

N.C.P.I.-Crim. 271.70
LEAVING SCENE AFTER ACCIDENT RESULTING IN [INJURY] [DEATH] TO
ANY PERSON-PASSENGER. FELONY.
GENERAL CRIMINAL VOLUME
JUNE 2006
N.C. Gen. Stat. § 20-166.2(a)

271.70 LEAVING SCENE AFTER ACCIDENT RESULTING IN [INJURY]
[DEATH] TO ANY PERSON - PASSENGER. FELONY.

The defendant has been charged with leaving 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 passenger of a vehicle that was involved in an [accident] [collision] resulting in [injury] [death] to any person.

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 left the scene of the accident by acting as the driver of a vehicle involved in the accident (without justification or excuse).¹

And Fourth, that a law enforcement officer had not [completed the investigation of the accident] [authorized the defendant to leave the scene of the accident].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant was the passenger 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 left the scene of the accident before a law enforcement officer had [completed the investigation of the accident]

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[authorized the passenger to leave the scene of the accident] (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 defendant left the scene because remaining at the scene placed the defendant or others at significant risk of injury.