

270.71 FAILURE TO STOP FOR FLASHING RED LIGHT. INFRACTION.

The defendant has been charged with failing to stop for a flashing red light.

For you to find the defendant responsible for this offense, the State must prove four things beyond a reasonable doubt.

First, that there was a stop light emitting a flashing red light on (*name highway*) at the intersection of (*name highway*).<sup>1</sup>

Second, that the defendant was the driver of a vehicle on (*name highway*).

Third, that the defendant's vehicle was facing this flashing red light.

And Fourth, that the defendant's vehicle did not stop in obedience to the flashing red light (or, if it did stop, that it did not yield the right of way to the vehicle(s) [in] [approaching] that intersection).<sup>2</sup>

If you find from the evidence beyond a reasonable doubt that on or about the alleged date there was a stop light emitting a flashing red light on (*name highway*) at its intersection with (*name intersecting highway*), that the defendant was the driver of a vehicle facing this red light, and that the defendant's vehicle did not stop in obedience to the flashing red light (or, if it did stop, that it did not yield the right of way to the vehicle(s) was [in] [approaching] the intersection), 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. See N.C.P.I.—Crim. 270.70, note 2.

2. Use this parenthetical only when there is evidence that the defendant did stop.