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HOUSE BILL

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

INTRODUCED BY

DISCUSSION DRAFT

FOR THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

AN ACT

RELATING TO CRIME; PROHIBITING OWNERSHIP, OPERATION,
MAINTENANCE OR CONTROL OF A CHOP SHOP OR CONDUCTING OPERATIONS
IN A CHOP SHOP; 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~~ OPERATING A CHOP SHOP--PENALTY.--

A. Any person who knowingly owns, operates,
maintains or controls a chop shop or conducts operations in a
chop shop is guilty of a third degree felony.

B. As used in this section:

(1) "chop shop" means any building, lot,
facility or other structure or premises where one or more
persons engage in receiving, concealing, destroying,

underscoring material = new
~~bracketed material~~ = delete

1 disassembling, dismantling, reassembling or storing any motor
2 vehicle, motor vehicle part, vehicle or vehicle part that has
3 been unlawfully obtained in order to alter, counterfeit,
4 deface, destroy, disguise, falsify, forge, obliterate or remove
5 the identity, including the vehicle identification number or
6 derivative thereof, of the motor vehicle, motor vehicle part,
7 vehicle or vehicle part and to distribute, sell or dispose of
8 the motor vehicle, motor vehicle part, vehicle or vehicle part;

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

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

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

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