

Ala. Code 1975, § 13A-8-22(a)(1)
OBSCURING IDENTITY OF VEHICLE
(Obscuring to Render
Unidentifiable)

The defendant is charged with obscuring identity of a vehicle.

A person commits the crime of obscuring identity of a vehicle if he/she obscures the manufacturer's serial number or any other distinguishing identification number or mark upon any vehicle or component part thereof, except tires, with intent to render it unidentifiable.

To convict, the State must prove beyond a reasonable doubt each of the following elements of obscuring identity of a vehicle:

- (1) The defendant obscured the manufacturer's serial number or any other distinguishing identification number or mark upon any vehicle or component part thereof, except tires, **[Insert description of vehicle or part]; (AND)**
- (2) The defendant did so with intent to render it unidentifiable.

Obscure means to remove, deface, cover, alter, destroy or otherwise render unidentifiable. [13A-8-22(b)]

Vehicle means any propelled device in, upon or by which any person or property is transported on land, water or in the air, including stationary rails or tracks, and includes motor vehicles, motorboats, vessels and aircraft. [13A-8-22(c)]

[Read as appropriate] Proof that a person has obscured the manufacturer's serial number or other distinguishing identification number or mark on a vehicle is prima facie evidence that he/she did so with the intent to render it unidentifiable. [13A-8-22(d)] Such prima facie evidence of intent may be rebutted, however, by other evidence as a whole.

[Read as appropriate] Possession of a vehicle held for sale in the course of business on which the serial number or other identification number or mark has been obscured is prima facie evidence of knowledge of that fact.

[13A-8-22(e)] Such prima facie evidence of intent may be rebutted, however, by other evidence as a whole. Possession of a vehicle held for sale in the course of business on which the serial number or other identification number or mark has been obscured is prima facie evidence of knowledge of that fact. [13A-8-22(e)] Such prima facie evidence of intent may be rebutted, however, by other evidence as a whole.

A person acts *intentionally* with respect to a result or to conduct when his/her purpose is to cause that result or to engage in that conduct.

[13A-2-2(1)]

If you find from the evidence that the State has proved beyond a reasonable doubt each of the above elements of obscuring identity of a vehicle, then you shall find the defendant guilty of obscuring identity of a vehicle.

If you find that the State has failed to prove any one or more of the elements of the offense of obscuring identity of a vehicle, then you cannot find the defendant guilty of obscuring identity of a vehicle.

[If lesser-included offenses are included, the Court should instruct on those offenses at this point.]

[Approved 05-17-24]