

N.C.P.I.-Crim. 271.23
SEX OFFENDER DRIVING [COMMERCIAL PASSENGER VEHICLE] [SCHOOL
BUS]. FELONY.
GENERAL CRIMINAL VOLUME
JUNE 2010
N.C. Gen. Stat. § 20-27.1

271.23 SEX OFFENDER DRIVING [COMMERCIAL PASSENGER VEHICLE]
[SCHOOL BUS]. FELONY.

NOTE WELL: This instruction applies to defendants whose initial registration under Article 27A of Chapter 14 of the General Statutes occurs on or after December 1, 2009, and to defendants who were registered under Article 27A of Chapter 14 of the General Statutes prior to December 1, 2009, and continue to be registered on or after December 1, 2009.

The defendant has been charged with driving a [commercial passenger vehicle] [school bus] without a license, where the defendant did not have a license because the defendant had been convicted of a violation that requires registration as a sex offender pursuant to North Carolina law.¹

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

First, that the defendant drove a [commercial passenger vehicle] [school bus].

And Second, that the defendant did not have a valid commercial drivers license with a [P endorsement]² [S endorsement]³ because the defendant had been convicted of a violation that requires registration as a sex offender pursuant to North Carolina law.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant drove a [commercial passenger vehicle] [school bus] and that the defendant did not have a valid commercial drivers license with a [P endorsement] [S endorsement] because the defendant had been convicted of a violation that requires registration as a sex offender pursuant to North Carolina law, it would be

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your duty to return a verdict of guilty. If you do not so find or have a reasonable doubt as to one or both of these things, it would be your duty to return a verdict of not guilty.

1. This offense is directed towards defendants who do not have a commercial license because they have been convicted of a violation that requires registration under Article 27A of Chapter 14 of the General Statutes. Effective December 1, 2009, the Department of Motor Vehicles shall not issue or renew a commercial drivers license with a P or S endorsement to any person who is required to register under Article 27A of Chapter 14 of the General Statutes. N.C. Gen. Stat. § 20-37.14A.

2. A P endorsement is required in order to drive a passenger vehicle.

3. An S endorsement is a required in order to drive a school bus.