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HOUSE BILL

**55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022**

INTRODUCED BY

DISCUSSION DRAFT

AN ACT

RELATING TO CRIME; PROHIBITING OWNERSHIP, OPERATION,  
MAINTENANCE OR CONTROL OF A CHOP SHOP OR CONDUCTING OPERATIONS  
IN A CHOP SHOP; PROVIDING A PENALTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Criminal Code is enacted  
to read:

"~~[NEW MATERIAL]~~ OPERATING A CHOP SHOP--PENALTY.--

A. Any person who knowingly owns, operates,  
maintains or controls a chop shop or conducts operations in a  
chop shop is guilty of a third degree felony.

B. As used in this section:

(1) "chop shop" means any building, lot,  
facility or other structure or premises where one or more  
persons engage in receiving, concealing, destroying,

underscoring material = new  
~~[bracketed material] = delete~~

1 disassembling, dismantling, reassembling or storing any motor  
2 vehicle, motor vehicle part, vehicle or vehicle part that has  
3 been unlawfully obtained in order to alter, counterfeit,  
4 deface, destroy, disguise, falsify, forge, obliterate or remove  
5 the identity, including the vehicle identification number or  
6 derivative thereof, of the motor vehicle, motor vehicle part,  
7 vehicle or vehicle part and to distribute, sell or dispose of  
8 the motor vehicle, motor vehicle part, vehicle or vehicle part;

9 (2) "motor vehicle" means every vehicle that  
10 is self-propelled and every vehicle that is propelled by  
11 electric power obtained from batteries or from overhead trolley  
12 wires, but not operated upon rails;

13 (3) "unlawfully obtained" means obtained by  
14 theft, fraud or deceit or obtained without the permission of  
15 the owner; and

16 (4) "vehicle" means every device in, upon or  
17 by which any person or property is or may be transported or  
18 drawn upon a highway, including any frame, chassis, body or  
19 unitized frame and body of any vehicle or motor vehicle, except  
20 devices moved exclusively by human power or used exclusively  
21 upon stationary rails or tracks.

22 C. Nothing in this section shall be construed to  
23 preclude a claim for racketeering made pursuant to the  
24 Racketeering Act."