

HOUSE BILL 509

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

INTRODUCED BY

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AN ACT

RELATING TO CRIME; CREATING THE CRIME OF ILLEGALLY DISMANTLING
STOLEN VEHICLES; 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] ILLEGALLY DISMANTLING STOLEN VEHICLES--
PENALTY.--

A. Illegally dismantling stolen vehicles consists
of a person knowingly:

(1) owning or operating a chop shop, knowing
that it is a chop shop;

(2) transporting an unlawfully obtained motor
vehicle or major component motor vehicle part to or from a chop
shop, knowing that it is a chop shop; or

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1 (3) selling or transferring to, or purchasing
2 or receiving from, a chop shop, knowing that it is a chop shop,
3 an unlawfully obtained motor vehicle or major component motor
4 vehicle part.

5 B. A violation of:

6 (1) Paragraph (1) of Subsection A of this
7 section is a third degree felony; and

8 (2) Paragraph (2) or (3) of Subsection A of
9 this section is a fourth degree felony.

10 C. As used in this section:

11 (1) "chop shop" means a building, lot,
12 facility or other structure or premise where:

13 (a) a person possesses, receives,
14 stores, disassembles or alters, including the alteration or
15 concealment of any identifying feature or number, an unlawfully
16 obtained motor vehicle or major component motor vehicle part
17 for the purpose of using, selling or disposing of the motor
18 vehicle or major component motor vehicle part;

19 (b) two or more unlawfully obtained
20 motor vehicles are present for the purpose of alteration, sale
21 or disposal; or

22 (c) six or more unlawfully obtained
23 major component motor vehicle parts from two or more motor
24 vehicles are present for the purpose of alteration, sale or
25 disposal;

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1 (2) "major component motor vehicle part" means
2 any of the following parts of a motor vehicle:

- 3 (a) an engine;
- 4 (b) a transmission;
- 5 (c) a front fender;
- 6 (d) the hood;
- 7 (e) any door allowing ingress to or
8 egress from the passenger compartment of a motor vehicle;
- 9 (f) a front or rear bumper;
- 10 (g) a rear quarter panel;
- 11 (h) a deck lid, tailgate or hatchback;
- 12 (i) a trunk floor pan;
- 13 (j) a cargo box of a pickup truck;
- 14 (k) a frame, or if the vehicle has a
15 unitized body, a supporting structure that serves as the frame;
- 16 (l) a cab of a truck;
- 17 (m) a body of a passenger vehicle;
- 18 (n) an airbag or airbag assembly;
- 19 (o) a wheel or tire; or
- 20 (p) a part of a motor vehicle that is
21 comparable in design or function to a part listed in this
22 paragraph, or that is labeled with a unique traceable
23 identification number by the manufacturer of the motor vehicle
24 or part;

25 (3) "motor vehicle" means every vehicle that

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1 is self-propelled and every vehicle that is propelled by
2 electric power obtained from batteries or from overhead trolley
3 wires, but not operated upon rails; and

4 (4) "unlawfully obtained" means obtained by
5 theft, fraud or deceit or obtained without the permission of
6 the owner."