**14-240C. Homicide by vehicle; reckless driving; essential elements.**

For you to find the defendant guilty of causing death by reckless driving [as charged in Count \_\_\_\_\_\_\_\_\_\_\_\_]1, 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 vehicle2 in a reckless manner3;

2. The defendant’s reckless driving caused4 the death of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of victim*);

3. This happened in New Mexico on or about the \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_.

USE NOTES

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

2. If it is in issue, *see* Section 66-1-4.11 NMSA 1978, for the definition of a motor vehicle.

3. UJI 14-241 NMRA, the definition of driving a motor vehicle in a reckless manner, must be given.

4. 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.]