

N.C.P.I.—CRIMINAL 271.62
REMOVAL OF VEHICLE FROM SCENE AFTER ACCIDENT RESULTING IN [DAMAGE TO
PROPERTY] [[INJURY] [DEATH] TO ANY PERSON OF WHICH THE DRIVER WAS UNAWARE]—
DRIVER. MISDEMEANOR.
GENERAL CRIMINAL VOLUME
JUNE 2006
N.C. Gen. Stat. § 20-166(c)

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The defendant has been charged with removal of a vehicle from the scene of an accident resulting in [damage to property] [[injury] [death] to any person about which the defendant did not know or have reason to know].

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 a reportable accident. A reportable accident¹ is one involving a motor vehicle that results in [death or injury of a human being] [total property damage of one thousand dollars (\$1,000) or more] [property damage of any amount to a vehicle seized because it was driven by a person charged with an offense involving impaired driving whose license was already revoked as a result of a prior impaired driving offense].

Second, that the defendant knew or reasonably should have known that the vehicle was involved in an [accident] [collision] resulting in [damage to property] [[injury] [death] to any person about which the defendant did not know or have reason to know].

Third, that defendant willfully [facilitated] [allowed] [agreed to] the removal of the vehicle from the scene of the accident (without justification or excuse).²

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

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involved in a reportable accident, that the defendant knew or reasonably should have known that the vehicle was involved in an [accident] [collision] resulting in [damage to property] [[injury] [death] to any person about which the defendant did not know or have reason to know], 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 removal of the vehicle] (without jurisdiction 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. G.S. 20-4.01(33b) defines a "reportable crash" but does not include a definition for a "reportable accident." The Pattern Jury Committee assumes that the legislature intended the term "reportable accident" in G.S. 20-166(c) to be synonymous with the term "reportable crash" and thus uses that definition here.

2. 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.