

102.24 PROXIMATE CAUSE - "NO CONTACT" RULE.

If the negligence of the operator of a vehicle proximately causes the operator of another vehicle to lose control of or to drive *his* vehicle in such a way as to result in [injury] [damage] to another, the first operator may be held liable for such [injury] [damage]. It is not necessary that the first operator's vehicle actually come in contact with another [person] [vehicle].¹

1. In *Kight v. Seymour*, 263 N.C. 790, 140 S.E.2d 410 (1965), defendant was driving in his left lane, attempting to pass another car, as plaintiff approached from the opposite direction. Plaintiff drove his car partially off the highway to his right. Defendant's car did not strike plaintiff's car, but struck the car being passed, and the latter veered across the highway and struck plaintiff's car. It was held that this was sufficient to allow the jury to find that defendant's negligence was a proximate cause of plaintiff's injury. See also *McGaha v. Smoky Mountain Stages, Inc.*, 263 N.C. 769, 140 S.E.2d 355 (1965); *Bondurant v. Mastin*, 252 N.C. 190, 113 S.E.2d 292 (1960).