

14-4516. Failing to give information and render aid; essential elements.¹

For you to find the defendant guilty of failing to give information or render aid [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 drove a vehicle involved in an accident involving [injury] [great bodily harm] [death] [or] [damage to any vehicle driven or attended by another person]³;
2. The defendant knew that there was an accident;
3. The defendant failed to:
 - (a) give defendant's name, address, and registration number to [the person struck] [the driver or occupant of the vehicle collided with] [or] [the person attending any vehicle collided with]⁴;
 - (b) display, upon request, defendant's license to [the person struck] [the driver or occupant of the vehicle collided with] [or] [the person attending any vehicle collided with]⁴; and
 - (c) render reasonable assistance to any person injured in the accident, including by taking or making arrangements to take the injured person to a physician or hospital for medical treatment if it was apparent that such treatment was necessary or such treatment was requested by the injured person]⁴;
4. This happened in New Mexico on or about the ____ day of _____, _____.

USE NOTES

1. For use when the defendant is charged with failing to give information or render aid following an accident involving injury or damage to a vehicle driven or attended by another person under Section 66-7-203 NMSA 1978. If the defendant is charged with the misdemeanor or fourth-degree felony of leaving the scene of an accident involving personal injury or death under Subsections (B) or (D) of Section 66-7-201 NMSA 1978, use UJI 14-4513 NMRA. If the defendant is charged with the third-degree felony of knowingly leaving the scene of an accident involving great bodily harm or death under Subsection (C) of Section 66-7-201, use UJI 14-4514 NMRA. If the defendant is charged with leaving the scene of an accident involving only damage to another vehicle driven or attended by someone else under Section 66-7-202 NMSA 1978, use UJI 14-4515 NMRA.

2. Insert the count number if more than one count is charged.

3. Use only the applicable bracketed alternative or alternatives established by the evidence. If there is dispute as to whether there is personal injury, which may establish a misdemeanor, or great bodily harm or death, which may establish a third or fourth-degree felony, separate instructions should be given or a special verdict form should be used to clarify the jury's finding. If great bodily harm is instructed, the definition of great bodily harm contained in UJI 14-131 NMRA should be given.

4. Use only the applicable bracketed alternative or alternatives established by the evidence.

[Adopted by Supreme Court Order No. S-1-RCR-2023-00029, effective for all cases pending or filed on or after December 31, 2023.]