

29.12 VENDING MACHINE TAMPERING OR DAMAGING

§ 877.08(2), Fla. Stat.

To prove the crime of Vending Machine Tampering or Damaging, the State must prove the following two elements beyond a reasonable doubt:

1. (a). (Defendant) maliciously or mischievously [molested] [opened] [broke] [injured] [damaged] a [coin-operated vending machine] [parking meter].

(b). (Defendant) maliciously or mischievously [inserted any part of [his] [her] body] [any instrument] into a [coin-operated vending machine] [parking meter].
2. The [coin-operated vending machine] [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 the 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.

Lesser Included Offenses

No lesser included offenses have been identified for this offense.

Comment

This instruction was adopted in 1981.