**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.]