

N.C.P.I.—Criminal 258.30
ERECTING OR MAINTAINING SIGNS ON HIGHWAYS. MISDEMEANOR.
GENERAL CRIMINAL VOLUME
JUNE 2012
G.S. 136-32 (a)

ERECTING OR MAINTAINING SIGNS ON HIGHWAYS. MISDEMEANOR.

The defendant has been charged with [erecting] [maintaining] a [warning sign] [direction sign] [marker] [signal] [light] (or) [an imitation [warning sign] [direction sign] [marker] [signal] [light]] upon a highway.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 [erected] [maintained] a [warning sign] [direction sign] [marker] [signal] [light] (or) [an imitation [warning sign] [direction sign]² [marker] [signal] [light]] upon a highway;

And Second, that the defendant was not authorized³ to [erect] [maintain] such (imitation) [warning sign] [direction sign] [marker] [signal] [light].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant, without authorization, [erected] [maintained] a [warning sign] [direction sign] [marker] [signal] [light] (or)

1 G.S. 20-4.01 (13) defines "highway" as "[t]he entire width between property or right-of-way lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right for the purposes of vehicular traffic. The terms "highway" and "street" and their cognates are synonymous."

2 G.S. 136-32 (a) provides that imitation of "any official sign" is prohibited.

3 G.S. 136-32 (a) states that the "erection or maintenance of signs, markers, or signals bearing thereon the name of an organization authorized to erect the same by the Department of Transportation or by any local authority referred to in G.S. 136-31" are not prohibited.

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[an imitation [warning sign] [direction sign] [marker] [signal] [light]] upon a highway, 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, then it would be your duty to return a verdict of not guilty.