

271.94 IMPERSONATION OF A TRANSPORTATION NETWORK COMPANY  
DRIVER. MISDEMEANOR.

*NOTE WELL:* If the defendant impersonated a transportation network company driver during the commission of a separate felony offense, then use N.C.P.I.—Crim. 271.95.

The defendant has been charged with impersonation of a transportation network company<sup>1</sup> driver<sup>2</sup>.

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

First, that the defendant made a false representation to another person that the defendant was a transportation network company driver.

And Second, that the defendant made the false representation by

- (a) [Making a false statement]
- (b) [[Falsely displaying [distinctive signage] (or) [emblems], known as a [trade dress] [trademark] [branding] (or) [logo] of the transportation network company]]
- (c) [Falsely representing that the defendant had a current connection with the transportation network company]; or
- (d) [Falsely representing that the defendant was responding to a passenger ride request for a transportation network company].

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant [made a false statement] [[falsely displayed [distinctive signage] (or) [emblems] known as a [trade dress] [trademark] [branding] (or) [logo] of the transportation network company]

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[falsely represented that the defendant had a current connection with a transportation network company] [falsely represented that the defendant was responding to a passenger ride request for a transportation network company], 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.

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1. N.C. Gen. Stat. § 20-280.1 defines “Transportation Network Company” as any person that uses an online-enabled application or platform to connect passengers with Transportation Network Company drivers who provide prearranged transportation services (e.g., Uber & Lyft).

2. N.C. Gen. Stat. § 20-280.1 defines “Transportation Network Company Driver” as an individual that uses a passenger vehicle in connection with a transportation network company’s online enabled application or platform to connect with passengers in exchange for payment of a fee to the transportation network company.