

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 86 Session of 2011

INTRODUCED BY GREENLEAF, TARTAGLIONE, RAFFERTY, ERICKSON AND BROWNE, JANUARY 12, 2011

REFERRED TO TRANSPORTATION, JANUARY 12, 2011

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of  
 2 the Pennsylvania Consolidated Statutes further providing for  
 3 dealing in proceeds of unlawful activities, for the unlawful  
 4 disposition of motor vehicles and for investigation by police  
 5 officers; and repealing the Motor Vehicle Chop Shop and  
 6 Illegally Obtained and Altered Property Act.

7 The General Assembly of the Commonwealth of Pennsylvania  
 8 hereby enacts as follows:

9 Section 1. Section 5111(a) and the definition of "financial  
 10 transaction" in subsection (f) of Title 18 of the Pennsylvania  
 11 Consolidated Statutes are amended to read:

12 § 5111. Dealing in proceeds of unlawful activities.

13 (a) Offense defined.--A person commits a felony of the first  
 14 degree if the person conducts a financial transaction under any  
 15 of the following circumstances:

16 (1) With knowledge that the property involved, including  
 17 stolen or illegally obtained property, represents the  
 18 proceeds of unlawful activity, the person acts with the  
 19 intent to promote the carrying on of the unlawful activity.

20 (2) With knowledge that the property involved, including

1 stolen or illegally obtained property, represents the  
2 proceeds of unlawful activity and that the transaction is  
3 designed in whole or in part to conceal or disguise the  
4 nature, location, source, ownership or control of the  
5 proceeds of unlawful activity.

6 (3) To avoid a transaction reporting requirement under  
7 State or Federal law.

8 \* \* \*

9 (f) Definitions.--As used in this section, the following  
10 words and phrases shall have the meanings given to them in this  
11 subsection:

12 \* \* \*

13 "Financial transaction." A transaction involving the  
14 movement of funds by wire or other means or involving one or  
15 more monetary instruments. The term includes any exchange of  
16 stolen or illegally obtained property for financial compensation  
17 or personal gain.

18 \* \* \*

19 Section 2. Article G of Title 18 is amended by adding a  
20 chapter to read:

21 CHAPTER 77

22 VEHICLE CHOP SHOP AND ILLEGALLY

23 OBTAINED AND ALTERED PROPERTY

24 Sec.

25 7701. Definitions.

26 7702. Owning, operating or conducting a chop shop.

27 7703. Alteration or destruction of vehicle identification  
28 number.

29 7704. Disposition of vehicle or vehicle part with altered  
30 vehicle identification number.

1 7705. Exceptions.

2 7706. Presumptions.

3 7707. Loss of property rights to Commonwealth.

4 7708. Procedure with respect to seized property subject to  
5 liens and rights of lienholders.

6 § 7701. Definitions.

7 The following words and phrases when used in this chapter  
8 shall have the meanings given to them in this section unless the  
9 context clearly indicates otherwise:

10 "Chop shop." A building, lot or other premises where one or  
11 more persons engage in altering, destroying, disassembling,  
12 dismantling, reassembling, storing or possessing a vehicle or  
13 vehicle part known to be illegally obtained by theft, fraud or  
14 conspiracy to defraud in order to either:

15 (1) alter, counterfeit, deface, destroy, disguise,  
16 falsify, forge, obliterate or remove the identification,  
17 including, but not limited to, the vehicle identification  
18 number of the vehicle or vehicle part, in order to  
19 misrepresent the identity of the vehicle or vehicle part or  
20 to prevent the identification of the vehicle or vehicle part;  
21 or

22 (2) sell or dispose of the vehicle or vehicle part.

23 "Person." A natural person, firm, copartnership, association  
24 or cooperation.

25 "Semitrailer." A trailer so constructed that some part of  
26 its weight rests upon or is carried by the towing vehicle.

27 "Trailer." A vehicle designed to be towed by a motor  
28 vehicle.

29 "Vehicle." Every device in, upon or by which any person or  
30 property is or may be transported or drawn upon a highway,

1 except devices used exclusively upon rails or tracks. The term  
2 does not include a self-propelled wheelchair or an electrical  
3 mobility device operated by and designed for the exclusive use  
4 of a person with a mobility-related disability.

5 "Vehicle identification number." A combination of numerals  
6 or letters, or both, which a manufacturer of a vehicle assigns  
7 to a vehicle for identification purposes or, in the absence of a  
8 manufacturer assigned number, which the Department of  
9 Transportation assigns to a vehicle for identification purposes.

10 § 7702. Owning, operating or conducting a chop shop.

11 Any person who knowingly:

12 (1) owns, operates or conducts a chop shop; or

13 (2) transports, sells, transfers, purchases or receives  
14 any vehicle or vehicle part that was illegally obtained  
15 either to or from a chop shop

16 commits a felony of the second degree and, upon conviction,  
17 shall be sentenced to imprisonment for not more than ten years  
18 or a fine of not more than \$100,000, or both.

19 § 7703. Alteration or destruction of vehicle identification  
20 number.

21 Any person who alters, counterfeits, defaces, destroys,  
22 disguises, falsifies, forges, obliterates or removes a vehicle  
23 identification number with the intent to conceal or misrepresent  
24 the identity or prevent the identification of a vehicle or  
25 vehicle part commits a felony of the third degree and, upon  
26 conviction, shall be sentenced to imprisonment for not more than  
27 seven years or a fine of not more than \$50,000, or both.

28 § 7704. Disposition of vehicle or vehicle part with altered  
29 vehicle identification number.

30 Any person who purchases, receives, disposes, sells,

1 transfers or possesses a vehicle or vehicle part with knowledge  
2 that the vehicle identification number of the vehicle or vehicle  
3 part has been altered, counterfeited, defaced, destroyed,  
4 disguised, falsified, forged, obliterated or removed with the  
5 intent to conceal or misrepresent the identity or prevent the  
6 identification of a vehicle or vehicle part commits a felony of  
7 the third degree and, upon conviction, shall be sentenced to  
8 imprisonment for not more than seven years or a fine of not more  
9 than \$50,000, or both.

10 § 7705. Exceptions.

11 (a) Scrap processor.--The provisions of section 7702  
12 (relating to owning, operating or conducting a chop shop) shall  
13 not apply to a motor vehicle scrap processor who, in the normal  
14 legal course of business and in good faith, processes a vehicle  
15 or vehicle part by crushing, compacting or other similar  
16 methods, provided that any vehicle identification number is not  
17 removed from the vehicle or vehicle part prior to or during any  
18 such processing.

19 (b) Repair of vehicle.--The provisions of section 7702 shall  
20 not be construed to prohibit the removal of a vehicle  
21 identification number plate from a vehicle part that is damaged  
22 when:

23 (1) The removal is necessary for proper repair or  
24 matching identification of a replacement vehicle part.

25 (2) The proper matching vehicle identification number  
26 plate is immediately and properly secured to the repaired or  
27 replacement part.

28 § 7706. Presumptions.

29 (a) Vehicles.--Any person or persons who transport, sell,  
30 transfer, purchase, possess or receive any vehicle or vehicle

1 part upon which the vehicle identification number has been  
2 altered, counterfeited, defaced, destroyed, disguised,  
3 falsified, forged, obliterated or removed or who fails to keep,  
4 possess or produce the records required to be kept, possessed or  
5 produced for the vehicle or vehicle part under 75 Pa.C.S. § 6308  
6 (relating to investigation by police officers) shall be prima  
7 facie evidence under section 7702 (relating to owning, operating  
8 or conducting a chop shop) of that person's or persons'  
9 knowledge that the vehicle or vehicle part was illegally  
10 obtained.

11 (b) Police report.--A police report which indicates that a  
12 vehicle or vehicle part was reported to police to be in a stolen  
13 status at the time it was possessed shall be prima facie  
14 evidence that the vehicle or vehicle part was possessed without  
15 permission of the owner.

16 § 7707. Loss of property rights to Commonwealth.

17 (a) Forfeitures generally.--The following shall be subject  
18 to forfeiture to the Commonwealth, and no property right shall  
19 exist in them:

20 (1) Any tool, implement or instrumentality, including,  
21 but not limited to, a vehicle or vehicle part used or  
22 possessed in connection with any violation of this chapter.

23 (2) All materials, products and equipment of any kind  
24 which are used or intended for use in violation of this  
25 chapter.

26 (3) All books, records, microfilm, tapes and data which  
27 are used or intended for use in violation of this chapter.

28 (4) All money, negotiable instruments, securities or  
29 other things of value used or intended to be used to  
30 facilitate any violation of this chapter and all proceeds

1 traceable to any transactions in violation of this chapter.

2 (5) All real property used or intended to be used to  
3 facilitate any violation of this chapter, including  
4 structures or other improvements thereon and including any  
5 right, title and interest in the whole or any lot or tract of  
6 land and any appurtenances or improvements which are used or  
7 intended to be used in any manner or part to commit or to  
8 facilitate the commission of a violation of this chapter.

9 (b) Exceptions.--

10 (1) No property shall be forfeited under this section,  
11 to the extent of the interest of an owner, by reason of any  
12 act or omission established by the owner to have been  
13 committed or omitted without the knowledge or consent of that  
14 owner.

15 (2) No valid lien or encumbrance on real property shall  
16 be subject to forfeiture or impairment under this paragraph.  
17 A lien which is fraudulent or intended to avoid forfeiture  
18 under this section shall be invalid.

19 (c) Process and seizure.--Property subject to forfeiture  
20 under this chapter may be seized by the law enforcement  
21 authority upon process issued by a court of common pleas having  
22 jurisdiction over the property. Seizure without process may be  
23 made if:

24 (1) the seizure is incident to an arrest or a search  
25 warrant or inspection under 75 Pa.C.S. § 6308 (relating to  
26 investigation by police officers) or any other administrative  
27 inspection;

28 (2) the property subject to seizure has been the subject  
29 of a proper judgment in favor of the Commonwealth in a  
30 criminal injunction or forfeiture proceeding under this

1 chapter;

2 (3) there is probable cause to believe that the property  
3 is dangerous to health or safety; or

4 (4) there is probable cause to believe that the property  
5 has been used or is intended to be used in violation of this  
6 chapter.

7 (d) Seizure without process.--In the event seizure without  
8 process occurs as provided in this chapter, proceeding for the  
9 issuance thereof shall be instituted forthwith.

10 (e) Custody of property.--Property taken or detained under  
11 this section shall not be subject to replevin but is deemed to  
12 be in the custody of the law enforcement authority, subject only  
13 to the orders and decrees of the court of common pleas having  
14 jurisdiction over the forfeiture proceedings and of the district  
15 attorney or the Office of Attorney General. When property is  
16 seized under this chapter, the law enforcement authority shall  
17 place the property under seal and either:

18 (1) remove the property to a place designated by it; or

19 (2) require that the district attorney or the Office of  
20 Attorney General take custody of the property and remove it  
21 to an appropriate location for disposition in accordance with  
22 law.

23 (f) Use of property held in custody.--

24 (1) Whenever property is forfeited under this chapter,  
25 the property shall be transferred to:

26 (i) the custody of the district attorney, if the law  
27 enforcement authority seizing the property has local or  
28 county jurisdiction; or

29 (ii) the Office of Attorney General, if the law  
30 enforcement authority seizing the property has Statewide



1           jurisdiction.

2           (2) The district attorney or the Office of Attorney  
3           General, where appropriate, may:

4           (i) Retain the property for official use.

5           (ii) Sell any forfeited property which is not  
6           required to be destroyed by law and which is not harmful  
7           to the public, but the proceeds from any such sale must  
8           be used to pay all proper expenses of the proceeding for  
9           forfeiture and sale, including expenses of seizure,  
10           maintenance of custody, advertising and court costs. The  
11           balance of the proceeds shall be dealt with in accordance  
12           with subsections (g) and (h).

13           (g) Use of cash, property or proceeds of property.--Cash or  
14           proceeds of forfeited property transferred to the custody of the  
15           district attorney under subsection (f) shall be placed in the  
16           operating fund of the county in which the district attorney is  
17           elected. The appropriate county authority shall immediately  
18           release from the operating fund, without restriction, a like  
19           amount for the use of the district attorney in enforcing the  
20           criminal laws of this Commonwealth. The entity having budgetary  
21           control shall not anticipate future forfeitures or proceeds from  
22           such forfeitures in adoption and approval of the budget for the  
23           district attorney.

24           (h) Distribution of property among law enforcement  
25           authorities.--If both State and municipal law enforcement  
26           authorities were substantially involved in effecting the  
27           seizure, the court having jurisdiction over the forfeiture  
28           proceedings shall equitably distribute the property between the  
29           district attorney and the Office of Attorney General.

30           (i) Annual audit of forfeited property.--A county shall

1 provide, through the controller, board of auditors or other  
2 appropriate auditor and the district attorney, an annual audit  
3 of all forfeited property and proceeds obtained under this  
4 section. The audit shall not be made public but shall be  
5 submitted to the Office of Attorney General. The county shall  
6 report all forfeited property and proceeds obtained under this  
7 section and the disposition thereof to the Office of Attorney  
8 General by September 30 of each year.

9 (j) Annual report; confidential information regarding  
10 property.--The Office of Attorney General shall annually submit  
11 a report to the Appropriations Committee of the Senate, the  
12 Appropriations Committee of the House of Representatives, the  
13 Judiciary Committee of the Senate and the Judiciary Committee of  
14 the House of Representatives specifying the forfeited property  
15 or proceeds thereof obtained under this section. The report  
16 shall give an account of all proceeds derived from the sale of  
17 forfeited property and the use made of unsold forfeited  
18 property. The Office of Attorney General shall adopt procedures  
19 and guidelines governing the release of information by the  
20 district attorney to protect the confidentiality of forfeited  
21 property or proceeds used in ongoing enforcement activities.

22 (k) Proceeds and appropriations.--The proceeds or future  
23 proceeds from forfeited property under this chapter shall be in  
24 addition to any appropriation made to the Office of Attorney  
25 General.

26 § 7708. Procedure with respect to seized property subject to  
27 liens and rights of lienholders.

28 (a) General procedure.--The proceedings for the forfeiture  
29 or condemnation of property, the sale of which is provided for  
30 under this chapter, shall be in rem in which the Commonwealth

1 shall be the plaintiff and the property the defendant. The  
2 Pennsylvania Rules of Civil Procedure shall apply to all  
3 forfeiture proceedings brought under this chapter. A petition  
4 shall be filed in the court of common pleas of the judicial  
5 district where the property is located, verified by oath or  
6 affirmation of an officer or citizen, containing the following:

- 7       (1) A description of the property seized.  
8       (2) A statement of the time and place where seized.  
9       (3) The owner, if known.  
10       (4) The person or persons in possession, if known.  
11       (5) An allegation that the property is subject to  
12 forfeiture under section 7707 (relating to loss of property  
13 rights to Commonwealth) and an averment of material facts  
14 upon which the forfeiture action is based.

15       (6) A prayer for an order of forfeiture that the  
16 property be adjudged forfeited to the Commonwealth and  
17 condemned and be ordered sold according to law unless cause  
18 be shown to the contrary.

19       (b) Notice to property owners.--A copy of the petition  
20 required under subsection (a) shall be served personally or by  
21 certified mail on the owner or upon the person or persons in  
22 possession at the time of the seizure. The copy shall have  
23 endorsed a notice as follows:

24       To the claimant of within described property: You are  
25 required to file an answer to this petition, stating your  
26 title in and right to possession of the property within 30  
27 days from the service of this petition, and you are also  
28 notified that, if you fail to file an answer, a decree of  
29 forfeiture and condemnation will be entered against the  
30 property.

1 The notice shall be signed by the Attorney General, Deputy  
2 Attorney General, district attorney, deputy district attorney or  
3 assistant district attorney.

4 (c) Substitute notice.--

5 (1) If the owner of the property is unknown or there was  
6 no person in possession of the property when seized or if the  
7 owner or such person or persons in possession at the time of  
8 the seizure cannot be personally served or located within the  
9 jurisdiction of the court, notice of the petition shall be  
10 given by the Commonwealth through an advertisement in only  
11 one newspaper of general circulation published in the county  
12 where the property was seized once a week for two successive  
13 weeks. No other advertisement of any sort shall be necessary,  
14 any other law to the contrary notwithstanding.

15 (2) The notice shall:

16 (i) contain a statement of the seizure of the  
17 property with a description of the property and the place  
18 and date of seizure; and

19 (ii) direct any claimants to the property to file a  
20 claim on or before a date given in the notice, which date  
21 shall not be less than 30 days from the date of the first  
22 publication.

23 (3) If no claims are filed within 30 days of  
24 publication, the property shall summarily forfeit to the  
25 Commonwealth.

26 (d) Property owners not in jurisdiction.--For purposes of  
27 this section, the owner or other such person cannot be found in  
28 the jurisdiction of the court if:

29 (1) A copy of the petition is mailed to the last known  
30 address by certified mail and is returned without a delivery.

1           (2) A personal service is attempted once but cannot be  
2 made at the last known address.

3           (3) A copy of the petition is left at the last known  
4 address.

5 (e) Notice automatically waived.--

6           (1) The notice provisions of this section are  
7 automatically waived when the owner, without good cause,  
8 fails to appear in court in response to a subpoena on the  
9 underlying criminal charges.

10           (2) Forty-five days after such a failure to appear, if  
11 good cause has not been demonstrated, the property shall  
12 summarily forfeit to the Commonwealth.

13 (f) Preservation of the property subject for forfeiture.--

14           (1) Upon application of the Commonwealth, the court may  
15 enter a restraining order or injunction, require the  
16 execution of a satisfactory performance bond or take any  
17 other action to preserve the availability of property  
18 described in section 7707 for forfeiture under this section  
19 either:

20           (i) upon the filing of an information or an  
21 indictment charging a violation of this chapter for which  
22 criminal forfeiture may be ordered under this chapter and  
23 alleging that the property with respect to which the  
24 order is sought would be subject to forfeiture; or

25           (ii) prior to the filing of such an indictment or  
26 information if, after notice to persons appearing to have  
27 an interest in the property and an opportunity for a  
28 hearing, the court determines that:

29           (A) There is a substantial probability that the  
30 Commonwealth will prevail on the issue of forfeiture

1 and that failure to enter the order will result in  
2 the property being destroyed, removed from the  
3 jurisdiction of the court or otherwise made  
4 unavailable for forfeiture.

5 (B) The need to preserve the availability of the  
6 property through the entry of the requested order  
7 outweighs the hardship on any party against whom the  
8 order is to be entered.

9 (2) An order entered under this subsection shall be  
10 effective for not more than 90 days unless extended by the  
11 court for good cause shown or unless an indictment or  
12 information described in paragraph (1)(i) has been filed.

13 (g) Temporary restraining order.--

14 (1) A temporary restraining order under subsection (f)  
15 may be entered upon application of the Commonwealth without  
16 notice or opportunity for a hearing when an information or  
17 indictment has not yet been filed with respect to the  
18 property if the Commonwealth demonstrates that:

19 (i) there is probable cause to believe that the  
20 property with respect to which the order is sought would  
21 be subject to forfeiture under this chapter; and

22 (ii) the provision of notice will jeopardize the  
23 availability of the property for forfeiture.

24 (2) Such temporary order shall expire not more than ten  
25 days after the date on which it is entered, unless:

26 (i) extended for good cause shown; or

27 (ii) the party against whom it is entered consents  
28 to an extension for a longer period.

29 (3) A hearing requested concerning an order entered  
30 under this subsection shall be held at the earliest possible

1 time and prior to the expiration of the temporary order.

2 (h) Hearing regarding property; rules of evidence.--The  
3 court may receive and consider at a hearing held under  
4 subsection (f) or (g) evidence and information that would be  
5 inadmissible under the rules of evidence.

6 (i) Hearing time set.--Upon the filing of a claim for the  
7 property setting forth a right of possession, the case shall be  
8 deemed at issue and a time shall be fixed for the hearing.

9 (j) Owner's burden of proof.--At the time of the hearing, if  
10 the Commonwealth produces evidence that the property in question  
11 was unlawfully used, possessed or otherwise subject to  
12 forfeiture under section 7706 (relating to presumptions), the  
13 burden shall be upon the claimant to show that:

14 (1) The claimant is the owner of the property or the  
15 holder of a chattel mortgage or contract of conditional sale  
16 thereon.

17 (2) The claimant lawfully acquired the property.

18 (3) It was not unlawfully used or possessed by the  
19 claimant. In the event that it shall appear that the property  
20 was unlawfully used or possessed by a person other than the  
21 claimant, then the claimant must show that the unlawful use  
22 or possession was without the claimant's knowledge or  
23 consent. Such absence of knowledge or consent must be  
24 reasonable under the circumstances presented.

25 (k) Court-ordered release of property.--

26 (1) If a person claiming the ownership of or right of  
27 possession to or claiming to be the holder of a chattel  
28 mortgage or contract of conditional sale upon the property,  
29 the disposition of which is provided for in this section,  
30 prior to the sale presents a petition to the court alleging

1 over the property lawful ownership, right of possession, a  
2 lien or reservation of title and if, upon public hearing, due  
3 notice of which having been given to the Office of Attorney  
4 General or the district attorney, the claimant proves by  
5 competent evidence to the satisfaction of the court:

6 (i) that the property was lawfully acquired,  
7 possessed and used by him; or

8 (ii) if it appears that the property was unlawfully  
9 used by a person other than the claimant, that the  
10 unlawful use was without the claimant's knowledge or  
11 consent,

12 then the court may order the property returned or delivered  
13 to the claimant.

14 (2) Such absence of knowledge or consent must be  
15 reasonable under the circumstances presented. Otherwise, the  
16 property shall be retained for official use or sold in  
17 accordance with section 7707(f).

18 Section 3. Section 6308(c) and (d) of Title 75 are amended  
19 to read:

20 § 6308. Investigation by police officers.

21 \* \* \*

22 (c) Inspection [of garages and dealer premises].--Any police  
23 officer or authorized department employee may, during business  
24 hours or at any other time in which work is being conducted or  
25 work is being performed, inspect any vehicle, or major component  
26 part for which records are required to be kept under subsection  
27 (d), in any garage or repair shop or on the premises of any  
28 dealer, miscellaneous motor vehicle business, salvage motor  
29 vehicle auction or pool operator, salvor, scrap metal processor,  
30 or other public place of business which deals in the trade of



1 vehicles or major component parts for the purpose of [locating  
2 stolen vehicles or parts or vehicles or vehicle parts with  
3 identification numbers removed or falsified.]:

4 (1) locating stolen vehicles or parts of vehicles or  
5 major component parts with identification numbers, Federal  
6 certification labels, anti-theft labels or parts stickers  
7 removed, altered or falsified; or

8 (2) inspecting the records required to be kept under  
9 subsection (d).

10 The owner [of the garage or repair shop or the dealer],  
11 operator, representative of the owner or operator of the  
12 business or other person shall permit any police officer or  
13 authorized department employee to make investigations under this  
14 subsection.

15 (d) Records.--

16 (1) Every salvor, miscellaneous motor vehicle business,  
17 salvage motor vehicle auction or pool operator, scrap metal  
18 processor, garage, repair shop and dealer shall keep accurate  
19 records of [motor vehicle sales and dispositions] the  
20 purchase, acquisition, sale and disposition of vehicles and  
21 major component parts. The records shall include the make,  
22 year and type of vehicle or major component part, from whom  
23 purchased or acquired [and date, vehicle identification  
24 number and date of sale or disposition of vehicle.] sold to  
25 or disposed of, the date, location and place purchased,  
26 acquired, sold or disposed of, the amount paid or other  
27 tender exchanged for the purchase, acquisition, sale or  
28 disposition and the vehicle identification number or other  
29 serial numbers or manufacturer's identification numbers.

30 (2) The records shall also include a photocopy of a

1 government-issued form of photo identification from the  
2 person towing or selling the vehicle or major component part,  
3 driver's license number and location from where the vehicle  
4 or major component part was towed or sold and the business  
5 name, address, license number and contact number of the  
6 towing company.

7 (3) The records shall be available on the premises of  
8 the salvor, miscellaneous motor vehicle business, salvage  
9 motor vehicle auction or pool operator, scrap metal  
10 processor, garage, repair shop and dealer and open to  
11 inspection by any police officer or authorized department  
12 employee. The records shall be maintained for three years  
13 from the date of disposition of the vehicle or the major  
14 component parts.

15 (4) If inspection under subsection (c) reveals stolen  
16 vehicles, stolen major component parts or vehicle or major  
17 component parts with identification numbers, Federal  
18 certification labels, anti-theft labels or parts stickers  
19 removed, altered or falsified, any police officer or  
20 authorized department employee may seize those vehicles or  
21 vehicle parts, records relating to the seized vehicles or  
22 vehicle parts and the business, including proof of ownership  
23 or operation of the business, as well as any  
24 instrumentalities used to facilitate criminal activity.

25 \* \* \*

26 Section 4. Repeals are as follows:

27 (1) The repeal under paragraph (2) is necessary to  
28 effectuate this act.

29 (2) The act of November 24, 1998 (P.L.874, No.110),  
30 known as the Motor Vehicle Chop Shop and Illegally Obtained

1 and Altered Property Act, is repealed.

2 Section 5. The addition of 18 Pa.C.S. Ch. 77 is a  
3 continuation of the former act of November 24, 1998 (P.L.874,  
4 No.110), known as the Motor Vehicle Chop Shop and Illegally  
5 Obtained and Altered Property Act.

6 Section 6. This act shall take effect in 60 days.