



Kate Harrison  
Councilmember, District 4

CONSENT CALENDAR  
April 11, 2023

To: Honorable Members of the City Council

From: Councilmember Kate Harrison

Subject: Resolution in Support of AB 641: Automobile dismantlers: catalytic converters.

### RECOMMENDATION

Adopt resolution in support of AB 641, Automobile dismantlers: catalytic converters, amending Section 220 of the Vehicle Code to revise and expand the definition of “automobile dismantler” to include individuals illegally in possession of two or more catalytic converters.

### BACKGROUND

Catalytic converters are standard technology that help reduce toxic pollution from gasoline and hybrid vehicles. As the price of metals continue to rise, thieves have unfortunately targeted parked vehicles, utilizing portable saws to cut off, steal, and then sell the converters as scrap. Hybrid vehicles such Toyota Priuses, are especially vulnerable given their precious metal content. Repairs can cost owners thousands of dollars.

AB 641, introduced by Assembly Member Vince Fong, would amend Section 220 of the California Vehicle Code to revise the definition of “automobile dismantler,” to include, specifically, a person who has two or more catalytic converters that have been cut from a motor vehicle with a sharp implement. This bill intends to expand the criteria for what can be legally actionable under state law. This bill addresses the current state of catalytic converter theft throughout California by expanding what qualifies as criminal behavior.

Berkeley is facing unprecedented vehicle theft driven, in many cases by the high resale price of catalytic converters. According to the Berkeley Scanner, the number of catalytic converter thefts has drastically risen from 15 incidents in 2017 to 843 incidents in 2022<sup>1</sup>: a 5,520% increase in just six years. In some cases, catalytic converter theft becomes violent. A handful of reported incidents in 2022 involved gunfire.

---

<sup>1</sup> Raguso, Emilie. “Berkeley Police Find 'Freshly Cut' Catalytic Converter during Car Stop.” The Berkeley Scanner. The Berkeley Scanner, January 20, 2023.  
<https://www.berkeleyscanner.com/2023/01/20/arrests/berkeley-police-catalytic-converter-arrests/>.

This is not an issue isolated to Berkeley and the Bay Area. California has seen a massive rise in catalytic converter theft citing 1,600 thefts per month in 2022, accounting for 37% of catalytic converter theft nationally<sup>2</sup>. While the Berkeley Police Department is doing everything in its capacity to address this urgent issue, it has proven to be a difficult task without supplemental state-wide legislation.

Concerned constituents throughout Berkeley have urged Council to act on the alarming rate of rising catalytic converter theft. It is in the public interest to support legislative work at the state level to ensure Berkeley resident's safety and property protection.

FINANCIAL IMPLICATIONS

Limited staff time associated with sending a letter to designated recipients.

ENVIRONMENTAL SUSTAINABILITY

No foreseen impact.

CONTACT PERSON

Councilmember Kate Harrison  
510-981-7140

ATTACHMENTS:

1. Resolution
2. Support Letters
3. AB 641

---

<sup>2</sup> "Justice Department Announces Takedown of Nationwide Catalytic Converter Theft Ring." Eastern District of California | Justice Department Announces Takedown of Nationwide Catalytic Converter Theft Ring | United States Department of Justice, November 2, 2022. <https://www.justice.gov/usao-edca/pr/justice-department-announces-takedown-nationwide-catalytic-converter-theft-ring>.

RESOLUTION NO. ##,###-N.S.

IN SUPPORT OF AB641: AUTOMOBILE DISMANTLERS CATALYTIC CONVERTERS

WHEREAS, in the City of Berkeley and statewide, communities face an urgent and ongoing rise in catalytic converter theft; and

WHEREAS, members of the California State Assembly are pursuing an effort to revise the definition of what qualifies an automobile dismantler, to expand its definition to cover existing crime; and

WHEREAS, change in State policy is key to addressing many unmet local policy priorities, providing additional support to local entities with protecting the safety of the public.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it supports these efforts and the passage of AB 641 to expand the definition of automobile dismantlers in Section 220 of the California Vehicle Code.

BE IT FURTHER RESOLVED that the Clerk send a copy of this Resolution and letters of support to Governor Gavin Newsom, State Assemblymember Buffy Wicks, and State Senator Nancy Skinner.

Governor Gavin Newsom  
1021 O Street, Suite 9000  
Sacramento, CA 95814

**RE: Berkeley City Council in Support of AB 641: Automobile dismantlers:  
catalytic converters.**

Dear Governor Newsom,

We write to express our strong support of AB 641: Automobile dismantlers: catalytic converters, introduced by Assembly Member Vince Fong, amending Section 220 of the Vehicle Code to revise and expand the definition of “automobile dismantler” to include a person who has possession of two or more catalytic converters that have been cut from a motor vehicle with a sharp implement.

Existing state law fails to address the scope of crime associated with vehicle theft. As we have seen locally and nationally, catalytic converter theft has taken a massive financial and emotional toll on our communities. From cost of repair to fear of violence, vehicle theft leaves communities feeling terrified and violated. Berkeley residents have urged local government to take swift and assertive action.

Berkeley is facing unprecedented vehicle theft driven, in many cases, by the high resale price of catalytic converters. According to the Berkeley Scanner, the number of catalytic converter thefts has drastically risen from 15 incidents in 2017 to 843 incidents in 2022: a 5,520% increase in just six years.

For these reasons, the Berkeley City Council strongly supports AB 641.

Sincerely,

The Berkeley City Council

California State Senator Nancy Skinner  
1021 O Street, Suite 8630  
Sacramento, CA 95814

**RE: Berkeley City Council in Support of AB 641: Automobile dismantlers:  
catalytic converters.**

Dear Senator Nancy Skinner,

We write to express our strong support of AB 641: Automobile dismantlers: catalytic converters, introduced by Assembly Member Vince Fong, amending Section 220 of the Vehicle Code to revise and expand the definition of “automobile dismantler” to include a person who has possession of two or more catalytic converters that have been cut from a motor vehicle with a sharp implement.

Existing state law fails to address the scope of crime associated with vehicle theft. As we have seen locally and nationally, catalytic converter theft has taken a massive financial and emotional toll on our communities. From cost of repair to fear of violence, vehicle theft leaves communities feeling terrified and violated. Berkeley residents have urged local government to take swift and assertive action.

Berkeley is facing unprecedented vehicle theft driven, in many cases, by the high resale price of catalytic converters. According to the Berkeley Scanner, the number of catalytic converter thefts has drastically risen from 15 incidents in 2017 to 843 incidents in 2022: a 5,520% increase in just six years.

For these reasons, the Berkeley City Council strongly supports AB 641.

Sincerely,

The Berkeley City Council

State Assemblymember Buffy Wicks  
1021 O Street, Suite 4240  
P.O. Box 942849, Sacramento, CA 94249

**RE: Berkeley City Council in Support of AB 641: Automobile dismantlers:  
catalytic converters.**

Dear Assemblymember Wicks,

We write to express our strong support of AB 641: Automobile dismantlers: catalytic converters, introduced by Assembly Member Vince Fong, amending Section 220 of the Vehicle Code to revise and expand the definition of “automobile dismantler” to include a person who has possession of two or more catalytic converters that have been cut from a motor vehicle with a sharp implement.

Existing state law fails to address the scope of crime associated with vehicle theft. As we have seen locally and nationally, catalytic converter theft has taken a massive financial and emotional toll on our communities. From cost of repair to fear of violence, vehicle theft leaves communities feeling terrified and violated. Berkeley residents have urged local government to take swift and assertive action.

Berkeley is facing unprecedented vehicle theft driven, in many cases, by the high resale price of catalytic converters. According to the Berkeley Scanner, the number of catalytic converter thefts has drastically risen from 15 incidents in 2017 to 843 incidents in 2022: a 5,520% increase in just six years.

For these reasons, the Berkeley City Council strongly supports AB 641.

Sincerely,

The Berkeley City Council

**ASSEMBLY BILL**

**No. 641**

---

---

**Introduced by Assembly Member Vince Fong  
(Principal coauthor: Assembly Member Jim Patterson)  
(Coauthors: Assembly Members Alanis, Chen, Dixon, Essayli, Flora,  
Joe Patterson, Ta, and Wallis)**

February 9, 2023

---

---

An act to amend Section 220 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 641, as introduced, Vince Fong. Automobile dismantlers: catalytic converters.

Existing law defines an “automobile dismantler” as a person who is engaged in the business of buying, selling, or dealing in vehicles that are required to be registered under the Vehicle Code, for the purpose of dismantling the vehicles, buys or sells the integral parts and component materials of those vehicles, or deals in used motor vehicle parts, as specified. The definition of “automobile dismantler” also includes a person who keeps or maintains on property owned by the person, or under their possession or control, 2 or more unregistered motor vehicles no longer intended for, or in condition for, legal use on the highways, as specified. Existing law makes it a crime for a person to act as an automobile dismantler without having an established place of business, meeting specified requirements, and having a current, valid license or temporary permit issued by the Department of Motor Vehicles.

This bill would revise the definition of an automobile dismantler to include a person who keeps or maintains on property owned by the person, or under their possession or control, for any of the above-described purposes 2 or more used catalytic converters that have

been cut from a motor vehicle using a sharp implement. By expanding the definition of an automobile dismantler, the bill would expand the scope of an existing crime, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 220 of the Vehicle Code is amended to  
2 read:

3 220. (a) An “automobile dismantler” is ~~any~~ a person not  
4 otherwise expressly excluded by Section 221 ~~who~~: *who is engaged*  
5 *in the business of buying, selling, or dealing in vehicles of a type*  
6 *required to be registered under this code, including nonrepairable*  
7 *vehicles, for the purpose of dismantling the vehicles, who buys or*  
8 *sells the integral parts and component materials thereof, in whole*  
9 *or in part, or deals in used motor vehicle parts. This section does*  
10 *not apply to the occasional and incidental dismantling of vehicles*  
11 *by dealers who have secured dealer plates from the department*  
12 *for the current year whose principal business is buying and selling*  
13 *new and used vehicles, or by owners who desire to dismantle not*  
14 *more than three personal vehicles within any 12-month period.*

15 ~~(a) Is engaged in the business of buying, selling, or dealing in~~  
16 ~~vehicles of a type required to be registered under this code,~~  
17 ~~including nonrepairable vehicles, for the purpose of dismantling~~  
18 ~~the vehicles, who buys or sells the integral parts and component~~  
19 ~~materials thereof, in whole or in part, or deals in used motor vehicle~~  
20 ~~parts. This section does not apply to the occasional and incidental~~  
21 ~~dismantling of vehicles by dealers who have secured dealers plates~~  
22 ~~from the department for the current year whose principal business~~  
23 ~~is buying and selling new and used vehicles, or by owners who~~  
24 ~~desire to dismantle not more than three personal vehicles within~~  
25 ~~any 12-month period.~~



1 (b) Notwithstanding ~~the provisions of~~ subdivision (a),  
2 *“automobile dismantler”* includes a person not otherwise expressly  
3 *excluded by Section 221* who keeps or maintains on real property  
4 owned by ~~him, or under his~~ *the person, or under their* possession  
5 or control, two or more unregistered motor vehicles no longer  
6 intended for, or in condition for, legal use on the highways, *or two*  
7 *or more used catalytic converters that have been cut from a motor*  
8 *vehicle using a sharp implement*, whether for the purpose of resale  
9 of used parts, for the purpose of reclaiming for use some or all of  
10 the materials, whether metal, glass, fabric, or otherwise, or to  
11 dispose of them, or for any other purpose.

12 SEC. 2. No reimbursement is required by this act pursuant to  
13 Section 6 of Article XIII B of the California Constitution because  
14 the only costs that may be incurred by a local agency or school  
15 district will be incurred because this act creates a new crime or  
16 infraction, eliminates a crime or infraction, or changes the penalty  
17 for a crime or infraction, within the meaning of Section 17556 of  
18 the Government Code, or changes the definition of a crime within  
19 the meaning of Section 6 of Article XIII B of the California  
20 Constitution.

