

**14-4501. Driving while under the influence of intoxicating liquor; essential elements.**

For you to find the defendant guilty of driving while under the influence of intoxicating liquor [as charged in Count \_\_\_\_\_]<sup>1</sup>, 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<sup>2</sup>;
2. At the time, the defendant was under the influence of intoxicating liquor, that is, as a result of drinking liquor the defendant was less able to the slightest degree, either mentally or physically, or both, to exercise the clear judgment and steady hand necessary to handle a vehicle with safety to the person and the public;
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 a motor vehicle.
- [Adopted, October 1, 1985; UJI Criminal Rule 35.01 NMSA 1978; UJI 14-4501 SCRA 1986; as amended, effective May 1, 1997.]