

N.C.P.I.—CRIMINAL 270.68
FAILURE TO STOP FOR BLUE LIGHT AND SIREN (APPROACHING LAW ENFORCEMENT
VEHICLE) CAUSING DAMAGE TO PROPERTY IN EXCESS OF \$500. MISDEMEANOR.
GENERAL CRIMINAL VOLUME
JUNE 2006
N.C. Gen. Stat. §§ 20-157(a), (h); 20-125

270.68 FAILURE TO STOP FOR BLUE LIGHT AND SIREN (APPROACHING LAW
ENFORCEMENT VEHICLE) CAUSING DAMAGE TO PROPERTY IN EXCESS OF
\$500. MISDEMEANOR.

The defendant has been charged with failing to stop for an
approaching law enforcement vehicle displaying a blue light and sounding a
siren causing damage to property in excess of \$500.

For you to find the defendant guilty of this offense, the State must
prove seven things beyond a reasonable doubt:

First, that the defendant was operating a vehicle. (*Describe vehicle*) is
a vehicle.

Second, that the defendant was doing so on a [street] [highway].
(*Describe highway*) is a highway.

Third, that while the defendant was doing so, a law enforcement
vehicle approached.¹ A (*describe police vehicle*) is a law enforcement
vehicle.

Fourth, that the law enforcement vehicle was displaying a blue
warning light.²

Fifth, that the law enforcement vehicle was also sounding a siren³
audible under normal conditions from a distance of not less than 1,000 feet.

Sixth, that the defendant [did not immediately drive his vehicle to a
position as near as possible and parallel to the right hand [edge] [curb] of
the highway, clear of any intersections, and stop] [after stopping properly,
did not remain in that position until [otherwise directed by a [police] [traffic
officer] [the (*describe vehicle*) had passed].]⁴

And Seventh, that in doing so, the defendant caused damage to
property in the immediate area of the authorized [emergency vehicle]
[public service vehicle] in excess of \$500.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant was operating a vehicle on a highway, that while he was doing so a law enforcement vehicle approached displaying a blue warning light and sounding a siren audible under normal conditions from a distance of not less than 1,000 feet, and that the defendant [did not immediately drive his vehicle to a position as near as possible and parallel to the right hand [edge] [curb] of the highway, clear of any intersections, and stop] [after stopping properly, did not remain in that position until [otherwise directed by a [police] [traffic] officer] [the (*describe vehicle*) had passed], and that in doing so, the defendant caused damage to property in the immediate area of the authorized [emergency vehicle] [public service vehicle] in excess of \$500, it would be your duty to return a verdict of guilty. 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 guilty.⁵

1. G.S. § 20-157(a) does not apply to vehicles traveling in opposite directions on a divided four lane highway.

2. G.S. § 20-125(b) authorizes other vehicles of the type covered by G.S. § 20-157(a) to be equipped with "special lights . . . approved by the Commission of motor vehicles." When dealing with a vehicle other than a police vehicle specify the appropriate warning light.

3. G.S. § 20-157(a) also requires drivers to yield to a bell or an exhaust whistle. When dealing with a vehicle other than a police vehicle, insert the appropriate warning sound.

4. It would be an affirmative defense to this charge if the defendant was directed by a police or traffic officer not to stop or to continue to another location. In appropriate cases the jury should be so instructed.

5. If there is evidence to support the submission of a lesser included offense, this last phrase would be amended as follows "If you do not so find or have a reasonable doubt as to one or more of these things, then you would not return a verdict of guilty of failure to stop for blue light and siren causing damage to property in excess of \$500, but would consider whether the defendant is guilty of"