

271.92 OPERATION OF MOTOR VEHICLES WITHOUT FINANCIAL  
RESPONSIBILITY. MISDEMEANOR.

The defendant has been charged with failing to have financial responsibility while [operating (a) motor vehicle] [permitting the operation of a motor vehicle in this State].

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

First, that the defendant was the owner of a motor vehicle;

Second, that the defendant registered<sup>1</sup> this motor vehicle with the North Carolina Division of Motor Vehicles;

And Third, that the defendant [operated this motor vehicle] [permitted this motor vehicle to be operated] in North Carolina at a time when the defendant did not have in place the financial responsibility, that is liability insurance in the amount of (*insert amount*) as required by North Carolina law.<sup>2</sup>

(If you find from the evidence that the owner of a motor vehicle registered or required to be registered in this State [operated this vehicle] [permitted this motor vehicle to be operated] in North Carolina, and if records from the Division of Motor Vehicles indicate that the owner did not have the required financial responsibility, you may, but are not compelled to, find that the owner [operated] [permitted the operation of] a motor vehicle without the required financial responsibility).<sup>3</sup>

If you find from the evidence beyond a reasonable doubt that on or about the alleged date the defendant was the owner of a motor vehicle, that the defendant registered this motor vehicle with the North Carolina Division

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of Motor Vehicles, that the defendant [operated this motor vehicle] [permitted this motor vehicle to be operated] in North Carolina at a time when the defendant did not have in place the financial responsibility, that is liability insurance in the amount of (*insert amount*) as required by North Carolina law, 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.

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1 N.C. Gen. Stat. 20-313(a) also applies to an owner of a motor vehicle required to be registered in this State, even though it is not registered. For a full list of requirements for vehicle registration in North Carolina, please see:

<http://www.dmv.com/nc/north-carolina/vehicle-registration>.

2 N.C. Gen. Stat. § 20-309 (a).

3 N.C. Gen. Stat. § 20-313(b).