

## HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 408 (Oct. 29, 1919, ch. 89, §§ 1, 3, 5, 41 Stat. 324, 325; Sept. 24, 1945, ch. 383, §§ 2, 3, 59 Stat. 536).

The first sentence of said section 408, providing the short title "An Act to punish the transportation of stolen motor vehicles or aircraft in interstate or foreign commerce," and derived from section 1 of said act of October 29, 1919, as amended, was omitted as not appropriate in a revision.

Definitions of "aircraft," "motor vehicle," and "interstate or foreign commerce," which constituted the second sentence of said section 408 of title 18, U.S.C., 1940 ed., and were derived from section 2 of said act of October 29, 1919, as amended, are incorporated in sections 10 and 2311 of this title.

Provision relating to receiving or selling stolen aircraft or motor vehicles, which was derived from section 4 of the act of October 29, 1919, as amended, is incorporated in section 2313 of this title.

Venue provision, which was derived from section 5 of the act of October 29, 1919, was omitted as unnecessary, being covered by section 3237 of this title.

Reference to persons causing or procuring was omitted as unnecessary in view of definition of "principal" in section 2 of this title.

Minor changes were made in phraseology.

## Editorial Notes

## AMENDMENTS

2006—Pub. L. 109-177 substituted "motor vehicle, vessel, or aircraft" for "motor vehicle or aircraft".

1992—Pub. L. 102-519 substituted "fined under this title or imprisoned not more than 10 years" for "fined not more than \$5,000 or imprisoned not more than five years".

**§ 2313. Sale or receipt of stolen vehicles**

(a) Whoever receives, possesses, conceals, stores, barter, sells, or disposes of any motor vehicle, vessel, or aircraft, which has crossed a State or United States boundary after being stolen, knowing the same to have been stolen, shall be fined under this title or imprisoned not more than 10 years, or both.

(b) For purposes of this section, the term "State" includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(June 25, 1948, ch. 645, 62 Stat. 806; Pub. L. 98-547, title II, § 203, Oct. 25, 1984, 98 Stat. 2770; Pub. L. 101-647, title XII, § 1205(l), Nov. 29, 1990, 104 Stat. 4831; Pub. L. 102-519, title I, § 103, Oct. 25, 1992, 106 Stat. 3385; Pub. L. 109-177, title III, § 307(b)(2)(B), Mar. 9, 2006, 120 Stat. 240.)

## HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 408 (Oct. 29, 1919, ch. 89, § 4, 41 Stat. 325; Sept. 24, 1945, ch. 383, §§ 2, 3, 59 Stat. 536).

Section constitutes the fourth sentence of said section 408 of title 18, U.S.C., 1940 ed.

Definitions of "aircraft," "motor vehicle," and "interstate or foreign commerce," which constituted the second sentence of said section 408, are incorporated in sections 10 and 2311 of this title.

The third sentence of said section 408, relating to transporting stolen aircraft or motor vehicles, is incorporated in section 2312 of this title.

The first sentence of said section 408, providing the short title, and the fifth sentence thereof, relating to venue, were omitted. (See reviser's note under section 2312 of this title.)

Minor changes were made in phraseology.

## Editorial Notes

## AMENDMENTS

2006—Subsec. (a). Pub. L. 109-177 substituted "motor vehicle, vessel, or aircraft" for "motor vehicle or aircraft".

1992—Subsec. (a). Pub. L. 102-519 substituted "fined under this title or imprisoned not more than 10 years" for "fined not more than \$5,000 or imprisoned not more than five years".

1990—Pub. L. 101-647 designated existing provisions as subsec. (a) and added subsec. (b).

1984—Pub. L. 98-547 inserted "possesses," after "receives," and substituted "which has crossed a State or United States boundary after being stolen," for "moving as, or which is a part of, or which constitutes interstate or foreign commerce,".

**§ 2314. Transportation of stolen goods, securities, moneys, fraudulent State tax stamps, or articles used in counterfeiting**

Whoever transports, transmits, or transfers in interstate or foreign commerce any goods, wares, merchandise, securities or money, of the value of \$5,000 or more, knowing the same to have been stolen, converted or taken by fraud; or

Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transports or causes to be transported, or induces any person or persons to travel in, or to be transported in interstate or foreign commerce in the execution or concealment of a scheme or artifice to defraud that person or those persons of money or property having a value of \$5,000 or more; or

Whoever, with unlawful or fraudulent intent, transports in interstate or foreign commerce any falsely made, forged, altered, or counterfeited securities or tax stamps, knowing the same to have been falsely made, forged, altered, or counterfeited; or

Whoever, with unlawful or fraudulent intent, transports in interstate or foreign commerce any traveler's check bearing a forged countersignature; or

Whoever, with unlawful or fraudulent intent, transports in interstate or foreign commerce, any tool, implement, or thing used or fitted to be used in falsely making, forging, altering, or counterfeiting any security or tax stamps, or any part thereof; or

Whoever transports, transmits, or transfers in interstate or foreign commerce any veterans' memorial object, knowing the same to have been stolen, converted or taken by fraud—

Shall be fined under this title or imprisoned not more than ten years, or both. If the offense involves a pre-retail medical product (as defined in section 670) the punishment for the offense shall be the same as the punishment for an offense under section 670 unless the punishment under this section is greater. If the offense involves the transportation, transmission, or transfer in interstate or foreign commerce of veterans' memorial objects with a value, in the aggregate, of less than \$1,000, the defendant shall be fined under this title or imprisoned not more than one year, or both.