

340.

In this subheading, the following words have the meanings indicated.

(a) "Coin machine" means a coin box, turnstile, vending machine, or other mechanical or electronic device or receptacle designed to receive a coin, or bill, or a token made to be received by the machine, and in return for the insertion or deposit thereof, automatically to offer, to provide, to assist in providing, or to permit the acquisition of some property or service.

(b) (1) "Deception" means knowingly to:

(i) Create or confirm in another an impression which is false and which the offender does not believe to be true;

(ii) Fail to correct a false impression which the offender previously has created or confirmed;

(iii) Prevent another from acquiring information pertinent to the disposition of the property involved;

(iv) Sell or otherwise transfer or encumber property, failing to disclose a lien, adverse claim, or other legal impediment to the enjoyment of the property, whether the impediment is or is not of value or is not a matter of official record;

(v) Insert or deposit a slug in a coin machine;

(vi) Remove, alter, or otherwise disfigure any label or price tag;

(vii) Promise performance which the offender does not intend to perform or knows will not be performed. The defendant's intention or knowledge that a promise would not be performed shall not be established by or inferred from the fact alone that the promise was not performed; or

(viii) Misrepresent the value of a motor vehicle offered for sale by tampering with, interfering with, resetting or altering the odometer of any motor vehicle with the intent to change the number of miles indicated.

(2) "Deception" does not include puffing or false statements of immaterial facts and exaggerated representations unlikely to deceive ordinary persons.

(c) "Deprive" means to withhold property of another:

(1) Permanently; or

(2) For such a period as to appropriate a portion of its value; or

(3) With the purpose to restore it only upon payment of reward or other compensation; or

(4) To dispose of the property and use or deal with the property so as to make it unlikely that the owner will recover it.