

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

with committee amendments

## ASSEMBLY, No. 4930

# STATE OF NEW JERSEY

DATED: DECEMBER 5, 2022

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No 4930 with committee amendments

As amended and reported by the committee, Assembly Bill No. 4930 expands criminal penalties related to the illegal use of a motor vehicle master key.

Under current law, it is a crime of the fourth degree to knowingly possess a motor vehicle master key or device designed to operate a lock on a motor vehicle; start a motor vehicle without an ignition key; or to offer or advertise for sale, sell, or give to a person, other than those enumerated in statute such as a law enforcement officer or locksmith, a motor vehicle master key or device designed to operate a lock on a motor vehicle or start a motor vehicle without an ignition key. A crime of the fourth degree is punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both.

This bill amends current law to provide that it also is a crime of the fourth degree for a person to, for an unlawful purpose, knowingly possess a key fob that operates a lock or locks on or starts a motor vehicle owned by another person; or possess a computer program, application, software, or other device adapted, designed, or commonly used to operate a lock or locks on or start a motor vehicle without an ignition key or key fob, or to copy, store information relating to, or interfere with those functions.

The amended bill also provides that a person who offers or advertises for sale, sells, or gives to any person, other than those excepted under the amended bill, a motor vehicle master key or device designed to operate a lock or locks on a motor vehicle or start a motor vehicle without an ignition key or key fob, or who otherwise causes a prohibited item to enter into commerce in this State is guilty of a crime of the fourth degree.

Under the amended bill, a person also is guilty of a crime of the fourth degree if the person offers or advertises for sale, sells, or gives to any person a computer program, application, software, or other device adapted, designed, or commonly used to operate a lock or locks on or start a motor vehicle without an ignition key or key fob, or to copy, store information relating to, or interfere with those

functions, or who otherwise causes any such item to enter into commerce in this State knowing the item to be adapted, designed, or commonly used for those purposes; and with a purpose to provide the item to a person the actor knows or reasonably should know has the purpose to use or employ the item unlawfully.

Certain individuals were not subject to penalties under current law including law enforcement officers, locksmiths, and motor vehicle dealers. The amended bill provides that those enumerated under current law, as well as their employees or agents, would not be subject to penalties for knowingly possessing a motor vehicle master key or device designed to operate a lock or locks on motor vehicles or to start a motor vehicle without an ignition key or key fob.

This amended bill is intended to expand current law to encompass the various means by which a person can use technology to commit theft of a motor vehicle that is accessible by a keyless entry system.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to clarify that a person is guilty of a crime of the fourth degree under the bill if the person causes a prohibited item to enter into commerce in this State knowing the item to be adapted, designed, or commonly used for those purposes; and with a purpose to provide the item to a person the actor knows or reasonably should know has the purpose to use or employ the item unlawfully.