

14-240D. Great bodily injury by vehicle; essential elements.

For you to find the defendant guilty of causing great bodily injury¹ by vehicle [as charged in Count _____]², 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 vehicle³
[while under the influence of intoxicating liquor⁴]⁵ [or]
[while under the influence of _____, a drug⁶] [or]
[in a reckless manner⁷];
2. The defendant's [driving while under the influence of [liquor]⁵ [or] [drugs]] [or] [reckless driving] caused⁸ the great bodily injury¹ to
_____ (*name of victim*);
3. This happened in New Mexico on or about the _____ day of
_____, _____.

USE NOTES

1. The definition of great bodily harm, UJI 14-131 NMRA, must be given with the word "injury" substituted for "harm."
2. Insert the count number if more than one count is charged.
3. If they are in issue, see Section 66-1-4.11 NMSA 1978, for the definition of a motor vehicle and UJIs 14-4511 and 14-4512 for definitions of "operating" and "actual physical control."
4. UJI 14-243 NMRA, the definition of under the influence of intoxicating liquor, must be given if this element is given.
5. Use only applicable alternative or alternatives.
6. UJI 14-245 NMRA, the definition of under the influence of a drug, must be given if this element is given.
7. UJI 14-241 NMRA, the definition of driving a motor vehicle in a reckless manner, must be given.
8. 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.]