

230.77 DRIVING WITH A LIGHT BAR

The defendant has been driving a motor vehicle on the highways while using a light bar lighting device.

For you to find the defendant guilty of this offense, the State must prove three things beyond a reasonable doubt:

First, that the defendant acted knowingly.

Second, that defendant was driving a motor vehicle¹ on the State’s highways².

And Third, the defendant was using a light bar lighting device³ while driving. A light bar lighting device is a bar-shaped lighting device comprised of multiple lamps capable of projecting a beam of light at an intensity greater than 25 candlepower.

If you find beyond a reasonable doubt that the defendant knowingly drove a motor vehicle on the State’s highways while using a light bar lighting device, then it would be your duty to return a verdict of guilty. If you do not so find or have reasonable doubt as to one or more of these things, then it would be your duty to return a verdict of not guilty.

¹ N.C. Gen. Stat. § 20-130(f) excludes vehicles listed in both N.C. Gen. Stat. § 20-130(d) and N.C. Gen. Stat. § 20-130.1(b).

² A highway is the 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. N.C. Gen. Stat. § 20-4.01(13)

³ See N.C. Gen. Stat. § 20-130(c, f).

