

1 HOUSE BILL 145

2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY

4 Meredith Dixon and William "Bill" R. Rehm and Joy Garratt  
5 and Natalie Figueroa  
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10 AN ACT

11 RELATING TO CRIME; CREATING THE CRIME OF ILLEGALLY DISMANTLING  
12 A MOTOR VEHICLE, VEHICLE, STOLEN MOTOR VEHICLE OR STOLEN  
13 VEHICLE; PROVIDING A PENALTY.  
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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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

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

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

24 B. Whoever commits illegally dismantling a motor  
25 vehicle, vehicle, stolen motor vehicle or stolen vehicle is

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1 guilty of a third degree felony.

2 C. As used in this section:

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

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

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

24 (4) "vehicle" means every device in, upon or  
25 by which any person or property is or may be transported or

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1 drawn upon a highway, including any frame, chassis, body or  
2 unitized frame and body of any vehicle or motor vehicle, except  
3 devices moved exclusively by human power or used exclusively  
4 upon stationary rails or tracks.

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

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