

14-240C. Homicide by vehicle; reckless driving; essential elements.

For you to find the defendant guilty of causing death by reckless driving [as charged in Count _____]¹, the state must prove to your satisfaction beyond a reasonable doubt each of the following elements of the crime:

1. The defendant operated a motor vehicle² in a reckless manner³;
2. The defendant's reckless driving caused⁴ the death of _____ (*name of victim*);

3. This happened in New Mexico on or about the _____ day of _____, _____.

USE NOTES

1. Insert the count number if more than one count is charged.
2. If it is in issue, see Section 66-1-4.11 NMSA 1978, for the definition of a motor vehicle.
3. UJI 14-241 NMRA, the definition of driving a motor vehicle in a reckless manner, must be given.
4. If causation is in issue, UJI 14-251 NMRA, the definition of causation, must be given.

[Adopted by Supreme Court Order No. 17-8300-012, effective for all cases pending or filed on or after December 31, 2017.]