

**CERTAIN ALTERATIONS OF MOTOR VEHICLE TRADEMARKS,
IDENTIFICATION NUMBERS, PROHIBITED
(N.J.S.A. 2C:17-6a)**

Count _____ of the indictment charges the defendant with altering a motor vehicle [trademark] [distinguishing or identification number] [serial number or mark] in violation of a statute which provides as follows:

A person who removes, defaces, alters, changes, destroys, covers or obliterates any trademark, distinguishing or identification number, serial number or mark on or from any motor vehicle for an unlawful purpose, is guilty of a crime. . .

In order for the defendant to be found guilty of altering a motor vehicle [trademark] [distinguishing or identification number] [serial number or mark], the State must prove the following elements beyond a reasonable doubt:

- (1) that the defendant purposely [removed] [defaced] [altered] [changed] [destroyed] [covered] [obliterated] any [trademark] [distinguishing or identification number] [serial number or mark] on or from any motor vehicle; and
- (2) that the defendant did so for an unlawful purpose.

The first element the State must prove beyond a reasonable doubt is that the defendant purposely [removed] [defaced] [altered] [changed] [destroyed] [covered] [obliterated] any [trademark] [distinguishing or identification number] [serial number or mark] on or from any motor vehicle. A “motor vehicle” includes motor bicycles, motorcycles, automobiles, trucks, tractors or other vehicles designed to be self-propelled by mechanical power, and otherwise than by muscular

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power, except motor vehicles running upon or guided by rails or tracks.¹

A person acts purposely with respect to the nature of his/her conduct or a result thereof if it is his/her conscious object to engage in conduct of that nature or to cause such a result. A person acts purposely with respect to attendant circumstances if he/she is aware of the existence of such circumstances or believes or hopes that they exist. "With purpose," "designed," "with design," or equivalent terms have the same meaning.

Purpose is a condition of the mind that cannot be seen and can only be determined by inferences drawn from the defendant's conduct, words or acts. It is not necessary for the State to prove the existence of such a mental state by direct evidence such as a statement by the defendant that he/she had a particular purpose. It is within the power of the jury to find that the proof of purpose has been furnished beyond a reasonable doubt by inferences which you may draw from the nature of the acts and circumstances surrounding the conduct of the defendant as they have been presented in the evidence you have heard and seen in this case.

The second element the State must prove beyond a reasonable doubt is that the defendant did so for an unlawful purpose. I have already defined purpose for you. In this case, the State contends that the defendant's unlawful purpose in [removing] [defacing] [altering] [changing] [destroying] [covering] [obliterating] the [trademark] [distinguishing or identification number] [serial number or mark] on or from the motor vehicle was _____.

[Defendant, on the other hand, contends that his/her purpose in performing the act(s) with _____

¹ N.J.S.A. 2C:17-6c.

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which he/she is charged was _____.]

If the State has failed to prove any of the elements beyond a reasonable doubt, you must find the defendant not guilty of altering a motor vehicle [trademark] [distinguishing or identification number] [serial number or mark]. If the State has proven every element beyond a reasonable doubt, you must find the defendant guilty of the crime of altering a motor vehicle [trademark] [distinguishing or identification number] [serial number or mark].