

N.C.P.I.-Motor Vehicle 203.10
STOP SIGN VIOLATION.
MOTOR VEHICLE VOLUME
MAY 2006
N.C. Gen. Stat. § 20-158(b)(1)

203.10 STOP SIGN VIOLATION.

The motor vehicle law provides that when a stop sign has been erected or installed at an intersection, the driver of a vehicle approaching the intersection and facing the stop sign shall stop in obedience to that stop sign and shall yield the right-of-way to any vehicle being operated on the designated main traveled or through highway.¹

Failure to come to a complete stop and yield the right-of-way is not negligence within itself. However, the failure to come to a complete stop and yield the right-of-way when, under the same or similar circumstances, a reasonably careful and prudent person would have stopped and yielded the right-of-way, would be negligence.

1. "It is his duty to stop and yield the right of way unless the motorist on the dominant highway is a sufficient distance from the intersection to warrant the assumption that he can cross in safety before the other vehicle, operated at a reasonable speed, reaches the crossing." *Yost v. Hall*, 233 N.C. 463, 467, 64 S.E.2d 554 (1951); *Farmer v. Reynolds*, 4 N.C. App. 554, 558, 167 S.E.2d 480, 484 (1969).

N.C. Gen. Stat. § 20-158(b)(1) also provides that "[w]hen stop signs have been erected at three or more entrances to an intersection, the driver, after stopping, may proceed with caution."