HOUSE BILL 145

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY
Meredith Dixon and William "Bill" R. Rehm and Joy Garratt
and Natalie Figueroa

AN ACT

RELATING TO CRIME; CREATING THE CRIME OF ILLEGALLY DISMANTLING
A MOTOR VEHICLE, VEHICLE, STOLEN MOTOR VEHICLE OR STOLEN
VEHICLE; PROVIDING A PENALTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Criminal Code is enacted
to read:

"[NEW MATERIAL] ILLEGALLY DISMANTLING A MOTOR VEHICLE,
VEHICLE, STOLEN MOTOR VEHICLE OR STOLEN VEHICLE--PENALTY.--

A. Illegally dismantling a motor vehicle, vehicle,
stolen motor vehicle or stolen vehicle consists of a person
owning, operating, maintaining or controlling a chop shop, who
knows or has reason to believe that it is a chop shop.

B. Whoever commits illegally dismantling a motor
vehicle, vehicle, stolen motor vehicle or stolen vehicle is
.218737.2
guilty of a third degree felony.

C. As used in this section:

(1) "chop shop" means a building, lot, facility or other structure or premises where a person possesses, receives, stores, disassembles or alters, including the alteration or concealment of any identifying feature or number, including the manufacturer's serial number, engine number, decal or other distinguishing number or identification mark or number placed under assignment of the motor vehicle division of the taxation and revenue department a vehicle required to be registered pursuant to the Motor Vehicle Code or any vehicle, motor vehicle or motor vehicle engine or component as defined in the Motor Vehicle Code, an unlawfully obtained motor vehicle, vehicle or major component motor vehicle part for the purpose of using, selling or disposing of the motor vehicle, vehicle or major component motor vehicle part;

(2) "motor vehicle" means every vehicle that is self-propelled and every vehicle that is propelled by electric power obtained from batteries or from overhead trolley wires, but not operated upon rails;

(3) "unlawfully obtained" means obtained by theft, fraud or deceit or obtained without the permission of the owner; and

(4) "vehicle" means every device in, upon or by which any person or property is or may be transported or
drawn upon a highway, including any frame, chassis, body or
unitized frame and body of any vehicle or motor vehicle, except
devices moved exclusively by human power or used exclusively
upon stationary rails or tracks.

D. Nothing in this section shall be construed to
preclude a claim for racketeering made pursuant to the
Racketeering Act."