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## Motor vehicle offences, Continued...

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### Summary

This section contains the following topics:

- [Introduction](#)
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### Introduction

This chapter relates to motor vehicle crime and the relevant offences. It includes attempts at these offences and possession of the necessary instruments. Offences relating to vehicles on hire purchase and rental vehicles are also covered.

### 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"><li>• a person gets into a car driven by another without knowing it has been taken or converted</li><li>• a person honestly believes an action would be authorised by the owner.</li></ul>
Instrument	Instruments include: <ul style="list-style-type: none"><li>• tools</li><li>• keys</li><li>• jumper leads</li><li>• 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.</li></ul>



## Motor vehicle offences, Continued...

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Motor vehicle	<p>Under section <a href="#">2</a>(1) of the Land Transport Act 1998, 'motor vehicle':</p> <ul style="list-style-type: none"><li>• means a vehicle drawn or propelled by mechanical power; and</li><li>• includes a trailer; but</li><li>• does not include:<ul style="list-style-type: none"><li>- a vehicle running on rails; or</li><li>- 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</li><li>- a trailer running on one wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres; or</li><li>- 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</li><li>- a pedestrian-controlled machine; or</li><li>- a vehicle that the agency has declared under section <a href="#">168A</a> is not a motor vehicle; or</li><li>- a mobility device.</li></ul></li></ul>
Possession	<p>Possession means physical possession and includes:</p> <ul style="list-style-type: none"><li>• 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)</li><li>• 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).</li></ul>
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 <a href="#">2</a>(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"><li>• includes a hovercraft, a skateboard, in-line skates, and roller skates; but</li><li>• does not include:<ul style="list-style-type: none"><li>- a perambulator or push chair</li><li>- a shopping or sporting trundler not propelled by mechanical power</li><li>- a wheelbarrow or hand trolley</li><li>- a pedestrian-controlled lawnmower</li><li>- a pedestrian-controlled agricultural machine not propelled by mechanical power</li><li>- an article of furniture</li><li>- a wheelchair not propelled by mechanical power</li><li>- any other contrivance specified by the rules not to be a vehicle for the purposes of this definition.</li></ul></li></ul>

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## Offences

This section contains the following topics:

- [Table of offences](#)
- [Conversion of vehicle or other conveyance](#)
  - [Meaning of "takes" or "uses"](#)
  - [Powers](#)
- [Attempted conversion of vehicle or other conveyance](#)
  - [Powers](#)
- [Unlawful interference](#)
  - [Powers](#)
- [Possession of instruments for conversion](#)
  - [Defence](#)
  - [Powers](#)

A guide to categories of offences can be found in section [6](#) of the Criminal Procedure Act 2011.

Widely understood definitions for "offence" and "crime" were repealed as one consequence of major changes heralded by the introduction of the Criminal Procedure Act 2011. The following informal definition is intended to provide assistance and has been drafted with assistance from legal experts.

"Offence" and "crime" are words that are used interchangeably in statute, and there is no material difference between them. They may be described as any act or omission that is punishable on conviction under any enactment, and are demarcated into four categories as defined in section 6 of the Criminal Procedure Act 2011.

### Table of offences

This table details offences relevant to this chapter.

Offence	Category
<a href="#">Conversion of vehicle or other conveyance</a> Section <a href="#">226(1)(a)</a> - Crimes Act 1961	Category 3 offence.
<a href="#">Attempted conversion of vehicle or other conveyance</a> Section <a href="#">226(2)</a> - Crimes Act 1961	Category 3 offence.
<a href="#">Unlawful interference with vehicle or other conveyance</a> Section <a href="#">226(2)</a> - Crimes Act 1961	Category 3 offence.
<a href="#">Possession of instrument for conversion</a> Section <a href="#">227</a> - Crimes Act 1961	Category 2 offence.
Receiving Section <a href="#">246</a> and <a href="#">247</a> - Crimes Act 1961	Category 3 offence (s247 (a)). Category 2 offence (s247 (b) or (c)).
Supplying false details relating to change of ownership Section <a href="#">20</a> and <a href="#">26(1)(e)</a> - Transport (Vehicle and Driver Registration and Licensing) Act 1986	Category 1 offence.

### Conversion of vehicle or other conveyance

Under section [226\(1\)](#) of the Crimes Act 1961, you must prove the identity of the suspect and that they:

- 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:
  - vehicle, ship, or aircraft, or
  - part of any vehicle, ship or aircraft, or
  - any horse.

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## **Motor vehicle offences, Continued...**

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**Note:** Be prepared to also prove the value of the vehicle and the extent and cost of any damage to it.

### **Meaning of "takes" or "uses"**

Using means acting as the owner to make unauthorised use of a vehicle lawfully in one's possession; for example, when an employee uses a firm's delivery vehicle for a private journey.

Taking occurs when a person has no right to possession at all. In either case, the vehicle must actually be moved.

A person who uses the vehicle after the offence is completed and knows of the offence, is not guilty of taking or using in respect of that offence unless they were party to it.

Theft involves an intention to take and keep any property. Conversion of a vehicle or other conveyance involves an intention to borrow without consent, but not keep, that vehicle or conveyance.

### **Powers**

You can arrest without warrant under section [315\(2\)\(a\)](#) of the Crimes Act 1961.

### **Attempted conversion of vehicle or other conveyance**

Under section [226\(2\)](#) of the Crimes Act 1961, you must prove the identity of the suspect and that they:

- attempted to commit the offence of conversion of vehicle or other conveyance (section [226\(1\)](#)), or
- dishonestly and without claim of right, interfered with or got into or on any:
  - vehicle
  - ship, or
  - aircraft.

**Note:** For the element of attempt, see the '[Attempts](#)' chapter of the Police Manual. Where it is difficult to prove attempted conversion, consider the offence of unlawful interference.

### **Powers**

You can arrest without warrant under section [315\(2\)\(a\)](#) of the Crimes Act 1961.

### **Unlawful interference**

Under section [226\(2\)](#) of the Crimes Act 1961, you must prove the identity of the suspect and that they:

- dishonestly and without claim of right
- interfered with, or got into or on
- any vehicle, ship or aircraft.

**Note:** There is no provision for attempted interference. Be prepared to also prove the value of the vehicle and the extent and cost of any damage to it.

A person getting into a car driven by another person does not commit an offence unless they know it has been taken or converted. If that knowledge is acquired after entering the vehicle, it is an offence to re-enter.

### **Powers**

You can arrest without warrant under section [315\(2\)\(a\)](#) of the Crimes Act 1961.

### **Possession of instruments for conversion**

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## **Motor vehicle offences, Continued...**

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Under section [227](#) of the Crimes Act 1961, you must prove the identity of the suspect and that they:

- without lawful authority or excuse
- had in their possession
- any instrument capable of being used for taking or converting any:
  - vehicle
  - ship, or
  - aircraft

with intent to use it for such a purpose.

**Note:** Intent may be proved by the commission or attempted commission of a crime, or the suspect's words, conduct or demeanour.

### **Defence**

It is a defence to prove that the person had a lawful excuse for possessing the instrument.

### **Powers**



You can arrest without warrant under section [315\(2\)\(a\)](#) of the Crimes Act 1961.



## Vehicle identification

### Vehicle identification features

This table details some vehicle identification features.



Feature	Explanation
Chassis number	<p>The chassis number will in almost all cases be stamped in the same colour as the paintwork at the top middle on the bulkhead or firewall and on a silver "credit card" sized plate.</p> <p>In the picture below it is the number stamped under the long silver plate.</p> 
Engine number	This is stamped on the engine block on a flat machined area. It may or may not contain the model type.
Licence label	<p>Licence labels are attached to the windscreen and look like this.</p> 





## Motor vehicle offences, Continued...

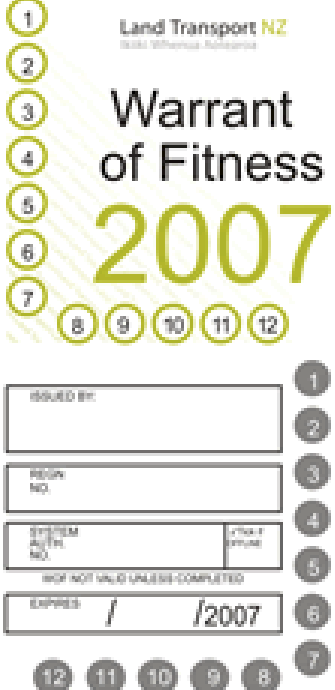
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<p>Manufacturer's vehicle identification plate</p>	<p>This is a tag fixed inside the engine compartment, usually on the firewall, or a stamp on a panel. It may consist of an engine model type and the chassis number. On imported or specially modified 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>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>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 <a href="#">Vehicle Identification Numbers</a>.</p>



## Motor vehicle offences, Continued...

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Warrant of fitness (WoF) label	<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> 
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In addition to the above, there are other codes and numbers, which vary between manufacturers. For example, a:

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



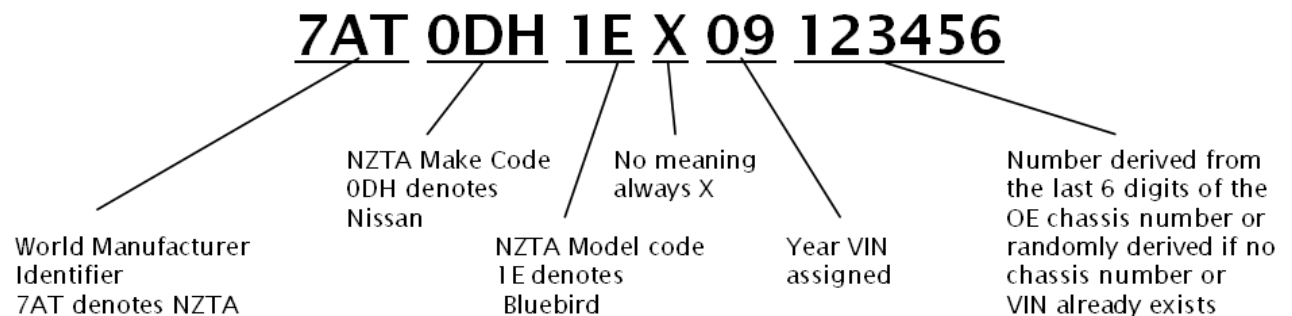
## Vehicle Identification Numbers

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 [xxxxxxxxxxx@xxxx.xxxx.xx](mailto:xxxxxxxxxxx@xxxx.xxxx.xx)

**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)

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## 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"> <li>• on the right hand side of the firewall, or</li> <li>• on the right hand side, adjacent to the mounting point of the front suspension, or</li> <li>• in a location approved by the Director, NZTA, for a specified vehicle or model.</li> </ul> <p><b>Note:</b> If the vehicle has a rear window, the VIN must also be etched on it, as close as practical to the bottom left corner.</p>
passenger vehicles (vans) and off-road vehicles	in the passenger compartment: <ul style="list-style-type: none"> <li>• on top of the right hand wheel arch, adjacent to the seat cushion, or</li> <li>• on the inner panel of the right hand 'A' pillar, adjacent to where the floor meets the 'A' pillar.</li> </ul> <p><b>Note:</b> If the vehicle has a rear window, the VIN must also be etched on it, as close as practical to the bottom left corner.</p>
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.

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

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## Motor vehicle offences, Continued...

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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 <b>not</b> 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:** This ‘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 ownership later changed into the offender's name. Invariably, the offender has a newspaper advertisement and false receipts to prove that the vehicle was bought from someone else.

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## Motor vehicle offences, Continued...

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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 quickly becomes confetti. There are also many companies who remove car wrecks for free or if the price of metal is good they may pay for it. A lot of these operators are not trustworthy and false details are usually given by the person disposing of the wreck.</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.

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## **Motor vehicle offences, Continued...**

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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.



## Stolen vehicle procedures

This section contains the following topics:

- [Theft](#)
- [When the vehicle is stolen](#)
- [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.

### When the vehicle is stolen

When you receive a complaint of a missing vehicle, follow these steps.

Step	Action
1	Do a QVR to: <ul style="list-style-type: none"> <li>• confirm the registration number and other details</li> <li>• find out whether the vehicle has been towed away, repossessed or otherwise lawfully removed.</li> </ul>
2	Obtain the vehicle's: <ul style="list-style-type: none"> <li>• year</li> <li>• make</li> <li>• model</li> <li>• value</li> <li>• style</li> <li>• colour</li> <li>• registration, engine and chassis numbers (use the vehicle's registration certificate if necessary)</li> <li>• distinguishing and unique features.</li> </ul>
3	Enter these vehicle details into the VOI subsystem immediately. If the vehicle is located before the offender can change its identity and the details have not been entered, it will not come up as stolen.  Refer to the National Recording Standard - section <a href="#">4.11</a> (What to record for any vehicle) and to chapter <a href="#">20</a> ('Vehicle') of the NIA Training Manual.
4	If the theft is recent, notify patrols.
5	Send a printout of the subsystem entry to the car squad, or the Police employee actioning the file. When the Doc Loc file number is available, add it to the entry.

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

Step	Action
1	Look out for the vehicle while en route to the scene. Ensure that the vehicle's details have been broadcast to patrols.
2	When interviewing the victim/complainant, verify the details and obtain: <ul style="list-style-type: none"> <li>• any other useful information, such as the ignition lock number</li> <li>• authority to tow the vehicle, if necessary, at the owner's expense (this must be included in the VOI entry)</li> <li>• confirmation that the vehicle has not been repossessed.</li> </ul>
3	Conduct local enquiries and make an area patrol.
4	Submit the Offence Report (POL 23), Supplementary Attempted Unlawful Taking, Unlawful Taking and Theft ex-Car Report (POL 23C) and Missing Vehicle Job Sheet (POL 246) as appropriate.
5	Ensure that a VOI record has been entered and correct it if necessary.



## Motor vehicle offences, Continued...

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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"> <li>the VOI record contains all the details, including the file number, and that the registration, engine and chassis numbers are correct</li> <li>all initial action has been completed.</li> </ul>
2	Maintain local records by retaining the local copy of the Offence Report. It should eventually show: <ul style="list-style-type: none"> <li>the circumstances of recovery and whether the vehicle was used in other offences</li> <li>the vehicle's description</li> <li>where it was taken from</li> <li>where it was recovered</li> <li>the value of the damage and/or the property stolen from the vehicle</li> <li>the offender's modus operandi, especially when entering and taking the vehicle; for example, the use of jumper leads or crossed ignition wires, and bent wire to open the door.</li> </ul>
3	Consider using a <a href="#">crime map</a> when analysing 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"> <li>to establish its 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</li> <li>for fingerprints, paying particular attention to the: <ul style="list-style-type: none"> <li>rear vision mirror</li> <li>windows</li> <li>dashboard</li> <li>driver's door</li> <li>bonnet</li> <li>boot</li> <li>steering wheel</li> <li>gear stick</li> <li>handbrake lever</li> </ul> </li> <li>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.</li> </ul>
2	Complete a POL 268 for any property recovered from the vehicle. Note any articles that may have been left by the offender.
3	Search the scene where the vehicle was recovered for articles dropped by the offender.
4	Inform the Communications Centre that the vehicle has been found. It must: <ul style="list-style-type: none"> <li>update the incident to indicate that the vehicle has been located and create a 2R occurrence</li> <li>clear any Stolen Vehicle alert</li> <li>inform the owner. Do not rely on a 'Locate Vehicle' message for this.</li> </ul> Refer to the National Recording Standard - Trigger <a href="#">Z</a> (Police Locate a Stolen Vehicle).

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## Motor vehicle offences, Continued...

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5	Collect the vehicle. If possible, have the owner pick the vehicle up from the scene. Otherwise, with the owner's authority, arrange for the vehicle to be towed to safety at their expense. If you cannot contact the owner, secure or immobilise the vehicle at the scene.
7	Complete correspondence: <ul style="list-style-type: none"><li>• make enquiries promptly at the scene where the vehicle was recovered and record these on a Recovered Vehicle Job Sheet (POL 247)</li><li>• record any identifiable property stolen from the vehicle in NIA 'item of interest' and attach a copy of the printout to the Job Sheet</li><li>• submit the Job Sheet and attached printout to the member holding the file.</li></ul>

When you receive a POL 247 or a 'Locate Vehicle' printout, follow these steps.

Step	Action
1	Make sure that the owner has been informed of the recovery.
2	Attach the receipt to the file after the vehicle has been returned.
3	Issue a Supplementary Offence Report.
4	Ensure that any stolen property has been recorded in NIA or VOI subsystem as applicable.
5	Complete any other relevant local enquiries.



### 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 entertainment venues such as stock car meetings, speedways, night trots and concerts.

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.



## **Motor vehicle offences, Continued...**

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Sometimes, the prefix denoting the model has been omitted. This can result in several vehicles being registered with the same numbers. When checking the VOI subsystem 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 own; and with the model designation as a prefix, and again as a suffix. For example, a BSA 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.

### **Crime map**

A crime map may reveal a pattern of offences that requires:

- extra car and foot patrols where, for example, takings or dumpings often occur
- enquiries with local Police about likely suspects
- using a decoy vehicle.

### **Decoy vehicles**

Select a model popular with offenders and leave it in an area where vehicles have been taken. Immobilise it by removing the rotor, and wait in a place where you can catch the offender.

### **Information**

Encourage Police employees and informants to keep you informed.

### **Interviewing suspects**

Establish the suspect's modus operandi and check the records for similar offences.



## 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"><li>• registration plates, and engine, chassis and VINs against the VOI subsystem while you are still at the premises</li><li>• warrant of fitness numbers in the POI subsystem</li><li>• licence labels, by telephoning Motor Registration.</li></ul>
3	Examine all: <ul style="list-style-type: none"><li>• registration papers (afterwards, ask previous owners about the vehicle's present location)</li><li>• books</li><li>• telephone numbers</li><li>• papers and letters</li><li>• account books, chequebooks and bank statements</li><li>• car insurance papers</li><li>• lists of registration numbers</li><li>• hire purchase agreements</li><li>• business cards</li><li>• marked newspaper advertisements</li><li>• Trade Me references.</li></ul>
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:

- metal stamps and dyes, for comparison with marks on disguised vehicles
- rubber stamps that may have been used to forge declarations or applications to register 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, eg 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"> <li>• photographed</li> <li>• searched and examined</li> <li>• identified.</li> </ul>





## Motor vehicle offences, Continued...

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3	When identifying the vehicle ask the owner about: <ul style="list-style-type: none"><li>- identifiable features</li><li>- 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.</li></ul>
4	Ask the owner to: <ul style="list-style-type: none"><li>• examine the vehicle and point out the identifiable features - do <b>not</b> hurry the examination</li><li>• compare the chassis and engine numbers, if they have not been altered, with those on the registration certificate</li><li>• 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.</li></ul>
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"> <li>• numbering and positioning (some numbers tell you the make, model, year, body and style - there are also engine and assembly plant codes)</li> <li>• assembly (this includes the position of welds).</li> </ul>
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"> <li>• piece of cloth</li> <li>• pocket knife</li> <li>• wire brush</li> <li>• scraper</li> <li>• emery cloth</li> <li>• torch</li> <li>• piece of chalk</li> <li>• acetone</li> <li>• mirror on a flexible wire handle</li> <li>• pair of overalls</li> <li>• ground sheet</li> <li>• screwdrivers and spanners.</li> </ul>
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. <b>Remember: "Safety first" when conducting examinations.</b>
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"> <li>• take 'impregum casts' of restamped engine and chassis numbers (these casts help relate seized metal punches to stolen vehicles)</li> <li>• analyse paint layers.</li> </ul>



## Motor vehicle offences, Continued...

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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"> <li>alterations</li> <li>evidence of recent plate changes</li> <li>the suspect's fingerprints (examine the back of the plate).</li> </ul> <p><b>Note:</b> 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"> <li>respray and overspray in engine bay</li> <li>heat damage to components and the firewall from welding</li> <li>interference with the tags, such as damaged screw heads or sitting proud</li> <li>alterations to the numbers, such as additional figures or overstamps</li> <li>obliteration by grinding, especially if the original number was stamped into the metal (you must know where it had been)</li> <li>filler in the impressions (a new number can be stamped or inscribed into the filler and painted over to disguise it)</li> <li>that the VIN inscribed on the rear window matches that on the tag.</li> </ul> <p><b>Note:</b> 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><b>Remember:</b> A replacement engine may have been fitted without notification to Motor Registration.</p>
3	<p>Also examine:</p> <ul style="list-style-type: none"> <li>rear of the firewall for heat damage, this is accessed by removing the windscreen wipers and grill</li> <li>other serial numbers used by the manufacturer</li> <li>numbers affixed by other motor trades; for example, electroplaters' numbers on replacement chrome</li> <li>electrical equipment, for the date code. This consists of three numbers representing the month and year of manufacture.</li> </ul>
4	<p>Enquire about the warrant of fitness. Find out:</p> <ul style="list-style-type: none"> <li>whether it is stolen using the POI subsystem</li> <li>where it was issued by asking the <a href="#">NZTA</a>.</li> </ul>
5	<p>Find out from the Motor Vehicle Registry who the licence was issued to. This is not recorded in the computer.</p>

### Examining the exterior

Examine the:

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

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## Motor vehicle offences, Continued...

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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"> <li>• with the insurance company</li> <li>• where the vehicle was stored before disposal.</li> </ul>
2	Obtain a statement from the insurance assessor and ask him or her 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.
4	Consider other possible avenues of enquiry such as wrecking and towing firms, and informants.
5	Obtain statements from everyone who has 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"> <li>• an identification parade is appropriate</li> <li>• photocopies of motor registration files would help the enquiry.</li> </ul>

### Car rings

Consider:

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## **Motor vehicle offences, Continued...**

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- 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.
- 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.</p> <p>The request:</p> <ul style="list-style-type: none"><li>• can be e-mailed to: <a href="mailto:xxxxxxxxxxx@xxxx.xxxx.xx">xxxxxxxxxxx@xxxx.xxxx.xx</a></li><li>• must include:<ul style="list-style-type: none"><li>- details of the documents required</li><li>- the Police file number and name of the O/C case</li><li>- brief reasons for the request.</li></ul></li></ul> <p><b>Note:</b> 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"><li>• the writer of the documents, if not the accused, or</li><li>• the New Zealand Post (or other authorised agency) employee who originally received them.</li></ul> <p><b>Note:</b> 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 <a href="#">NZTA</a>.</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"><li>• by consent, or</li><li>• by an employee from the local New Zealand Post Motor Registration Office.</li></ul>
4	<p>Consider:</p> <ul style="list-style-type: none"><li>• having the documents examined and fingerprinted</li><li>• 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.</li></ul>



## Disposing of seized property

This section contains the following topics:

- [Disputed ownership](#)
- [Disputed identity](#)

### 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,	<p>keep possession of the vehicle and apply for a court order under:</p> <ul style="list-style-type: none"> <li>• section <a href="#">154</a> of the Search and Surveillance Act 2012 if the vehicle was seized under a search warrant or other search power</li> <li>• sections <a href="#">40</a> of the Policing Act 2008 or <a href="#">404(1)</a> of the Crimes Act 1961 if the vehicle was obtained without a warrant or search power.</li> </ul> <p><b>Note:</b> Such an application can be made during prosecution or at a separate hearing. Do <b>not</b> 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.

### Disputed identity

Before returning a vehicle that had a false identity:

- tell the person gaining possession to obtain and fit a replacement set of registration plates with the original identity
- remove the false engine and chassis tags and either obtain replacements from the assembler, or ask the owner to have the original chassis number stamped into the body of the vehicle and the engine number into the engine block
- send a letter to Motor Vehicle Registry outlining that such changes have been made.

**Note:** Do **not** return a vehicle if its identity is in dispute.



## Taking, conversion and interference

This section contains the following topics:

- [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](#)
- [Claim of being the owner’s friend](#)
- [Complaints reported on the beat](#)
- [Complaints reported at the station](#)
- [Overdue rental vehicles](#)

### Actual taking or conversion

#### Parked converted vehicles

Follow these steps if you find a parked converted vehicle.

Step	Action
1	Keep out of sight and wait for the suspect’s return.
2	If you think the vehicle is being used in a crime, ask the station for assistance and keep the suspect under observation.
3	Otherwise, arrest the suspect as they begin to use the vehicle.

#### Abandoned converted vehicles

Follow these steps if you find an abandoned converted vehicle.

Step	Action
1	Tell the station so that a fingerprint examination can be made at the scene.
2	Examine the scene for anything dropped by the offender.
3	Drive or tow the vehicle to the station.
4	Search: <ul style="list-style-type: none"> <li>• the car thoroughly for evidence of the offender’s identity</li> <li>• search all subsystems and ensure that the entries are cancelled. Be alert to possible false identities.</li> </ul>
5	Notify the owner.
6	Prepare an inventory of property recovered and have it witnessed by another Police employee, if possible. This will preclude allegations of losses after recovery.
7	Return the vehicle and obtain a receipt for it and the property it contained.

#### Mobile converted vehicles

Follow these steps if a mobile converted vehicle passes you.

Step	Action
1	Notify the communication centre immediately; giving the vehicle registration, make, model, colour and distinguishing features along with the direction of travel and a description of the suspect.
2	Note down the date time and place, and record the vehicle and suspect(s) description. Give consideration to attempting to stop the vehicle if this is practical under the circumstances and can be done safely. If it is decided to stop the vehicle notify the communication centre and advise them of the location where the vehicle has been stopped.





## Motor vehicle offences, Continued...

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### Attempts and interference

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

Step	Action
1	Unless the suspect is about to damage the vehicle, watch them for a while.
2	Approach the suspect and query their actions. Establish whether they own the vehicle or have authority to interfere with it.
3	Examine door handles and windows for signs of forcing, and wiring for interference.
4	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.
5	Search the suspect for instruments of taking or converting, or other evidence. Take possession of these.
6	Leave a note in a conspicuous position in the car telling 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 ' <a href="#">Claim of ownership</a> ').
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 maybe appropriate to utilise the provisions under the excess breath or blood alcohol provisions, <a href="#">Land Transport Act 1998</a> .
5	Arrest if you have good cause to suspect that an offence has been committed. Ask for an explanation
6	Check with the communication centre 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
- how and where the spare wheel is mounted
- where the warrant of fitness was issued
- what the glove box contains.

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The controlled document can be found in the Police Instructions site which is accessible via the New Zealand Police Intranet.



## Motor vehicle offences, Continued...

Version : 9.0

### Claim of being the owner's friend

Ask:

- for the owner's full particulars and note any hesitancy or signs of lying (check by consent the glove box for the driver's licence and verify the particulars given)
- for the person's full particulars and verify (carefully examine the means of identification for alterations and erasures)
- the person where the owner is and if they can be contacted by telephone (if possible, verify the particulars in the telephone directory)
- if the person is willing to help you find the owner (if the owner is to return soon, wait).

If the person appears frank and truthful and you have no suspicions, accept the statements given. Otherwise, ask the station to check the computer for the:

- person
- owner
- vehicle.

If you leave, keep the person under observation for a while. If they leave hurriedly, the matter may warrant further investigation.

### Complaints reported on the beat

If a complaint is reported on the beat:

- record the particulars of vehicle and owner
- immediately inform the communication centre by radio
- ask the owner to make a formal complaint at the station
- be on the alert for the missing vehicle and the offender.

### Complaints reported at the station

Procedures vary according to the size and location of the station. In all cases follow these steps.

Step	Action
1	Obtain brief details of the complaint.
2	If the vehicle was taken recently, tell the senior sergeant and radio all stations and patrols.
3	Complete an Offence Report and obtain accurate descriptions.
4	Input the details into Vehicle Alerts.
5	Notify: <ul style="list-style-type: none"> <li>• local stations</li> <li>• CIB</li> <li>• Road Policing branch</li> <li>• taxi companies.</li> </ul>
6	Submit a file through immediate supervisor.

### 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.