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# Reducing Automobile Thefts

Explanatory Notes on  
Act II of the Uniform Vehicle Code

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National Conference on Street and Highway Safety  
WASHINGTON, D. C.

THE NATIONAL CONFERENCE on Street and Highway Safety was organized in 1924 under the chairmanship of Secretary of Commerce Hoover. General sessions of the Conference were held in December, 1924, and March, 1926, at which a comprehensive program for traffic improvement was adopted, including a Uniform Vehicle Code of proposed state laws. The Conference has also prepared a Model Municipal Traffic Ordinance for use of cities and towns.

These reports, as well as other material bearing on the traffic program, are obtainable from the National Conference on Street and Highway Safety, 1615 H Street, N. W., Washington, D. C., or directly from any of the following associations cooperating in the organization and financing of the Conference:

- American Automobile Association
- American Electric Railway Association
- American Mutual Alliance
- American Railway Association
- Chamber of Commerce of the United States
- Motor and Equipment Association
- National Association of Taxicab Owners
- National Automobile Chamber of Commerce
- National Bureau of Casualty and Surety Underwriters
- National Safety Council.

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## REDUCING AUTOMOBILE THEFTS

### Explanatory Notes on Act II of the Uniform Vehicle Code

**T**HE purpose of this pamphlet is to explain briefly the features of Act II of the Uniform Vehicle Code, which is known as the Uniform Motor Vehicle Anti-Theft or Certificate of Title Act.

Although definite statistics are not available, it is well known that automobile accidents often involve stolen cars. The individual who steals a machine is likely to be a dangerous and reckless driver. He may not be accustomed to driving a car, or, if he is, he may be unfamiliar with the make or type he has stolen, and thus be a still greater menace to other persons using the road. After stealing an automobile, the thief is naturally fearful of detection and, therefore, drives with little or no thought for the safety of others, particularly when being pursued.

In recognition of the problem of stolen car accidents, the First National Conference on Street and Highway Safety stated that:

"All of the states should adopt the principle of certification and registration of automobile titles as one of the most important and effective means for reducing thefts, and, by virtue of this result, owing to the causal relation between the theft and accident hazards, also a measure of improving the present public accident situation. This legislation should be uniform and should contain adequate provision for enforcement, with proper penalties for violation."

Automobiles attract thieves because in many localities they may be disposed of easily and with little risk. In some states they may be transferred and the vehicle be registered under the new owner's or supposed owner's name with practically no check on the actual ownership.

To meet the problem an Anti-Theft Act was included in the Uniform Vehicle Code drafted by the National Conference on Street and Highway Safety in cooperation with the National Conference of Commissioners on Uniform State

Laws and approved by the American Bar Association. The Code consists of:

- A Uniform Motor Vehicle Registration Act
- A Uniform Motor Vehicle Anti-Theft Act
- A Uniform Operators' and Chauffeurs' License Act
- A Uniform Act Regulating the Operation of Vehicles on Highways.

The Anti-Theft or Certificate of Title Act was based on the previous Model Auto Anti-Theft Act and constitutes a recodified and improved form of the earlier model which had been enacted in a number of states. Representatives of the National Board of Fire Underwriters, which sponsored the previous act, cooperated in the revision. The revised act has been enacted in several states since it was prepared in 1926.

Information as to the progress in anti-theft legislation in the various states and the tangible results where it is in effect is contained in a pamphlet "How Shall We Reduce Auto Thefts?" by James J. Hoey. This pamphlet can be obtained from the National Conference on Street and Highway Safety.

Automobile thefts are largely an interstate problem. A criminal may steal a car in one of the states having title laws and sell it in a state which does not have such protective legislation. Therefore, the effectiveness of the system will increase as more and more states put it into effect.

#### Definitions and Application of Act

Section 1 of the Act consists of definitions. It is suggested that in considering the Act its substantive matters be read first without prior detailed consideration of the definitions. Standing alone these definitions might raise numerous questions, but they are prepared to fit the context of the Act. It is suggested that if, upon reading the provisions of the Act, any question arises as to the meaning of the terms used therein, reference then be made to the particular definition to determine whether or not the provision is clear and explicit and conveys the thought that is intended.

## Exemptions

Section 2 exempts government owned cars under the Act, the desirability of which is apparent. These two sections constitute Title I.

## Certificates of Title and Registration Cards

Sections 3 to 11 inclusive, relating to certificates of title and registration cards, constitute Title II. In considering the Act, and particularly Title II, it may be borne in mind that the Act includes several more or less independent provisions designed to prevent or discourage the theft of motor vehicles. Thus the certificate of title provisions of this Title could be omitted without invalidating the remainder of the Act, where the existing law already provides for such certificate, or where it is deemed inadvisable to require it. However, it should be emphasized that the Act has been drafted to deal with the whole subject in a comprehensive way, based on the best experience in states having title laws, and if enacted in its entirety will insure proper coordination of all provisions.

## Certificates Required for Registered Vehicles

Section 3 requires that the owner of every motor vehicle, in order to have it registered or reregistered, must present a certificate of title or satisfactory evidence that one has previously been issued to him by the Vehicle Department. To make this provision effective, paragraph (b) prohibits the operation of any vehicle without such certificate.

## Application for Certificate

The application for a certificate of title requires certain information to be filed by the motor vehicle owner as outlined in Section 4. This information, which furnishes a permanent record of the vehicle, is divided into two general classes—that whereby the vehicle itself can be positively identified, and that affecting the owner's title to the vehicle. In the first class, besides the make and type of

vehicle, are included the engine and serial numbers; in the second class, any liens or encumbrances against the vehicle.

All of this information is deemed necessary to determine whether the applicant is in fact the true owner of the vehicle and entitled to a certificate.

### Issuance of Certificate

Section 5 provides that the Vehicle Commissioner, when satisfied that the applicant is the owner of the vehicle, shall issue a certificate of title containing the information required in the application therefor, with forms on the reverse side for assignment of title or interest.

The most important part of the Section and, in fact, of the whole Act, is the requirement that the Department shall maintain an engine number index and a serial number index of registered motor vehicles, and shall check all applications against these indexes, as well as against the Stolen and Recovered Motor Vehicle Index provided for in Section 12. The automobile thief can readily disguise the stolen car by altering or mutilating the engine and serial numbers, but with indexes of these numbers maintained by the Vehicle Department and checked against in the case of each application for a certificate and registration, the stolen car becomes unsalable.

Paragraph (b) of Section 5 makes the certificate good for the life of the vehicle, provided it does not change owners. It is believed that the certificate plan should be regarded solely as a protection to vehicle owners, and not as a means of revenue.

### Registration Cards

Section 5½ treats of the issuing of a registration card to the owner. This section is unnecessary in those states where the Uniform Motor Vehicle Registration Act, which contains identical provisions, is enacted, or where the state law already contains them.

## Endorsement and Delivery of Certificate of Title

The owner who sells or transfers his title or interest in a motor vehicle must follow a simple procedure, as embodied in Section 6. In the transfer of the ownership the certificate of title must be endorsed by the owner to the transferee. The transferee thereupon presents the certificate to the Department with application for a new certificate.

Sections 7, 8, and 9 give certain administrative powers to the Department. Sections 10 and 11 deal respectively with the offenses of making a false statement and altering with fraudulent intent any certificate of title, the latter offense being designated a felony.

## Special Anti-theft Provisions

As a further means of discouraging the stealing of motor vehicles, the Act contains three special anti-theft provisions designated as Title III.

## Report of Stolen and Recovered Motor Vehicles

County sheriffs and police officers are required under Section 12 to report stolen cars to the Department, which is required to index them by motor and serial numbers. The Department is also required to file similar reports received from other states. This procedure is deemed important to centralize the information on stolen cars within the state and bring about coordination of action among the various states.

Sections 4 and 5, as previously pointed out, make it practically impossible to obtain a certificate of title for a motor vehicle with altered engine or serial numbers. It becomes necessary, therefore, to provide for a certificate and registration for the rightful owner of a stolen car whose number or numbers have been altered or mutilated. Section 13, therefore, provides for the assignment of a special engine, or serial number to such rightful owner. Paragraph (b) of Section B defines as a felony the act of a person who with fraudulent intent shall deface, destroy, or alter any engine or serial number.

## Receiving or Transferring Stolen Vehicles

Section 13 $\frac{1}{2}$  designates as a felony receiving or transferring stolen motor vehicles. The importance of such a provision is obvious.

## Licenses for Dealers in Used Motor Vehicles and Automobile Theft Fund

Title IV relates to the licensing of used car dealers and the Automobile Theft Fund. Inasmuch as used car dealers have opportunity either to assist in preventing the disposal of stolen vehicles, or, through negligence or lack of interest, to allow this to go on unhampered, it is deemed proper to require that they be licensed, and that they maintain records of purchases and sales and possession of certificates of title. Sections 14, 15, and 16 so provide.

A fund is created in Section 17 wherein all fees and renewals received under the Act shall be deposited, and such fund shall be used in paying the expenses incurred by the Act. This avoids any extra burden of expense being put upon the state.

Section 17 also authorizes the Department with the written approval of the Governor to appoint deputies to assist in carrying out the Act.

## Penalties

Penalties are covered in Title IV, embracing Sections 18-20, dealing respectively with false statement, misdemeanor, and felony. In the case of felony, minimum as well as maximum penalties are specified; in the case of the other two offenses, maximum only.

## Effect of Act

Sections 21-25, grouped as Title VI, are standard provisions the desirability of which is apparent.



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