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N.C.P.I.—Crim. 270.57
FAILURE TO DECREASE SPEED TO AVOID ACCIDENT (FAILURE TO SLOW DOWN). INFRACTION.
GENERAL CRIMINAL VOLUME
REPLACEMENT JUNE 2020
N.C. Gen. Stat. § 20-141(m)

270.57 FAILURE TO DECREASE SPEED TO AVOID ACCIDENT (FAILURE TO SLOW DOWN). INFRACTION.

The defendant has been charged with failing to decrease speed as necessary to avoid collision and injury.

For you to find the defendant responsible for this infraction, the state must prove six things beyond a reasonable doubt:

First, that the defendant was operating a vehicle.[1]

Second, that the defendant was operating the vehicle on a highway[2].

Third, that this vehicle collided with a [person] [vehicle] [(*name other conveyance*)] which was on or entering this highway.

Fourth, that [a person] [property] was injured in this collision.

Fifth, that the defendant failed to reduce the speed of the defendant's vehicle as necessary[3] to avoid the collision and injury.

And Sixth, that the defendant's failure to do so was a proximate cause of this collision and injury.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant operated a vehicle on a highway and that this vehicle collided with a [person] [another vehicle] [conveyance] that was on or entering that highway at the time of this collision, that [a person] [property] was injured in this collision, and that the defendant failed to reduce the speed of defendant's vehicle as necessary to avoid this collision and injury and that defendant's failure to do so was a proximate cause of the collision and injury, it would be your duty to return a verdict of responsible. If you do not so find, or have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not responsible.

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1. For definition of a "vehicle" *see* N.C. Gen. Stat. § 20-4.01(49).

2. For definition of a "highway" *see* N.C. Gen. Stat. § 20-4.01(13).

3. For a discussion of "necessary" *see State v. Worthington*, 89 N.C. App. 88 (1988).