

204.09 DUTY TO DRIVE IN PROPER LANE.

The motor vehicle law provides that whenever any street has been divided into two or more clearly marked lanes for traffic, the following rules apply:¹ (*Select one or more of the following where applicable.*)

[A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the operator of a vehicle has first ascertained that such movement can be made with safety.]

[Upon a street which is divided into three or more lanes and provides for the two-way movement of traffic, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle traveling in the same direction when such center lane is clear of traffic within a safe distance, or in the preparation for making a left turn or where such center lane is at the time allocated exclusively to traffic moving in the same direction that the vehicle is proceeding and such allocation is designated by official² traffic-control devices.]

[When official traffic-control devices have been erected directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the street, the operator of a vehicle shall obey the direction of every such device.]

[When official traffic-control devices have been installed prohibiting the changing of lanes on sections of streets, the operator of a vehicle shall obey the directions of every such device.]

A violation of [this rule] [these rules] is negligence within itself.³

N.C.P.I.-Motor Vehicle 204.09
DUTY TO DRIVE IN PROPER LANE.
MOTOR VEHICLE VOLUME
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N.C. Gen. Stat. § 20-146(d)

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1. These rules are to be applied in addition to all others consistent herewith.
 2. An official traffic control is one placed by a public body having the authority to do so.
 3. *Insurance Co. v. Chantos*, 298 N.C. 246, 258 S.E.2d 334 (1979). However, a defendant may escape liability by showing that he was on the wrong side of the road from a cause other than his own negligence. *Id.*; *Anderson v. Webb*, 267 N.C. 745, 148 S.E.2d 846 (1966); *Ramsey v. Christie*, 19 N.C. App. 255, 198 S.E.2d 470 (1973).