

14-4502. Driving while under the influence of drugs; essential elements.

For you to find the defendant guilty of driving while under the influence of drugs [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 vehicle;²
2. At that time, the defendant was under the influence of drugs to such a degree that the defendant was incapable of safely driving a vehicle;
3. This happened in New Mexico, on or about the _____ day of _____, _____.

USE NOTES

1. Insert count number if more than one count is charged.
 2. See Section 66-1-4.11 NMSA 1978 for the definition of "motor vehicle".
- [Adopted, October 1, 1985; UJI Criminal Rule 35.02 NMSA 1978; UJI 14-4502 SCRA 1986; as amended, effective May 1, 1997.]