

270.81 RECKLESS DRIVING—DRIVING TO ENDANGER. MISDEMEANOR.

The defendant has been charged with reckless driving.

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

First, that the defendant drove a vehicle upon a [highway] [public vehicular area]. (*Name or describe highway or public vehicular area*) is a [highway] [public vehicular area].¹

Second, that he drove that vehicle (*describe manner of driving*)² and that in so doing he acted without due caution or circumspection.

And Third, that he drove at a speed or in a manner so as to endanger or be likely to endanger any person or property.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant drove a vehicle upon a [highway] [public vehicle area] (*describe manner of driving*), and that in so doing he acted without due caution or circumspection and drove at a speed or in a manner so as to endanger or be likely to endanger any person or property, it would be your duty to return a verdict of guilty. If you do not so find or if you have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.

1. "Public vehicular area" is defined in G.S. 10-4.01(32).

2. This description is necessary to avoid reversible error. *Cf. Ingle v. Transfer Corp.*, 271 N.C. 276 (1967).