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**Unlawful Taking of Vehicle - Theft Offenses - Preclusion**

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This bill clarifies that prosecution of a person for the unlawful taking of a motor vehicle does not preclude prosecution of that person for theft of a motor vehicle. The bill also provides that if a person is convicted of both theft and the unlawful taking of a motor vehicle for the same act or transaction, the conviction for unlawful taking must merge for sentencing purposes into the conviction for theft.

Under current law: (1) the unlawful taking of a motor vehicle is a felony and subject to maximum penalties of a fine of \$5,000 and/or imprisonment of 5 years; (2) theft of property valued at \$300 or more is a felony and subject to maximum penalties of \$1,000 and/or 15 years; and (3) theft of property valued at under \$300 is a misdemeanor and subject to maximum penalties of \$500 and/or 18 months.

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**Fiscal Summary**

**State Effect:** Minimal. The extent to which these changes may have an effect on charging practices, conviction rates, or sentences rendered cannot be reliably predicted. In any event, it is assumed that any additional incarcerations (or lengths of stay) resulting from this bill would be minimal.

**Local Effect:** Minimal.

**Small Business Effect:** None.

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**Information Source(s):** Department of Legislative Services

**Fiscal Note History:**

First Reader - February 12, 1998

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Revised - House Third Reader - March 30, 1998

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