



NATIONAL CONFERENCE of STATE LEGISLATURES

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Auto Theft & Carjacking State Statutes

State	Auto Theft	Unauthorized Use	Rental Car Theft	Carjacking
Alabama	§13A-8-3: Provides that the theft of a motor vehicle, regardless of its value, constitutes theft of property in the 1 st degree.	Not Specified	Not Specified	Not Specified. May be prosecuted under general robbery statute.
Alaska	§11.46.360; §11.46.365: Vehicle theft in 1 st & 2 nd degrees.	Not Specified	§ 28.35.320: Failure to return rental vehicle. Up to 5 years in prison & \$1,000 fine.	Not Specified. May be prosecuted under general robbery statute.
Arizona	§13-1814: Theft of means of transportation. Class 3 felony.	§ 13-1803: Unlawful use of means of transportation. Felony penalties.	Not Specified	Not Specified. May be prosecuted under general robbery statute.
Arkansas	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	§5-36-108: Unauthorized use of a vehicle. Class A misdemeanor	Not Specified; May be prosecuted under general rental theft statute §5-36-115.	Not Specified. May be prosecuted under general robbery statute.
California	Cal Pen Code §487: Grand theft of an automobile. Cal Pen Code §666.5 provides provisions regarding second offenses of grand theft of a motor vehicle.	Cal Pen Code §10851: Unlawful driving or taking of vehicle without consent of owner.	Not Specified	Cal. Pen. Code §215: Carjacking. Cal. Pen. Code §666.7: Provides enhanced penalties for use of deadly weapon while carjacking.
Colorado	§18-4-409: Aggravated motor vehicle theft with misdemeanor and felony penalties.	Not Specified	Not Specified; May be prosecuted under general rental theft statute §18-4-402.	Not Specified. May be prosecuted under general robbery statute.
Connecticut	§53a-122, §53a-123, §53a-124: Larceny involving a car. Class of felony penalty dependant on value of car.	§53a-119b: Using motor vehicle or vessel without owner's permission; class A misdemeanor for a first offense and a class D felony for each subsequent offense	Not Specified	§53a-136a: Robbery involving occupied motor vehicle. Mandatory 3 year prison sentence.
Delaware	11 Del. C. §841A: Theft of a motor vehicle; class G felony.	11 Del. C. §853: Unauthorized use of a vehicle. Class A misdemeanor penalties.	11 Del. C. §849: Theft of rented property, including vehicles. Class A misdemeanor or class G felony.	11 Del. C. §835; 11 Del. C. §836. Carjacking in the 1 st & 2 nd degrees. Felony penalties.

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Florida	§812.014: Grand theft of the 3 rd degree & a felony of the 3 rd degree if property stolen is a motor vehicle.	Not Specified	§817.52: Obtaining vehicles with intent to defraud, failing to return hired vehicle. Felony penalties.	§812.133: Carjacking. Felony in the 1 st degree. Enhanced penalties for use of a deadly weapon.
Georgia	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	Not Specified	Not Specified; May be prosecuted under theft by conversion statute §16-8-4.	§16-5-44.1: Hijacking a motor vehicle with a weapon. Felony penalties with minimum of 10 years in prison and \$10,000 fine.
Hawaii	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	§708-836: Unauthorized control of a propelled vehicle. Class C felony	§708-837: Failure to return a rental motor vehicle, misdemeanor penalties.	Not Specified. May be prosecuted under general robbery statute.
Idaho	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	Not Specified	§18-2403: Theft of rental car enumerated in general theft statute.	Not Specified. May be prosecuted under general robbery statute.
Illinois	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	Not Specified	Not Specified; May be prosecuted under general rental theft statute §720 ILCS 5/16-1.1.	§720 ILCS 5/18-3; §720 ILCS 5/18-4: Vehicular hijacking & Aggravated vehicular hijacking, felony penalties.
Indiana	§35-43-4-2.5: Auto theft, with felony penalties.	§35-43-4-3. Criminal conversion; unauthorized control of a car for a criminal purpose. Felony penalties.	Not Specified	§35-42-5-2. Carjacking. Felony penalties.
Iowa	§714.2: Provides theft of a vehicle with value between \$1,000 and \$10,000 is a 2 nd degree theft crime and a class D felony. General theft statutes may apply to cars of other values.	§714.7: Operating vehicle without owner's consent, aggravated misdemeanor.	Not Specified	Not Specified. May be prosecuted under general robbery statute.
Kansas	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	Not Specified	Not Specified	§21-3716: Aggravated burglary, provides that entering a car when a person is present to commit a felony is a severity level 5, person felony.
Kentucky	§514.030: Theft by unlawful taking, movable property. Class D felony if value of \$300 or more.	§514.100: Unauthorized use of automobile or other propelled vehicle, class A misdemeanor or class D felony penalties.	Not Specified; May be prosecuted under general rental theft provisions.	Not Specified. May be prosecuted under general robbery statute.
Louisiana	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	§14:68.4. Unauthorized use of a motor vehicle. Fine up to \$5,000 or prison up to 10 years or both.	§14:220: Rented or leased motor vehicles, obtaining by false representation, failure to return.	§14:64.2: Carjacking. Prison with hard labor for 2-20 years.

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Maine	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	17-A M.R.S. § 360 Unauthorized use of motor vehicle. Class C or D crime.	Not Specified	Not Specified. May be prosecuted under general robbery statute.
Maryland	Md. Crim. Law §7-105: Motor vehicle theft; up to 5 years in prison and \$5,000 fine or both.	Not Specified; May be prosecuted under general unauthorized use provision Md. Crim. Law §7-104.	Md. Crim. Law §7-205: Failure to return rental vehicle; up to 1 year in prison and \$500 fine or both.	Md. Crim. Law §3-405: Carjacking and armed carjacking. Felony penalties; up to 30 years in prison.
Massachusetts	266, §29: Theft of motor vehicle; restitution to be imposed in addition to incarceration or fine. 266, §28. Theft or Concealment of Motor Vehicle; imprisonment and fines.	Not Specified; May be covered under theft provision 266, §28.	Not Specified; May be prosecuted under general rental theft provision 266, §87: concealing or selling leased or rented property.	265, §21A: Carjacking. Imprisonment and fine.
Michigan	§750.413: Motor vehicle; taking possession and driving away. Felony, imprisonment of up to 5 years.	§750.414: Motor vehicle; use without authority but without intent to steal. Misdemeanor penalties.	§750.362a: Larceny of rented motor vehicle. Misdemeanor & felony penalties depending on value.	§750.529a: Carjacking; felony penalties.
Minnesota	§609.52: Theft, including motor vehicle. Imprisonment and Fines.	Not Specified; May be covered under rental theft provisions in §609.52.	Not Specified; May be covered under rental theft provisions in §609.52.	Not Specified. May be prosecuted under general robbery statute.
Mississippi	§97-17-41. Grand larceny, taking of a motor vehicle, felony. §97-17-42: Taking possession of or taking away a motor vehicle, felony. §97-17-61: lower level of vehicle larceny.	Not Specified	Not Specified; May be prosecuted under general rental theft provision §97-17-62.	§97-3-117 et seq.: Provides crime and penalties for carjacking; attempted carjacking; armed carjacking.
Missouri	§570.030: Stealing, includes motor vehicles. Class B and C felony crimes.	Not Specified	§578.150: Failure to return rented motor vehicle. Misdemeanor & felony penalties.	Not Specified. §578.305 criminalizes bus hijacking.
Montana	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	§45-6-308: Unauthorized use of motor vehicles. Imprisonment up to 6 months and fine not exceeding \$500.	Not Specified; May be prosecuted under general rental theft provision §45-6-309.	Not Specified. May be prosecuted under general robbery statute.
Nebraska	§28-511: Theft of movable property by unlawful taking or disposition.	§28-516: Unauthorized use of a propelled vehicle, misdemeanor penalties.	§28-511: Theft of rental vehicle included in theft statute.	Not Specified. May be prosecuted under general robbery statute.
Nevada	§205.228: Grand larceny of motor vehicle, felony penalties. §205.2715: Unlawful taking of vehicle, gross misdemeanor.	Not Specified	§205.2747. Unlawful conversion of leased motor vehicles.	Not Specified. May be prosecuted under general robbery statute.
New Hampshire	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	§637:9: Unauthorized use of propelled vehicle.	§637:9: Unauthorized use of rental vehicle, failure to return.	Not Specified. May be prosecuted under general robbery statute.

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New Jersey	§2C:20-2.1 & § 2C:20-2.2: Provides additional penalties for theft or taking of motor vehicle.	Not Specified	Not Specified	§2C:15-2: Carjacking, 1 st degree crime.
New Mexico	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	Not Specified	§30-16-40; §30-16-39: Fraudulent acts to obtain or refusal to return a leased vehicle. Misdemeanor or felony depending on value of vehicle.	Not Specified. May be prosecuted under general robbery statute.
New York	Penal §155.30: Grand larceny in the 4 th degree when motor vehicle is stolen with a value of \$100 or more. Class E felony.	Penal §165.08: Unauthorized use of a vehicle in the first degree. Felony penalties.	Not Specified	§160.10: Robbery in the second degree. Forcibly stealing a car when a person is present. Class C felony.
North Carolina	Theft of automobile not specifically enumerated. May be prosecuted under general larceny statutes.	§14-72.2: Unauthorized use of a motor-propelled conveyance. Misdemeanor and felony penalties.	Not Specified	Not Specified. May be prosecuted under general robbery statute.
North Dakota	§12.1-23-05: Provides that theft of automobile is a class C felony.	§12.1-23-06: Unauthorized use of a vehicle. Class A misdemeanor or class C felony.	Not Specified	Not Specified. May be prosecuted under general robbery statute.
Ohio	§2913.02: Grand theft of a motor vehicle, a felony of the fourth degree.	§2913.03: Unauthorized use of a vehicle, misdemeanor or felony penalties.	Not Specified	Not Specified. May be prosecuted under general robbery statute.
Oklahoma	21 Okl. St. §1720: Stealing of an automobile. Felony, 3-20 years in prison.	Not Specified	21 Okl. St. §1521: Lease or rent a vehicle with intent to defraud.	Not Specified. May be prosecuted under general robbery statute.
Oregon	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	§164.135: Unauthorized use of a vehicle, class C felony.	§164.138: Criminal possession of a rented or leased motor vehicle, class C felony.	§164.395: Robbery in 3 rd degree. Threat or use of force upon a person while in the course of committing theft or unauthorized use of a vehicle.
Pennsylvania	18 Pa.C.S. §3934: Theft of a motor vehicle, provides misdemeanor and felony penalties.	18 Pa.C.S. § 3928: Unauthorized use of automobiles, misdemeanor in 2 nd degree.	Not Specified; May be prosecuted under rental theft provision 18 Pa.C.S. § 3932.	18 Pa.C.S. §3702: Robbery of a motor vehicle. Felony in the 1 st degree.
Rhode Island	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	Not Specified	§ 11-18-20: Obtaining, renting, vehicles with intent to defraud. Prison up to a year or \$500 or both.	§11-39-2: Robbery; seizing a vehicle from its lawful owner, lessor, or occupant by force or threat of force.
South Carolina	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	§ 16-21-60: Use of vehicle without permission, misdemeanor.	§16-13-420: Failure to return rented objects, including motor vehicles. Misdemeanor or felony depending on value of vehicle.	§16-3-1075: Felony carjacking. Up to 20 years in prison or 30 if injury results.

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South Dakota	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	§22-30A-12: Operation of vehicle or vessel of another without consent. Class 1 misdemeanor.	Not Specified; May be prosecuted under rental theft provision §22-30A-13.	Not Specified. May be prosecuted under general robbery statute.
Tennessee	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	§39-14-106: Unauthorized use of automobiles and other vehicles, class A misdemeanor.	Not Specified	§39-13-404: Carjacking, a class B felony.
Texas	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	Penal Code §31.07: Unauthorized use of a vehicle is a jail felony.	Not Specified	Not Specified. May be prosecuted under general robbery statute.
Utah	§76-6-412: Theft of property punishable as a felony of the second degree if the property stolen is an operable motor vehicle.	§41-1a-1314: Unauthorized control of a motor vehicle.	§76-6-410.5: Theft of a rental vehicle.	§76-6-302: Aggravated robbery when takes or attempts to take an operable motor vehicle. 1 st degree felony.
Vermont	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	Not Specified	13 V.S.A. §2592: Failure to return a rented or leased motor vehicle. Up to 5 years in prison or \$5,000 fine or both.	Not Specified. May be prosecuted under general robbery statute.
Virginia	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	§18.2-102: Unauthorized use of a vehicle.	§18.2-117: Failure of bailee to return vehicle. §18.2-206: Procuring a vehicle w/ intent to defraud	§18.2-58.1: Carjacking. Felony penalty w/ minimum 15 years and maximum of life imprisonment.
Washington	§9A.56.065: Theft of motor vehicle, a class B felony. §9A.56.078: provides civil action for motor vehicle crimes.	§9A.56.070; §9A.56.075: Taking motor vehicles w/o permission in the 1 st & 2 nd degrees. Class B & C felonies.	Not Specified; May be prosecuted under rental theft provision §9A.56.096.	Not Specified. May be prosecuted under general robbery statute.
West Virginia	Theft of automobile not specifically enumerated. May be prosecuted under general theft statutes.	Not Specified	Not Specified	Not Specified. May be prosecuted under general robbery statute.
Wisconsin	§943.20: Theft statute includes movable property.	§943.23: Operating vehicle without owner's consent. Misdemeanor and felony penalties.	Not Specified; May be prosecuted under rental theft provision in §943.20.	§943.23: includes use of weapon and threat or use of force to take vehicle w/o consent of owner, class C felony.
Wyoming	§6-3-402: Larceny, includes driving away property of another with intent to deprive.	Not Specified	Not Specified	Not Specified. May be prosecuted under general robbery statute.

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