

HOUSE BILL 145

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

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This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO CRIME; Hf11 → ~~CREATING THE CRIME OF ILLEGALLY
DISMANTLING A MOTOR VEHICLE, VEHICLE, STOLEN MOTOR VEHICLE OR
STOLEN VEHICLE~~ ← Hf11 Hf11 → PROHIBITING OPERATION OF A CHOP
SHOP ← Hf11 ; 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] Hf11 → ~~ILLEGALLY DISMANTLING A MOTOR~~

.218737.2AIC February 26, 2021 (12:14pm)

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~~VEHICLE, VEHICLE, STOLEN MOTOR VEHICLE OR STOLEN VEHICLE~~←Hf11

Hf11→OPERATING A CHOP SHOP←Hf11 --PENALTY.--

Hf11→~~A. Illegally dismantling a motor vehicle, vehicle, stolen motor vehicle or stolen vehicle consists of a person owning, operating, maintaining or controlling a chop shop, who knows or has reason to believe that it is a chop shop.~~

~~B. Whoever commits illegally dismantling a motor vehicle, vehicle, stolen motor vehicle or stolen vehicle is guilty of a third degree felony.~~←Hf11

Hf11→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.←Hf11

Hf11→~~C.~~←Hf11 Hf11→B.←Hf11 As used in this section:

Hf11→~~(1) "chop shop" means a building, lot, facility or other structure or premises where a person possesses, receives, stores, disassembles or alters, including the alteration or concealment of any identifying feature or number, including the manufacturer's serial number, engine number, decal or other distinguishing number or identification mark or number placed under assignment of the motor vehicle division of the taxation and revenue department a vehicle required to be registered pursuant to the Motor Vehicle Code or~~

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~~any vehicle, motor vehicle or motor vehicle engine or component as defined in the Motor Vehicle Code, an unlawfully obtained motor vehicle, vehicle or major component motor vehicle part for the purpose of using, selling or disposing of the motor vehicle, vehicle or major component motor vehicle part;~~←Hf11

Hf11→(1) "chop shop" means any building, lot, facility or other structure or premises where one or more persons engage in receiving, concealing, destroying, disassembling, dismantling, reassembling or storing any motor vehicle, motor vehicle part, vehicle or vehicle part that has been unlawfully obtained in order to alter, counterfeit, deface, destroy, disguise, falsify, forge, obliterate or remove the identity, including the vehicle identification number or derivative thereof, of the motor vehicle, motor vehicle part, vehicle or vehicle part and to distribute, sell or dispose of the motor vehicle, motor vehicle part, vehicle or vehicle part;←Hf11

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

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

(4) "vehicle" means every device in, upon or

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by which any person or property is or may be transported or drawn upon a highway, including any frame, chassis, body or unitized frame and body of any vehicle or motor vehicle, except devices moved exclusively by human power or used exclusively upon stationary rails or tracks.

Hf11→D.←Hf11 Hf11→C.←Hf11 Nothing in this section shall be construed to preclude a claim for racketeering made pursuant to the Racketeering Act."

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