

13-1660. Definitions for liquor liability.

As used in these instructions:

1. "Licensee" means a person licensed under the provisions of the Liquor Control Act and the agents or employees of the licensee.
2. "Intoxicated" means a person's mental and physical impairment as a result of using alcohol. As used in these instructions, such impairment must substantially reduce that person's ability to think and act as an ordinarily prudent person, in full possession of his or her faculties, would think and act under like circumstances.
3. "Minor" means a person under twenty-one years of age.
4. "Reckless" conduct is the intentional doing of an act with utter indifference to or conscious disregard for a person's [rights] [safety].
5. "Gross negligence" is an act or omission done without the exercise of even slight care under the circumstances.

USE NOTES

These definitions should be used in conjunction with the instructions governing liability under the common law and NMSA 1978, Section 41-11-1 for the sale, service, or provision of alcohol, UJI 13-1661 through UJI 13-1668 NMRA. [Adopted by Supreme Court Order No. 15-8300-005, effective for all cases pending or filed on or after December 31, 2015.]