

FAILURE TO RETURN WITH THE VEHICLE AFTER BEING PERMITTED TO REMOVE IT FROM THE SCENE AFTER AN ACCIDENT RESULTING IN [DAMAGE TO PROPERTY] [[INJURY] [DEATH] TO PERSON OF WHICH THE DRIVER WAS UNAWARE] - DRIVER. MISDEMEANOR. G.S. 20-166(c).

The defendant has been charged with failure to return with the vehicle after being permitted to remove it 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 five things beyond a reasonable doubt:

First, that the defendant drove 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].

¹G.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.

FAILURE TO RETURN WITH THE VEHICLE AFTER BEING PERMITTED TO REMOVE IT FROM THE SCENE AFTER AN ACCIDENT RESULTING IN [DAMAGE TO PROPERTY] [[INJURY] [DEATH] TO PERSON OF WHICH THE DRIVER WAS UNAWARE] - DRIVER. MISDEMEANOR. G.S. 20-166(c). (Continued).

Second, that the defendant knew or reasonably should have known that the vehicle was involved in an [accident] [collision].

Third, that the [accident] [collision] resulted in [damage to property] [[injury] [death] to any person about which the defendant did not know or have reason to know].

Fourth, that defendant removed the vehicle to [call for a law enforcement officer] [call for medical assistance] [call for medical treatment] [remove defendant or others from significant risk of injury]

And Fifth, that defendant willfully failed to return with the vehicle to the accident scene within a reasonable period of time.

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

FAILURE TO RETURN WITH THE VEHICLE AFTER BEING PERMITTED TO REMOVE IT FROM THE SCENE AFTER AN ACCIDENT RESULTING IN [DAMAGE TO PROPERTY] [[INJURY] [DEATH] TO PERSON OF WHICH THE DRIVER WAS UNAWARE] - DRIVER. MISDEMEANOR. G.S. 20-166(c). (Continued).

defendant removed the vehicle to [call for a law enforcement officer] [call for medical assistance] [call for medical treatment] [remove defendant or others from significant risk of injury], and that defendant willfully failed to return with the vehicle to the accident scene within a reasonable period of time, 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.

