

**IRVINE POLICE DEPARTMENT  
TRAINING BULLETIN  
21-02  
ORDINANCE ESTABLISHING REGULATIONS PROHIBITING THE  
UNLAWFUL POSSESSION OF CATALYTIC CONVERTERS IN  
THE CITY OF IRVINE  
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**December 08, 2021****

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### PURPOSE

The City of Irvine has seen a substantial increase in the number of catalytic converter thefts over the past year. In an effort to combat the theft, transportation, and recycling of illegally obtained catalytic converters in the City of Irvine, the Irvine City Council has adopted a new ordinance (Irvine Municipal Code § 4-14-115) making it unlawful to possess a catalytic converter that is not attached to a vehicle unless the possessor has valid documentation or other proof of lawful possession.

This ordinance will provide the Irvine Police Department clearly established legal authority to define and punish possession of stolen catalytic converters when a victim cannot be identified. Over time, the impact of this ordinance should reduce the number of catalytic converter thefts within the City of Irvine.

### BACKGROUND

There is currently no City, State, or Federal legislation applicable within the City of Irvine to define and punish catalytic converter thefts absent an identifiable victim, which is a challenge for law enforcement in enforcing catalytic converter thefts.

There have been multiple instances in which Irvine Police Officers have contacted individuals in possession of suspected stolen catalytic converters (e.g. discovering freshly cut catalytic converters on a consensual vehicle search). However, the officers were unable to make an arrest for theft or possession of stolen property, because they could not identify a victim or lawful owner of the catalytic converters. The individuals were released from the scene and criminal complaint requests were not filed.

These situations are likely to continue, because finding a victim of these crimes is extremely challenging due to the undetectable nature of the catalytic converter thefts and catalytic converters being untraceable to link back to a victim (no identifying markers on the catalytic converters).

To address these circumstances, Irvine Municipal Code § 4-14-115 was adopted to provide legal authority to take enforcement action, including making an arrest, when a victim cannot be identified.

## GENERAL AUTHORITY

Irvine Municipal Code § 4-14-115 - Unlawful Possession of a Catalytic Converter.

- A. *It shall be unlawful to possess any catalytic converter that is not attached to a vehicle unless the possessor has valid documentation or other proof to verify they are in lawful possession of the catalytic converter.*
- B. For purposes of this section, “lawful possession” includes being the lawful owner of the catalytic converter or in possession of the catalytic converter with the lawful owner’s written consent. It is not required to prove the catalytic converter was stolen to establish the possession is not a lawful possession.
- C. For purposes of this section, “documentation or other proof” means written document(s) that clearly identify the vehicle from which the catalytic converter originated and includes but is not limited to the following document types: bill of sale from the original owner with photographs, documentation from an auto-body shop proving the owner relinquished the catalytic converter to the auto-body shop, verifiable electronic communication from the previous owner to the possessor relinquishing ownership of the catalytic converter, photographs of the vehicle from which the catalytic converter originated, vehicle registration associated with the catalytic converter containing an etched associated license plate number or vehicle identification number. The validity of “documentation or other proof” is based on the totality of the circumstances.
- D. Each and every violation of this section shall constitute a separate violation and shall be subject to all remedies and enforcement measures authorized by the Irvine Municipal Code. Each and every catalytic converter unlawfully possessed is a separate violation of this section.
- E. Each and every violation of this section may in the discretion of the District Attorney be prosecuted as a misdemeanor and upon conviction be subject to a fine not to exceed \$500 or imprisonment in the county jail for a period of not more than 12 months, or by both such fine and imprisonment.
- F. The remedies provided herein are not to be construed as exclusive remedies. The City is authorized to pursue any proceedings or remedies provided by law.

## ENFORCEMENT PROTOCOL

Members of the Irvine Police Department have discretion to enforce this ordinance. Enforcement options include physical arrest, citation and release from the scene, or release with a criminal complaint to be filed later.