

14-240A. Injury to pregnant woman by vehicle; essential elements.

For you to find the defendant guilty of causing injury to a pregnant woman by vehicle [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
[while under the influence of intoxicating liquor³;⁴
[while under the influence of _____, a drug⁵;
[in a reckless manner⁶;
2. The defendant thereby caused⁷ _____ (*name of victim*) to suffer a [miscarriage⁸]⁴ [or] [stillbirth⁸].
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. See Section 66-1-4.11 NMSA 1978 for the definition of a motor vehicle.
 3. Instruction 14-243, the definition of under the influence of intoxicating liquor, must be given if this element is given.
 4. Use only applicable alternative or alternatives.
 5. Instruction 14-245, the definition of under the influence of a drug, must be given if this element is given.
 6. Instruction 14-241, the definition of driving in a reckless manner, must be given if this element is given.
 7. If causation is in issue, Instruction 14-251, the definition of causation, must be given.
 8. If requested, Instruction 14-246, the definition of miscarriage or stillbirth, may be given.
- [Adopted, effective May 1, 1997.]