

HOUSE BILL 509

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

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Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO CRIME; CREATING THE CRIME OF ILLEGALLY DISMANTLING
STOLEN VEHICLES; 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 STOLEN VEHICLES--
PENALTY.--

A. Illegally dismantling stolen vehicles consists
of a person knowingly:

(1) owning HJC→~~or~~ ←HJC operating HJC→,

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~~maintaining or controlling~~←HJC a chop shop, knowing that it is a chop shop;

(2) transporting an unlawfully obtained motor vehicle or major component motor vehicle part to or from a chop shop, knowing that it is a chop shop; or

(3) selling or transferring to, or purchasing or receiving from, a chop shop, knowing that it is a chop shop, an unlawfully obtained motor vehicle or major component motor vehicle part.

B. A violation of:

(1) Paragraph (1) of Subsection A of this section is a third degree felony; and

(2) Paragraph (2) or (3) of Subsection A of this section is a fourth degree felony.

C. As used in this section:

(1) "chop shop" means a building, lot, facility or other structure or premise where HJC→:←HJC

HJC→(a)←HJC a person possesses, receives, stores, disassembles or alters, including the alteration or concealment of any identifying feature or number HJC→, 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 of a vehicle required to be registered pursuant to the Motor Vehicle Code or

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any vehicle, motor vehicle or motor vehicle engine or component as defined in the Motor Vehicle Code←HJC, an unlawfully obtained motor vehicle or major component motor vehicle part for the purpose of using, selling or disposing of the motor vehicle or major component motor vehicle part;

HJC→~~(b) two or more unlawfully obtained motor vehicles are present for the purpose of alteration, sale or disposal; or~~

~~(c) six or more unlawfully obtained major component motor vehicle parts from two or more motor vehicles are present for the purpose of alteration, sale or disposal;~~

~~(2) "major component motor vehicle part" means any of the following parts of a motor vehicle:~~

- ~~(a) an engine;~~
- ~~(b) a transmission;~~
- ~~(c) a front fender;~~
- ~~(d) the hood;~~
- ~~(e) any door allowing ingress to or egress from the passenger compartment of a motor vehicle;~~
- ~~(f) a front or rear bumper;~~
- ~~(g) a rear quarter panel;~~
- ~~(h) a deck lid, tailgate or hatchback;~~
- ~~(i) a trunk floor pan;~~

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~~(j) a cargo box of a pickup truck;~~
~~(k) a frame, or if the vehicle has a unitized body, a supporting structure that serves as the frame;~~
~~(l) a cab of a truck;~~
~~(m) a body of a passenger vehicle;~~
~~(n) an airbag or airbag assembly;~~
~~(o) a wheel or tire; or~~
~~(p) a part of a motor vehicle that is comparable in design or function to a part listed in this paragraph, or that is labeled with a unique traceable identification number by the manufacturer of the motor vehicle or part;~~ ←HJC

HJC → ~~(3)~~ (2) ←HJC "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; and

HJC → ~~(4)~~ (3) ←HJC "unlawfully obtained" means obtained by theft, fraud or deceit or obtained without the permission of the owner."