**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.]