

**76-6-404.7 Theft of motor vehicle fuel.**

- (1) As used in this section, "motor vehicle fuel" means any combustible gas, liquid, matter, or substance that is used in an internal combustion engine for the generation of power.
- (2) A person is guilty of theft of motor vehicle fuel who:
  - (a) causes a motor vehicle to leave any premises where motor vehicle fuel is offered for retail sale when motor fuel has been dispensed into:
    - (i) the fuel tank of the motor vehicle; or
    - (ii) any other container that is then removed from the premises by means of the motor vehicle;  
and
  - (b) commits the act under Subsection (2)(a) with the intent to deprive the owner or operator of the premises of the motor fuel without making full payment for the fuel.
- (3) In addition to the penalties for theft under Section 76-6-412, the sentencing court may order the suspension of the driver license of a person convicted of theft of motor vehicle fuel. The suspension may not be for more than 90 days as provided in Section 53-3-220.

Enacted by Chapter 328, 2009 General Session