

29.11 VENDING MACHINE THEFT

§ 877.08(3), Fla. Stat.

To prove the crime of Vending Machine Theft, the State must prove the following three elements beyond a reasonable doubt:

1. (Defendant) [molested] [opened] [broke] [injured] [damaged] [inserted any part of [his] [her] body] [any instrument] into a [coin-operated vending machine] [parking meter].
2. [He] [She] intended to commit larceny; and,
3. The coin-operated vending machine or parking meter was the property of (name of owner).

Definition

A "coin-operated vending machine" or "parking meter" is any machine, contrivance, or device that is adapted for use in such a way that, as a result of the insertion of any money, coin or other object, the machine, contrivance, parking meter, or device operates or may be operated and the user becomes entitled to receive any food, drink, telephone or telegraph service, insurance protection, parking privilege or any other personal property, service, protection, right, or privilege of any kind or nature whatsoever.

Lesser Included Offenses

No lesser included offenses have been identified for this offense.

Comment

This instruction was adopted in 1981.