

N.C.P.I.—Crim 270A.27A  
MANIPULATING [WATER SKIS] [A SURFBOARD] [NONMOTORIZED  
VESSEL] [SIMILAR DEVICE] WHILE UNDER THE INFLUENCE OF AN  
IMPAIRING SUBSTANCE. MISDEMEANOR.

JUNE 2017

N.C. Gen. Stat. § 75A-10(b)

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270A.27A MANIPULATING [WATER SKIS] [A SURFBOARD]  
[NONMOTORIZED VESSEL] [SIMILAR DEVICE] WHILE UNDER THE  
INFLUENCE OF AN IMPAIRING SUBSTANCE. MISDEMEANOR.

The defendant has been charged with manipulating [water skis]  
[a surfboard] [nonmotorized vessel] [(*describe similar device*)] while  
under the influence of an impairing substance.

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

First, that the defendant was manipulating [water skis] [a  
surfboard] [nonmotorized vessel] [(*describe similar device*)] on the  
waters of this State.<sup>1</sup>

And Second, that the defendant was under the influence of an  
impairing substance. (*Name substance involved*) is an impairing  
substance.<sup>2</sup> The defendant is under the influence of an impairing  
substance when the defendant has [taken] [consumed] a sufficient  
quantity of that impairing substance to cause the defendant to lose the  
normal control of the defendant's [bodily] [mental] faculties, to such  
an extent that there is an appreciable impairment of these faculties.<sup>3</sup>

If you find from the evidence beyond a reasonable doubt that on  
or about the alleged date the defendant was manipulating [water skis]  
[a surfboard] [nonmotorized vessel] [(*describe similar device*)] on the  
waters of this State and that the defendant was under the influence of  
an impairing substance, then 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

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more of these things, it would be your duty to return a verdict of not  
guilty.

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1 See N.C. Gen. Stat. § 75A-2(6). "Waters of this State" means any waters within the territorial limits of this State, and the marginal sea adjacent to this State and the high seas when navigated as a part of a journey or ride to or from the shore of this State, but does not include private ponds as defined in N.C. Gen. Stat. § 113-129.

2 An impairing substance includes alcohol, controlled substance under Chapter 90 of the General Statutes, or any other drug or psychoactive substance capable of impairing a person's physical or mental faculties, or any combination of these substances. N.C. Gen. Stat. § 20-4.01(14a).

3 N.C. Gen. Stat. § 20-4.01(48a).