

Unlawful Taking of Vehicle - Theft Offenses - Preclusion

FOR the purpose of clarifying 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; providing 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 of a motor vehicle shall merge for certain purposes into the conviction for theft; and generally relating to the theft or unlawful taking of a motor vehicle.

BY repealing and reenacting, without amendments,

Article 27 - Crimes and Punishments

Section 342

Annotated Code of Maryland

(1996 Replacement Volume and 1998 Supplement)

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments

Section 342A

Annotated Code of Maryland

(1996 Replacement Volume and 1998 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 27 - Crimes and Punishments

342.

(a) A person commits the offense of theft when he willfully or knowingly obtains control which is unauthorized or exerts control which is unauthorized over property of the owner, and:

(1) Has the purpose of depriving the owner of the property; or

(2) Willfully or knowingly uses, conceals, or abandons the property in such manner as to deprive the owner of the property; or

(3) Uses, conceals, or abandons the property knowing the use, concealment, or abandonment probably will deprive the owner of the property.

(b) A person commits the offense of theft when he willfully or knowingly uses deception to obtain and does obtain control over property of the owner, and:

(1) Has the purpose of depriving the owner of the property; or

(2) Willfully or knowingly uses, conceals, or abandons the property in such manner as to deprive the owner of the property; or

(3) Uses, conceals, or abandons the property knowing such use, concealment, or abandonment probably will deprive the owner of the property.