

N.C.P.I.—Crim. 270.15A
AGGRAVATING FACTORS FOR IMPAIRED DRIVING. VERDICT FORM.
JUNE 2016
N.C. Gen. Stat. § 20-179

STATE OF NORTH CAROLINA
IN THE GENERAL COURT OF JUSTICE
COUNTY OF _____
SUPERIOR COURT DIVISION

FILE NO.

Verdict Sheet

STATE OF NORTH CAROLINA

vs.

Defendant

Issue One:

Do you find from the evidence beyond a reasonable doubt the existence of the following aggravating factor(s)?

Answer: _____

Before you answer the question above, consider (each of) the following aggravating factor(s). If you find beyond a reasonable doubt that a (the) factor exists, you would write "yes" in the space after that factor. If you write "yes" in (one or more of) the following space(s), then you would write "yes" in the space after the question above.

NOTE WELL: Modify verdict sheet and submit to the jury only the aggravating factors supported by the evidence. N.C. Gen Stat § 20-179(c).

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(01) At the time of the offense, the defendant's license was revoked pursuant to N.C. Gen. Stat. § 20-28(a1) because of [impaired driving] [violating an ignition interlock restriction].

Answer: _____

(02) There was serious injury to another person caused by the defendant's impaired driving at the time of the offense.

Answer: _____

(03) At the time of the offense, the defendant was driving while a [child under the age of eighteen years] [a person with the mental development of a child under the age of eighteen years] [a person with a physical disability preventing unaided exit from the vehicle] was in the vehicle.

Answer: _____

(04) At the time of the offense, the defendant's faculties were grossly impaired while driving.

Answer: _____

(05) The defendant had an alcohol concentration of .16 or more at the time of the offense or within a relevant time of the driving involved in this offense.

Answer: _____

(06) At the time of the offense, the defendant was driving especially [recklessly] [dangerously].

Answer: _____

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(07) At the time of the offense, the defendant's negligent driving led to a reportable accident.

Answer: _____

(08) At the time of the offense, the defendant was driving while the defendant's driver's license was revoked.

Answer: _____

(09) The defendant has [two or more prior convictions of a motor vehicle offense not involving impaired driving for which at least three points are assigned under N.C. Gen Stat § 20-16 or for which the convicted person's license is subject to revocation, if the convictions occurred within five years of the date of the offense for which the defendant is being sentenced] [one or more prior convictions of an offense involving impaired driving that occurred more than seven years before the date of the offense for which the defendant is being sentenced].

Answer: _____

(10) The defendant was convicted under N.C. Gen Stat § 20-141.5 for speeding while [fleeing] [attempting to elude apprehension] at the time of the offense.

Answer: _____

(11) The defendant was convicted under N.C. Gen Stat § 20-141 for speeding by at least 30 miles per hour over the legal limit at the time of the offense.

Answer: _____

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(12) At the time of the offense, the defendant was passing a stopped school bus in violation of N.C. Gen Stat § 20-217.

Answer: _____

(13) At the time of the offense, the defendant was (list any other factor alleged in the indictment and supported by the evidence that aggravates the seriousness of the offense).

Answer: _____

This the ____ day of _____, _____.

Foreperson