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Motor vehicle offences, Continued...

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Disposing of seized property

- Disputed ownership

Taking, conversion and interference

- Actual taking or conversion
 - Parked converted vehicles
 - Abandoned converted vehicles
 - Mobile converted vehicles
- Attempts and interference
- Getting into or upon a vehicle
- Claim of ownership
- Overdue rental vehicles



Overview

This section contains the following topics:

- [Additional information](#)
- [Table of definitions](#)

Executive summary

This chapter relates to motor vehicle crime and the relevant offences. It includes attempts at these offences and possession of the necessary instruments. Techniques with disguising and disposing of stolen vehicles including those on hire purchase and rental vehicles are also covered to assist investigators.

Additional information

For further information on the law relating to wreckers and motor vehicle dealers, see the ['Dealers and traders'](#) chapter of the Police Manual.

For details on the crime of theft, see the ['Theft'](#) chapter of the Police Manual.

For further information on the law relating to vehicle registration, see the ['Motor vehicle registration and licensing'](#) chapter of the Police Manual.

Table of definitions

This table defines terms relevant to this chapter.

| Term | Definition |
|-----------------------|--|
| Claim of right | Means a belief at the time of the act in a proprietary or possessory right in property in relation to which the offence is alleged to have been committed, although that belief may be based on ignorance or mistake of fact or of any matter of law other than the enactment against which the offence is alleged to have been committed (section 2 - Crimes Act 1961). For example: <ul style="list-style-type: none"> • a person gets into a car driven by another without knowing it has been taken or converted • a person honestly believes an action would be authorised by the owner. |
| Instrument | Any instrument capable of being used for taking or converting any vehicle, ship or aircraft with intent to use it for such a purpose - section 227 of the Crimes Act 1961 Instruments include: <ul style="list-style-type: none"> • tools such as, screwdrivers, spring punches (for breaking windows), adjustable wrenches • electronic devices for compromising vehicle security systems • keys • articles made or altered for the purpose of committing the offence, such as bent wire for inserting between window rubbers to release locked door handles. |



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| | |
|----------------------|---|
| Motor vehicle | <p>Under section 2(1) of the Land Transport Act 1998, 'motor vehicle':</p> <ul style="list-style-type: none">• means a vehicle drawn or propelled by mechanical power; and• includes a trailer; but• does not include:<ul style="list-style-type: none">- a vehicle running on rails; or- a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force; or- a trailer running on one wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres; or- a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles; or- a pedestrian-controlled machine; or- a vehicle that the agency has declared under section 168A is not a motor vehicle; or- a mobility device. |
| Possession | <p>Possession means physical possession and includes:</p> <ul style="list-style-type: none">• having the instrument on one's person, or being on a joint enterprise with someone who has (where several people are involved, possession by one can be possession by all, as parties to the offence)• having almost immediate access to the instrument (the suspect must have knowledge of the common enterprise and of the instrument's existence. Such knowledge may be inferred from the circumstances). |
| Unlawful | <p>Unlawful means without lawful justification. It would not be unlawful to remove a vehicle from a burning building without the owner's authority.</p> |
| Vehicle | <p>Under section 2(1) of the Land Transport Act 1998, 'vehicle' means a contrivance equipped with wheels, tracks or revolving runners on which it moves, or is moved; and:</p> <ul style="list-style-type: none">• includes a hovercraft, a skateboard, in-line skates, and roller skates; but• does not include:<ul style="list-style-type: none">- a perambulator or push chair- a shopping or sporting trundler not propelled by mechanical power- a wheelbarrow or hand trolley- a pedestrian-controlled lawnmower- a pedestrian-controlled agricultural machine not propelled by mechanical power- an article of furniture- a wheelchair not propelled by mechanical power- any other contrivance specified by the rules not to be a vehicle for the purposes of this definition- any rail vehicle. |

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Motor vehicle offences, Continued...

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Offences

This table details offences relevant to this chapter.

| Offence | Ingredients | Penalty/category |
|---|---|---|
| Conversion of vehicle or other conveyance Section 226(1)(a) - Crimes Act 1961 | <ul style="list-style-type: none"> • dishonestly and without claim of right but not so as to be guilty of theft • took or used for their own purpose, or another person's purposes any: <ul style="list-style-type: none"> - vehicle, ship, or aircraft, or - part of any vehicle, ship or aircraft, or - any horse | 7 years imprisonment, Category 3 offence. |
| Attempted conversion of vehicle or other conveyance Section 226(2) - Crimes Act 1961 | <ul style="list-style-type: none"> • attempted to commit the offence of conversion of vehicle or other conveyance <p>Note: For the element of attempt, see the 'Attempts' chapter. Where it is difficult to prove attempted conversion, consider the offence of unlawful interference.</p> | 2 year imprisonment, Category 3 offence. |
| Unlawful interference with vehicle or other conveyance Section 226(2) - Crimes Act 1961 | <ul style="list-style-type: none"> • dishonestly and without claim of right, interfered with or got into or upon any: <ul style="list-style-type: none"> - vehicle - ship, or - aircraft <p>Note: There is no provision for attempted interference.</p> | 2 year imprisonment, Category 3 offence. |
| Possession of instrument for conversion Section 227 - Crimes Act 1961 | <ul style="list-style-type: none"> • had in their possession • any instrument capable of being used for taking or converting any: <ul style="list-style-type: none"> - vehicle - ship, or - aircraft • with intent to use it for such a purpose • without lawful authority or excuse | 1 year imprisonment, Category 2 offence. |
| Receiving Section 246 and 247 - Crimes Act 1961 | See the ' Receiving ' chapter for the ingredients. | 7 years imprisonment, Category 3 offence (s247 (a)). 1 year imprisonment and 3 months imprisonment respectively, Category 2 offence (s247 (b) or (c)). |

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Motor vehicle offences, Continued...

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| | | |
|---|--|---|
| Supplying false or misleading information relating to change of ownership Section 20 and 26(1)(e) - Transport (Vehicle and Driver Registration and Licensing) Act 1986 | <ul style="list-style-type: none">• knowingly supplies misleading or false information of change of ownership of vehicle• to the Registrar, or to any person who is to make notification under section 20 | Fine not exceeding \$1,000 Category 1 offence. |
|---|--|---|

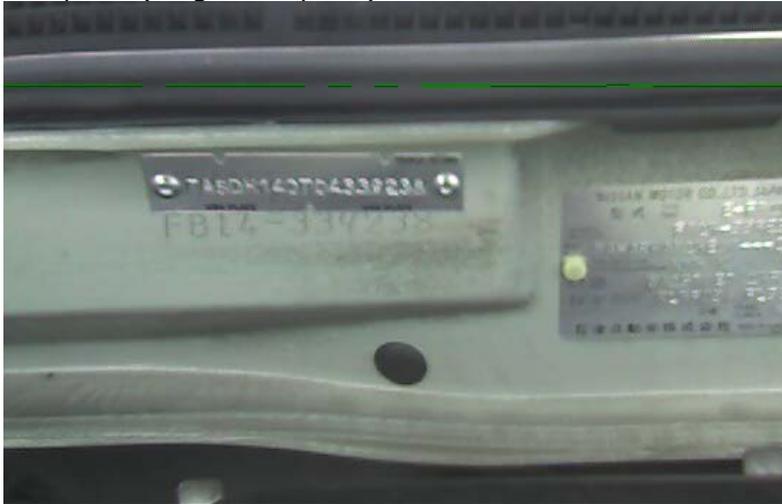
Note: You can arrest without warrant under section [315\(2\)](#) of the Crimes Act 1961 any person you find committing or have good cause to suspect has committed an offence punishable by imprisonment.



Vehicle identification

Vehicle identification features

This table details some vehicle identification features.

| Feature | Explanation |
|------------------------------|---|
| <p>Chassis number</p> | <p>The chassis number will in almost all cases be stamped in the top middle on the bulkhead or firewall. It will also appear on the manufacturer's vehicle identification plate. This is a silver "credit card" sized plate riveted to the firewall. On some SUV's the chassis number may be stamped on the chassis rail.</p> <p>In the picture below it is the number stamped under the VIN plate (long silver plate).</p>  |
| <p>Engine number</p> | <p>This is stamped on the engine block on a flat machined area. It may or may not contain the model type.</p> |
| <p>Licence label</p> | <p>Licence labels are attached to the windscreen and look like this.</p>  |



Motor vehicle offences, Continued...

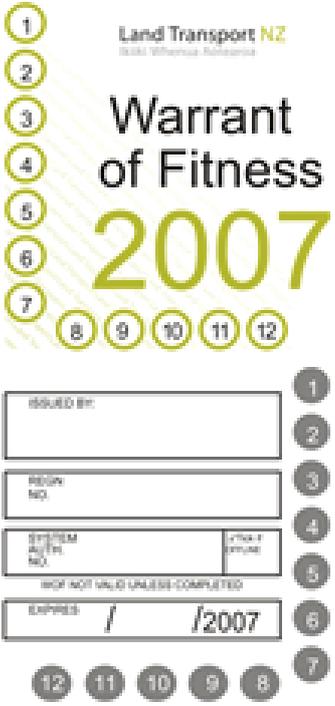
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| | |
|---|--|
| <p>Manufacturer's vehicle identification plate</p> | <p>This is a tag fixed inside the engine compartment, usually on the firewall, or a stamp on a panel. It may consist of an engine model type and the chassis number. On imported or specially modified vehicles it is located on the right hand side of the engine bay beside the suspension strut mount.</p>  |
| <p>Registration number plates</p> | <p>Under section 2 of the Transport (Vehicle and Driver Registration and Licensing) Act 1986) registration plate means any registration plate issued under the Transport Act 1962 or the Transport (Vehicle and Driver Registration and Licensing) Act 1986. These plates are attached to the front and rear of the vehicle and look like this.</p>  |
| <p>Vehicle identification number (VIN)</p> | <p>This is stamped directly onto the chassis or an aluminium tag on imported vehicles. The VIN is always 17 digits in length. The last 6 digits will match the last 6 digits of the chassis number. See Vehicle Identification Numbers. The VIN number may also be etched into the lower left of the rear window of the vehicle</p> |



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| | |
|--|---|
| <p>Warrant of fitness (WoF) label</p> | <p>If a vehicle passes its WoF check, a WoF label will be attached to the inside of the front windscreen, on the same side as the steering wheel. The circle showing the month the WoF expires will be punched out when the WoF is issued. WoF labels look like this.</p>  |
| <p>Low Volume Vehicle Certification Plate</p> | <p>Vehicles such as modified, specialist or 'scratch-built' vehicles require a low volume certificate issued by the Low Volume Vehicle Technical Association (L V V T A). See the L V V T A website for further information.</p> <p>Information identifying the vehicle and its specifications or modifications is detailed on the Low Volume Vehicle Certification Plate. The plate is typically fixed to the firewall or near the suspension strut mount in the engine bay. An example is shown below:</p>  |

In addition to the above, there are other codes and numbers, which vary between manufacturers. For example, a:

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- commission number (the manufacturer's production number)
- manufacturer's tracking number
- contract number.



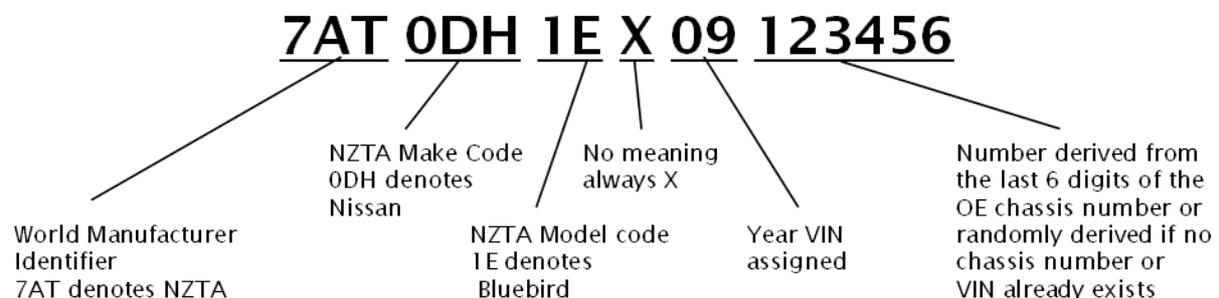
Vehicle Identification Numbers

This section contains the following topics:

- [What is a Vehicle Identification Number \(VIN\)?](#)
- [Who needs a VIN?](#)
- [Exempt vehicles](#)
- [Obtaining a VIN](#)
- [Positioning a VIN](#)
- [Affixing a VIN](#)
- [Query Vehicle Registration](#)
- [Vehicle notes](#)

What is a Vehicle Identification Number (VIN)?

A VIN is a 17 character series of digits and letters, whose structure is determined by an international standard. Every VIN is unique and is similar to this example:



Detailed information on the Make, Model and Vehicle Type Codes, or any information relating to drivers licences or motor vehicles can be requested via xxxxxxxxxx@xxxx.xxvt.nz

Note: The letters I, O, Q, S, U, V & Z are not used in either the 7A8 or 7AT VIN.

Who needs a VIN?

With the [exception](#) of the vehicles listed below, a VIN must be assigned and affixed to every vehicle manufactured in, or imported into, New Zealand on or after 1 February 1994. In addition, every such vehicle must be certified to comply with the [Land Transport Rule: Vehicle Standards Compliance 2002](#). **No** vehicle may be registered until these requirements are met.

Note: In the case of vehicles that are manufactured or imported in large quantities, the manufacturer or importer takes care of the pre-registration.

Previously registered vehicles that are being re-registered or vehicles that are manufactured or imported (whether used or new) in small quantities, are processed by VIN Issuing Agents authorised by the NZTA which are:

- The Automobile Association
- Vehicle Testing NZ Ltd
- Vehicle Inspection (NZ) Ltd.

Note: Any vehicle that is put back on the road after being written off must go through the pre-registration process, and be re-registered.

Exempt vehicles

These vehicles do not require a VIN and are exempt from the pre-registration process:

- [mopeds](#)
- light trailers (those with a gross weight of less than 3,500kg)



Motor vehicle offences, Continued...

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- tractors (including traction engines)
- self-propelled agricultural machines
- trailers not designed for normal highway use
- mobile machines not designed for normal highway use.

Obtaining a VIN

A VIN is obtained by entering the vehicle's data into the NZTA computer, LANDATA. Where possible, the computer will use the last seven digits of the chassis number as the last seven digits of the VIN. If these numbers have already been assigned to another vehicle, it will assign a different number that does not include the chassis number at all.

Positioning a VIN

The VIN must be located on a non-removable structural part of the vehicle and in such a position that it can be easily read. It must not obscure an existing chassis number.

| In/on | the VIN is located |
|---|--|
| motorcycles | under the rider's seat or on the neck of the frame. |
| passenger cars and off-road passenger vehicles | in the engine compartment: <ul style="list-style-type: none"> • on the right hand side of the firewall, or • on the right hand side, adjacent to the mounting point of the front suspension, or • in a location approved by the Director NZTA, for a specified vehicle or model. Note: If the vehicle has a rear window, the VIN must also be etched on it, as close as practical to the bottom left corner. |
| passenger vehicles (vans) and off-road vehicles | in the passenger compartment: <ul style="list-style-type: none"> • on top of the right hand wheel arch, adjacent to the seat cushion, or • on the inner panel of the right hand 'A' pillar, adjacent to where the floor meets the 'A' pillar. Note: If the vehicle has a rear window, the VIN must also be etched on it, as close as practical to the bottom left corner. |
| vehicles with a separate chassis – for example, some goods vehicles, some utility vehicles, some passenger vehicles and some heavy trailers | on the outside of the chassis, adjacent to the right front wheel arch. In vehicles of these classes that do not have a separate chassis, the VIN is located as for vans and off-road vehicles, above. |

Affixing a VIN

In all cars and vans, and trucks and buses that do not have a separate chassis, the VIN is embossed on a plate, which is affixed to the vehicle in the locations described above. The plate is affixed in this way.

| Step | Action |
|------|--|
| 1 | Prepare the area to which the plate is to be fixed. |
| 2 | Remove the backing paper from the plate. |
| 3 | Stick the plate firmly to the chosen area. |
| 4 | Drill two holes in the firewall/panel corresponding to the holes in the plate. |
| 5 | Rivet the plate to the firewall/panel. |

Note: In motorcycles and trucks and buses that have a separate chassis, the VIN is stamped directly onto the chassis or frame in the locations described above.



Motor vehicle offences, Continued...

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If an incorrect VIN has been stamped onto a chassis, there are these two ways to correct it.

| Where. . . | then. . . |
|---------------------------------------|---|
| up to three numbers are incorrect | these numbers are over-stamped with an 'X' and the correct numbers stamped above or below them. |
| more than three numbers are incorrect | all 17 digits are over-stamped with an 'X' and the correct numbers stamped above or below them. |

Query Vehicle Registration

| If. . . | then. . . |
|---|---|
| a vehicle has been given a VIN | it will be displayed on a Query Vehicle Registration (QVR), in the chassis/VIN portion of the screen/print-out. |
| a vehicle has not been given a VIN | the chassis/VIN portion of the screen/print-out will show only the chassis number. |

Vehicle notes

Inspectors at vehicle testing stations can enter notes into the LANDATA computer. These notes are accessed when there are queries about a vehicle. For example, if a number is stamped incorrectly onto the chassis of a heavy vehicle, the mistake is entered into the notes, and can then be accessed by NZTA and staff of vehicle testing stations.

Note: Police access the notes through NZTA or their nearest vehicle testing station.



Disguising and disposing of stolen vehicles

This section contains the following topics:

- [‘Ringing’ or ‘re-birthing’](#)
- [Rebuilding wrecked vehicles](#)
- [Rebuilding stolen vehicles](#)
- [Double ringing](#)
- [Double stealing](#)
- [Re-registering stolen vehicles](#)
- [Insurance fraud](#)
- [Dismantling for spare parts](#)
- [Penalties](#)
- [Personal Property Securities Act 1999](#)

‘Ringing’ or ‘re-birthing’

Where a vehicle has been abandoned, damaged or poorly maintained, its only value may be in its identity - that is, the registration plates, VIN tag/number and chassis and engine numbers. A buyer may transfer these to a stolen vehicle, pass that vehicle off as the first one, and sell it. This is known as ‘ringing’. The offender is usually a wrecker, panel beater or backyard rebuilder.

The practice used to be common with insurance wrecks, but it is now illegal to sell such wrecks with their identity. Under section 6 of the Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011, the insurance company or other owner of a vehicle that has been written off must notify the registrar that the vehicle has been destroyed, and return to the registrar the licence plates and current licence.

Rebuilding wrecked vehicles

In this process, the wrecked vehicle retains its identity and is rebuilt with parts from stolen ones. The rebuilt vehicle may be sold, or retained by the offender.

Rebuilding stolen vehicles

This process involves replacing a stolen vehicle’s identity with that of a wrecked one. It differs from ringing in that the suspect makes superficial changes to the vehicle and represents it as rebuilt. The suspect may even cause minor damage and then repair it, to make the rebuild look more genuine.

Although the scenarios below are possible they are rare. The main way to disguise cars or rebirth them, and by far and away the most common method, is:

- an offender will obtain registration plates, VIN tag and a chassis number. They may buy these or get them from a vehicle that they own. Occasionally the registration for these is placed on hold
- the offender then steals a very similar car and swaps all the identification numbers and tags from his deregistered car onto the stolen car and registers and warrants it with a new plate.

Note: ‘Re-birthing’ generally happens within 48 hours - the offender’s legitimate car is usually dumped.

A majority (90%) of all vehicles imported between 1988 and 1994 have no engine numbers recorded or NZTA inspectors have just put the last few numbers of the chassis in as an engine number thus negating the need to disguise them. This is particularly the case with the car of choice for boy racers like drift cars such as Nissan Cefiro and Skyline. These cars feature predominately in un-recovered cars statistics.



Motor vehicle offences, Continued...

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Double ringing

Double ringing is even more difficult to detect because several vehicles are involved. This table shows the process of double ringing.

| Stage | Description |
|-------|---|
| 1 | The offender buys a wreck (vehicle number one) and a vehicle (number two), and steals a third vehicle (number three). All are of the same make and model. |
| 2 | The plates from number one are transferred to number two, and the plates from number two are transferred to number three. Car number one is destroyed, as are the identification plates from number three. |
| 3 | Number two (with number one's identification) is sold as a rebuilt wreck. Number three (with number two's identification) is also sold. Neither car is likely to be identified as stolen because both number one and number two were bought legitimately. It is unlikely Police will examine car number three because car number two was never notified as a write-off. |

Double stealing

Double-stealing involves this process.

| Stage | Description |
|-------|--|
| 1 | The offender buys a wreck and transfers its identity to a stolen car of the same make and model. The identifying items from the stolen car are preserved. |
| 2 | The suspect sells the stolen car as a rebuild, preferably to a private cash buyer. |
| 3 | A week or so later, the offender steals it again and reattaches the original tags and plates. The car is then abandoned, recovered by Police and returned to the original owner - that is, the person from whom the offender stole it first. |
| 4 | In the meantime, the private buyer reports the theft, but the vehicle is never found because it does not exist under the identification and description supplied. |

Re-registering stolen vehicles

This is a two-stage process.

| Stage | Description |
|-------|---|
| 1 | A new or near-new vehicle is stolen along with the identification used in an application to register a motor vehicle. |
| 2 | Upon receiving the licence label, registration certificate and plates, the offender can change the identity of the stolen vehicle and sell it to an innocent buyer. The offender may supply a false name and address, making their identity difficult to establish. |

A variation on this method involves this process.

| Stage | Description |
|-------|---|
| 1 | The offender obtains the engine and chassis numbers from a parked car and re-registers it, then steals the vehicle. |
| 2 | The original engine and chassis numbers are altered slightly on the application to register. When the vehicle is stolen, its numbers are altered to correspond with the new certificate of registration. Thorough examination may reveal such alteration. |
| 3 | The vehicle is registered in a false name and address, and registration later changed into the offender's name. The suspect may have created records in an effort to 'prove' the legitimacy of the vehicle. |
| 4 | The offender hires a rental car and re-registers it as rebuilt. The vehicle is then sold to an innocent buyer, stolen back again and returned to the firm, within the hire period, with the original identification restored. This is a variation on double stealing. |

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Insurance fraud

This is the two-stage process.

| Stage | Description |
|-------|--|
| 1 | A wreck is bought for its certificate of registration and then destroyed or broken down for parts. The certificate of registration is used to insure the non-existent vehicle. The vehicle is later reported stolen and a claim lodged. Variations on this involve rental vehicles and finance companies. |
| 2 | <p>The owner of an insured vehicle arranges its theft and claims the insurance. The vehicle may later be found burnt out, or never recovered. In the latter case, the owner may delay reporting the theft to enable the thief to change the vehicle's identity or dispose of it as parts.</p> <p>The most common scenario is that a car is stolen for its parts and then stripped so that just the shell and chassis frame remain. This is then disposed of by taking it to a wrecker who by law is supposed to hold it for 2 weeks before taking it to a scrap metal dealer where it is destroyed. There are also companies who remove car bodies for free or for a fee. The company then process the car body for its scrap metal value. Offenders involved in insurance fraud may use this method of disposing of car bodies.</p> |

Dismantling for spare parts

To reduce the risk of detection, some stolen vehicles are dismantled for spare parts rather than sold complete.

Penalties

The courts can:

- order reparation for destruction of, or damage to property - section [32](#) Sentencing Act 2002
- disqualify a person convicted of an offence involving a vehicle - section [124](#) Sentencing Act 2002
- order the confiscation of motor vehicles used in committing offences that are punishable by at least one year's imprisonment - section [128](#) Sentencing Act 2002.

Personal Property Securities Act 1999

This [Act](#) sets up a national database accessible by authorised users, such as motor vehicle dealers, second-hand dealers, retailers, manufacturers, solicitors, lending institutions, banks, and Baycorp, who meet the criteria for registration and have paid a small fee. All types of security interests, except for those over land, may be registered (for example, hire purchase, interests over motor vehicles, aircraft, ships, machinery, consumer goods). The standard search fee is \$3.

Note: The High Court registers have been discontinued.

Unlike some previous legislation, registration under the Personal Property Security Act or the existence of an unregistered hire purchase agreement on certain goods does not constitute constructive knowledge of the existence of the security interest or its contents. However, the security agreement is enforceable against a third party (for example, a person unknowingly buying encumbered property) as long as the agreement adequately describes the property. The general rule that a purchaser cannot obtain a better title than the seller has not changed.

The Act does not change the fact that a thief cannot pass title; it merely prioritises competing legal interests. Nor does it stop prosecutions; for example, a person who sells a car that is still on hire purchase without revealing the security interests on the vehicle may be guilty of theft on the finance company and false pretences on the new owner.

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Stolen vehicle investigations

This section contains the following topics:

- [Theft](#)
- [Investigating a stolen vehicle](#)
- [When the vehicle is recovered](#)

Theft

For making enquiries with wreckers and motor vehicle dealers, see the '[Dealers and traders](#)' chapter of the Police Manual.

Investigating a stolen vehicle

The Police employee investigating a stolen vehicle complaint should follow these steps.

| Step | Action |
|------|--|
| 1 | When you receive the file, check that: <ul style="list-style-type: none"> • the NIA record contains all the details, including that the registration, engine and chassis numbers are correctly recorded • all initial action has been completed. |
| 2 | Update NIA to show: <ul style="list-style-type: none"> • the circumstances of recovery and whether the vehicle was used in other offences • the vehicle's description • where it was recovered • the value of the damage and/or the property stolen from the vehicle • the offender's modus operandi, especially when entering and taking the vehicle; for example, rear quarterlight window smashed, ignition barrel forced. |
| 3 | Consider liaising with Intel Section to analyse patterns of offending |

When the vehicle is recovered

The Police employee attending a recovered vehicle scene should follow these steps.

| Step | Action |
|------|--|
| 1 | Examine the vehicle: <ul style="list-style-type: none"> • to establish its true identity. Make sure it is the correct vehicle and not another vehicle with the stolen vehicle's registration numbers attached. Check engine and chassis number tags for signs of tampering, such as with double stealing • for fingerprints and DNA , paying particular attention to the: <ul style="list-style-type: none"> - rear vision mirror - windows - dashboard - driver's door - bonnet - boot - steering wheel - gear stick - handbrake lever • for evidence that might connect the suspect to other crimes. If the vehicle has been used in other crimes, consider contacting the Scene of Crime Officer (SOCO) for help with fingerprinting, and the ESR for help with collecting other evidence. |
| 2 | Complete a POL 268 for any property recovered from the vehicle. Note any articles that may have been left by the offender. |



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| | |
|---|--|
| 3 | Search the scene where the vehicle was recovered for articles dropped by the offender. |
| 4 | If a Card event: <ul style="list-style-type: none">• exists, inform the Communications Centre that the vehicle has been found for their update of Card event records• does not exist, update NIA occurrence/create 2R. |
| 5 | Clear any stolen vehicle alert from NIA. |
| 6 | Inform the owner. Do not rely on a 'Locate Vehicle' message for this. Refer to the National Recording Standard – Offences and Incidents (4.5 Vehicles). |
| 7 | Consider having the owner uplift the vehicle or authorise costs for Police to have it towed to a secure location. If the owner cannot be contacted and no authority to tow has been given, consider whether Police should tow the vehicle to a secure location at their cost. An attempt should later be made to recover costs from the owner. Removal of the vehicle may be necessary to prevent further loss or damage or to allow a forensic examination. |
| 8 | Complete correspondence: <ul style="list-style-type: none">• make enquiries promptly at the scene where the vehicle was recovered and record these on a Recovered Vehicle Job Sheet (POL 247)• record any identifiable property stolen from the vehicle in NIA 'item of interest' and attach a copy of the printout to the Job Sheet• submit the Job Sheet and attached printout to the member holding the file. |

For additional guidance, see '[Further enquiries](#)' in the section 'Seizing Property'.



Locating stolen vehicle suspects

This section contains the following topics:

- [Patrols](#)
- [Checking vehicle identification numbers](#)
- [Crime map](#)
- [Decoy vehicles](#)
- [Information](#)
- [Interviewing suspects](#)

Patrols

Patrol streets, car parks and the environs of public gatherings. Look for:

- people loitering near vehicles:
 - ask them why they are there
 - check for instruments of 'taking'
 - consider whether they have committed the offence of 'being found in a public place preparing to commit a crime' under section 28 of the Summary Offences Act 1981
 - the appearance and behaviour of vehicle occupants, especially when they have seen Police. Examples of suspicious situations include:
 - vehicles cruising slowly through residential and parking areas
 - drivers that are not familiar with the controls
 - young drivers that are speeding
 - vehicles that are out of character for the driver
 - occupants of garages, panel-beaters and wreckers working late at night
 - abandoned wrecks with their identification numbers removed (these numbers could be used on a stolen vehicle)
 - the condition of vehicles, for example:
 - missing or damaged ignition or door locks
 - an altered, defaced or missing VIN
 - an invalid or missing licence label or warrant of fitness
 - no registration plate light
 - a vehicle abandoned at the scene of an accident
 - the condition of registration plates, for example:
 - an old plate on a new vehicle or vice versa
 - a plate that has been disguised; for example, partially obscured with mud, black nugget or paint
 - one plate attached on top of another
 - cut and joined plates
 - plates carelessly or hurriedly attached
 - an old plate that has been attached with new bolts
- Note:** Although registration plates are the most commonly used identification numbers, they are also the most unreliable because they are accessible and easily removed.
- vehicles left unlocked with keys in the ignition (warn owners of the consequences)
 - vehicles that may have been unlawfully taken or stolen (check the identity of the occupants and vehicle).

Checking vehicle identification numbers

Many vehicles, especially motorcycles, have been registered using partial numbers including both engine and chassis or frame numbers.

Sometimes, the prefix denoting the model has been omitted. This can result in several vehicles being registered with the same numbers. When checking NIA records for a particular vehicle, you may miss the record if it has not been entered correctly. You should, therefore, use all variations of the identifying numbers. Try the number on its



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own; and with the model designation as a prefix, and again as a suffix. For example, a BSA Yamaha motorcycle with the number A65T8918, where A65T is the model designation, should be checked as:

- 8918
- A65T8918
- 8918A65T.

The NIA wild card search character "*" can be used for VIN, chassis number, frame number and engine number searches.

If one of the numbers comes up, check further that it is the stolen vehicle.

Information

Liaise with your HSMU to obtain CHIS information in relation to vehicle offending.

Interviewing suspects

Refer to the '[Investigative interviewing suspect guide](#)' chapter for guidance on interviewing suspects.



Searching premises for stolen vehicles

Procedure

Follow these steps.

| Step | Action |
|------|--|
| 1 | Search methodically for identifiable items such as vehicle identification numbers, warrants of fitness, and clothing, documents, tools or accessories taken from stolen vehicles. Look behind the registration plates of wrecks - the original registration number is sometimes outlined in dust on the body. |
| 2 | Check: <ul style="list-style-type: none">• registration plates, and engine, chassis and VINs against the VOI subsystem while you are still at the premises• warrant of fitness numbers in the POI subsystem• licence labels, by contacting enforcement@nzta.govt.nz. |
| 3 | Examine all: <ul style="list-style-type: none">• registration papers (afterwards, ask previous owners about the vehicle's present location)• books• telephone numbers• papers and letters•• financial records• car insurance papers• lists of registration numbers• hire purchase agreements• business cards• electronic devices including computers, phones and tablets for online records, e.g. Trademe deals. |
| 4 | Photograph vehicles of evidentiary value. |

Additional information: See the '[Crime Scene Examination](#)' and '[Search](#)' chapters of the Police Manual.



Seizing property

This section contains the following topics:

- [Seizure of items associated with stealing motor vehicles](#)
- [Seizing and returning vehicles](#)
- [Storing vehicles](#)
- [Further enquiries](#)
- [Additional seizure information](#)

For search powers refer to the '[Search](#)' chapter in the Police Manual.

Seizure of items associated with stealing motor vehicles

Items associated with stealing motor vehicles that should be seized include:

- Electronic devices including computers, phones and tablets that may contain records of online transactions
- metal stamps and dyes, for comparison with marks on disguised vehicles
- electric tools, especially those with a grinding wheel attached (the ESR can compare them with obliterated markings on the engine and chassis of stolen vehicles)
- documentary evidence
- control samples such as paint and plastic compounds
- tools for entry and starting vehicles, e.g. screw drivers, vice grips and poly grips.

Seizing and returning vehicles

Because storage is a problem, seize motor vehicles only when they are required, such as for court inspection.

Note: Do **not** retain vehicles while awaiting a prosecution unless you seek an order for disposal under subpart [6](#) of Part 4 of the Search and Surveillance Act 2012.

If a vehicle has been seized from an innocent purchaser, consider the impact on the victim. Once the vehicle has been correctly identified and photographed, return it to the lawful owner. Obtain a receipt. Tell the victim from whom the vehicle was seized that it has been correctly identified and returned.

There are usually strong pressures from owners or insurance companies for the return of seized vehicles. Do not retain them unnecessarily.

Additional information: For watch house procedures relating to seized vehicles, see the '[Property](#)' chapter of the Police Manual.

Storing vehicles

The Police are legally liable for loss or damage while seized vehicles are in their possession. Ensure that they are stored securely and protect them from deterioration. If you are storing them for long periods, obtain expert advice.

Further enquiries

Follow these steps.

| Step | Action |
|------|---|
| 1 | Try to complete your enquiries early, to prevent disposal of evidence. |
| 2 | When a vehicle is recovered, arrange for it to be: <ul style="list-style-type: none"> • photographed • searched and examined • identified. |



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| | |
|---|---|
| 3 | When identifying the vehicle ask the owner about: <ul style="list-style-type: none">- identifiable features- any control samples at home that might help the identification. These may include paint, fillers, off-cuts from accessories or tools for comparison with marks. |
| 4 | Ask the owner to: <ul style="list-style-type: none">• examine the vehicle and point out the identifiable features - do not hurry the examination• compare the chassis and engine numbers, if they have not been altered, with those on the registration certificate• make a written statement detailing the loss, the owner's identification of the vehicle on that date, the vehicle's identifying features and any differences observed. |
| 5 | Photograph the identifying features. |
| 6 | Consider making identification enquiries with previous owners. |

Additional seizure information

See the Search chapter, [Part 12 – Procedures applying to seized and produced things](#) for further information about seizure.



Examining suspected stolen vehicles

This section contains the following topics:

- [Preparation](#)
- [Examining vehicle identification plates and numbers](#)
- [Examining the exterior](#)
- [Examining the interior](#)
- [Suspected rebuilds](#)
- [Car rings](#)
- [Other charges](#)

Preparation

Follow these steps.

| Step | Action |
|------|---|
| 1 | See previous section on Vehicle Identification for the position of the VIN, engine and chassis numbers. If necessary, contact the manufacturer to find out its system of: <ul style="list-style-type: none"> • numbering and positioning (some numbers tell you the make, model, year, body and style - there are also engine and assembly plant codes) • assembly (this includes the position of welds). |
| 2 | Find out about previous damage, from the insurance assessor or the previous owner. |
| 3 | Have the necessary equipment, such as: <ul style="list-style-type: none"> • piece of cloth • pocket knife • wire brush • scraper • emery cloth • torch • piece of chalk • acetone • mirror on a flexible wire handle • pair of overalls • ground sheet • screwdrivers and spanners. |
| 4 | Ensure that the examination is conducted under the best possible conditions. Ideally, it should be in a Police garage or well-lit garage with pit or hoist. Remember: "Safety first" when conducting examinations. |
| 5 | To assist identification, ensure that the victim inspects the vehicle. |
| 6 | Plan to conduct the examination logically and methodically, completing the 'Vehicle Examination Sheet' (POL247). |
| 7 | For specialist assistance consider obtaining help from the manufacturer, the ESR, or a panel-beater, painter or mechanic. The ESR can: <ul style="list-style-type: none"> • take 'impregum casts' of re-stamped engine and chassis numbers (these casts help relate seized metal punches to stolen vehicles) • analyse paint layers. |



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Examining vehicle identification plates and numbers

Follow these steps.

| Step | Action |
|------|---|
| 1 | <p>Examine registration plates for:</p> <ul style="list-style-type: none"> alterations evidence of recent plate changes the suspect's fingerprints (examine the back of the plate). <p>Note: Look for dust impressions of the original number plate on the vehicle body, under the existing plate.</p> |
| 2 | <p>Examine the VIN and, if applicable, the engine and chassis numbers for signs of:</p> <ul style="list-style-type: none"> re-spray and overspray in engine bay heat damage to components and the firewall from welding interference with the tags, such as damaged screw heads or sitting proud alterations to the numbers, such as additional figures or overstamps obliteration by grinding, especially if the original number was stamped into the metal (you must know where it had been) filler in the impressions (a new number can be stamped or inscribed into the filler and painted over to disguise it) that the VIN inscribed on the rear window matches that on the tag. <p>Note: The legitimate chassis number is sometimes cut from the firewall and the stolen car's number is ground off or cut out. Then the illegitimate chassis number is glued using araldite (or similar) or welded into place, and the edges are bogged over. It's all sanded down to look part of the firewall and then painted over. By simply scratching the new paint it will reveal the pink coloured bog removal and replacement of the piece of chassis bearing the number.</p> <p>If you are trying to find the chassis numbers from a firewall, ESR can use chemical analysis to bring up the ground off numbers. A popular method was to heat treat it but if this does not work chemical treatment is not possible. Chemical treatment is much more effective. If the vehicle has been paid out on by insurance, cut the area out using a plasma cutter and send it to your local ESR specialist in the field of treating metal for this purpose).</p> <p>Remember: A replacement engine may have been fitted without notification to Motor Registration.</p> |
| 3 | <p>Also examine:</p> <ul style="list-style-type: none"> rear of the firewall for heat damage, this is accessed by removing the windscreen wipers and grill other serial numbers used by the manufacturer numbers affixed by other motor trades; for example, electroplaters' numbers on replacement chrome electrical equipment, for the date code. This consists of three numbers representing the month and year of manufacture. |
| 4 | <p>Enquire about the warrant of fitness. Find out:</p> <ul style="list-style-type: none"> whether it is stolen using NIA where it was issued by asking the NZTA. |
| 5 | <p>Conduct enquiries via enxxxxxxxx@xxxx.xxxx.xx to obtain evidence of transactions.</p> |

Examining the exterior

Examine the:

- body work, noting:
 - panel wrinkles or distortion
 - panel fit

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- paint work
- imperfections
- weld marks
- doors, noting:
 - the condition of the insides of door frames and windscreen pillars
 - any signs of filler
- windows, for replacement glass (in the case of rebuild enquiries, this should correspond with the assessor's report)
- radiator, for evidence of damage and repairs, such as fan blade marks, soldered water channels and compounds pressed into leaks
- front and rear suspension, for signs of repair or replacement
- drive shaft and rear axle assembly, for signs of damage such as cracks or oil leaks
- wheels and tyres, for signs of uneven wear
- the vehicle for the presence of microdots.

Examining the interior

Examine:

- the contents of glove boxes, door pockets, trays and ashtrays (note the items and if necessary, preserve them)
- the upholstery, roof lining and carpets, for signs of repair, replacement and vinyl paint sprays (note all marks)
- the floor, for welding marks and be aware that the repairer may have joined two halves together (note any different colours)
- all dirt and dust, for items such as blood or glass from a shattered windscreen (these may indicate that a rebuild is genuine).

Note:

- the ignition
 - door and boot lock numbers (found on the lock barrels)
- and check if a new steering wheel has been fitted.

Suspected rebuilds

Follow these steps.

| Step | Action |
|-------------|--|
| 1 | Conduct enquiries: <ul style="list-style-type: none"> • with the insurance company • where the vehicle was stored before disposal. |
| 2 | Obtain a statement from the insurance assessor and ask them to examine the vehicle. |
| 3 | Interview the person who owned the wrecked vehicle at the time of the accident and obtain a statement outlining the damage. Ask them to examine it and confirm whether it is the same one. If the owner was killed in the accident, respect the feelings of the next-of-kin and exercise your discretion in contacting them. |
| 4 | Consider other possible avenues of enquiry such as wrecking and towing firms, and informants. |
| 5 | Obtain statements from everyone who handled the vehicle since its identity was changed, in order to trace it back to the original buyer and prove continuity. |
| 6 | Consider whether: <ul style="list-style-type: none"> • an identification parade is appropriate • photocopies of motor registration files would help the enquiry. |

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Car rings

Consider:

- a production order on the suspect's bank accounts which may reveal deposits that can be traced to stolen cars
Note: See the Search chapter, [Part 9 – Production orders](#) for information about applying for and executing production orders.
- seizure and examination of computers, phones, tablets and storage devices to obtain evidence of offending
- sequence checks on the registered number of the recovered vehicle (if the suspect re-registered other vehicles at the same time, they will have consecutive numbers)
- computer checks on the names the suspect used to register vehicles (the suspect may have used the same false name to register other vehicles).

Note: Remember the suspect may be part of a large car ring.

Other charges

If the suspect sold the vehicle to an innocent buyer, consider a charge of false pretence.



Documentary evidence in respect of stolen vehicles

Procedure

Follow these steps.

| Step | Action |
|------|---|
| 1 | <p>If the original documents are required in court, obtain them from the NZTA. The request:</p> <ul style="list-style-type: none">• can be e-mailed to: xxxxxxxxxxx@xxxx.xxxx.xx• must include:<ul style="list-style-type: none">- details of the documents required- the Police file number and name of the O/C case- brief reasons for the request. <p>Note: The document will show all past registered owners and their particulars as well as when and at what mileage WOFs were obtained. This is a certified copy suitable for court.</p> |
| 2 | <p>Arrange for the documents to be produced by:</p> <ul style="list-style-type: none">• the writer of the documents, if not the accused, or• the New Zealand Post (or other authorised agency) employee who originally received them. <p>Note: Evidence relating to other matters in the Motor Registration history files must be produced by an employee from the local New Zealand Post Motor Registration Office or the NZTA.</p> |
| 3 | <p>If a certified copy of the vehicle's ownership history is required, arrange for it to be produced:</p> <ul style="list-style-type: none">• by consent, or• by an employee from the local New Zealand Post Motor Registration Office. |
| 4 | <p>Consider:</p> <ul style="list-style-type: none">• having the documents examined and fingerprinted• in cases involving a number of vehicles, preparing a schedule for production as an exhibit. Ensure that it contains only admissible matters that can be proved. |



Disposing of seized property

Disputed ownership

Changes to the identity and appearance of a vehicle can make it difficult to assess who the vehicle should be returned to. Claimants may include original owners, dealers, insurance companies and offenders.

| If . . . | then . . . |
|------------------------------|--|
| the parties reach agreement, | obtain a disclaimer from each person foregoing possession, before returning the vehicle under receipt. |
| the parties cannot agree, | keep possession of the vehicle and apply for a court order under: <ul style="list-style-type: none">• section 154 of the Search and Surveillance Act 2012 if the vehicle was seized under a search warrant or other search power• sections 40 of the Policing Act 2008 or 377 of the Criminal Procedure Act 2011 if the vehicle was obtained without a warrant or search power. <p>Note: Such an application can be made during prosecution or at a separate hearing. Do not return a vehicle if its ownership is in dispute and there is no court order.</p> |

There are cases where an unsuspecting person has bought a car only to find out later that parts of the car are from another stolen car in particular the engine. In most of these cases, the insurance company has settled with the original complainant. Therefore, anything subsequently discovered belongs to the insurance company. The insurance company will liaise with the unsuspecting owner and come to some form of arrangement, effectively resolving the issue of ownership without involving the Police or courts.



Taking, conversion and interference

This section contains the following topics:

- [Attempts and interference](#)
- [Getting into or upon a vehicle](#)
- [Claim of ownership](#)
- [Overdue rental vehicles](#)

Attempts and interference

Follow these steps if you see a person attempting to interfere with a vehicle.

| Step | Action |
|------|---|
| 1 | Approach the suspect and query their actions. Establish whether they own the vehicle or have authority to interfere with it. |
| 2 | Examine door handles and windows for signs interference. |
| 3 | Arrest and caution if an offence is revealed. Be aware that the person may have instruments such as screwdrivers that can be used as weapons against you. |
| 4 | Search the suspect for instruments of taking or converting, or other evidence. Take possession of these. |
| 5 | Arrange for the owner to contact Police. |

Getting into or upon a vehicle

If the circumstances are such that you suspect a person(s) is unlawfully getting into a motor vehicle then you should report the event to the Communication Centre and investigate further. In such cases follow these steps.

| Step | Action |
|------|--|
| 1 | Ask questions that anyone with legitimate access would be expected to answer correctly (refer to ' Claim of ownership '). |
| 2 | Examine the vehicle for signs of force. |
| 3 | Look for any tools or equipment that would suggest illegal activity. |
| 4 | Note whether the occupants are sober. It may be appropriate to utilise the provisions under the excess breath or blood alcohol provisions in the Land Transport Act 1998 . |
| 5 | Arrest if you have good cause to suspect that an offence has been committed. Ask for an explanation. |
| 6 | Use your mobility device to find out the vehicle's registered owner. Locate the owner, or leave a note in a conspicuous position on the car telling them to contact Police. |

Claim of ownership

Note whether a person claiming ownership co-operates with you. The real owner should appreciate your attempts to safeguard the vehicle, whereas resentment at your questioning may be regarded as suspicious. Ask claimants to:

- produce the ignition keys
- produce a driver's licence, and reproduce the signature (check that the licence matches the person)
- describe the vehicle's dents, scratches or other peculiarities
- describe the interior and exterior lights
- give the registration number (check both plates).

Also ask them:

- where the gears are
- what the floor coverings are like
- where tools are kept
- what type of jack is used

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- how and where the spare wheel is mounted
- where the warrant of fitness was issued
- what the glove box contains.

Overdue rental vehicles

When rental companies lodge a complaint that a vehicle is overdue, find out:

- if there is a written hire agreement
- details of the contract, such as the hirer's identity and class of driver's licence, and any arrangements about the vehicle's return that would preclude colour of right
- whether the company requires extensions to the hire period to be made in advance.