

N.C.P.I.-Crim. 271.61
REMOVAL OF VEHICLE FROM SCENE AFTER ACCIDENT RESULTING IN
[INJURY] [DEATH] TO ANY PERSON-DRIVER. FELONY.
GENERAL CRIMINAL VOLUME
JUNE 2006
N.C. Gen. Stat. § 20-166(a)

271.61 REMOVAL OF VEHICLE FROM SCENE AFTER ACCIDENT RESULTING
IN [INJURY] [DEATH] TO ANY PERSON- DRIVER. FELONY.

The defendant has been charged with removal of a vehicle from the scene of an [accident] [collision] resulting in [injury] [death] to any person.

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

First, that the defendant was the driver of a vehicle that was involved in an [accident] [collision].

Second, that the defendant knew or reasonably should have known that the vehicle was involved in an [accident] [collision] resulting in [injury] [death] to any person.

Third, that defendant willfully [facilitated] [allowed] [agreed to] the removal of the vehicle from the scene of the accident (without justification or excuse).¹

And Fourth, that a law enforcement officer had not [completed the investigation of the accident] [authorized the removal of the vehicle].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant was the driver of a vehicle that was involved in an [accident] [collision], that the defendant knew or reasonably should have known that the vehicle was involved in the [accident] [collision] resulting in [injury] [death] to any person, and that the defendant willfully [facilitated] [allowed] [agreed to] the removal of the vehicle from the scene of the accident before a law enforcement officer had [completed the investigation of the accident] [authorized the

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removal of the vehicle] (without justification or excuse), 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.

1. It would be a defense that the purpose of the removal of the vehicle was to call for a law enforcement officer, to call for medical assistance, to call for medical treatment, or to remove defendant or others from significant risk of injury. It would also be a defense that the defendant removed the vehicle at the direction of a law enforcement officer.