

102.21 "NO CONTACT" RULE.

If the negligence of the driver of a motor vehicle proximately causes the driver of another vehicle so to lose control of the other vehicle, or to drive it in such a way, as to result in [injury] [damage] to the person seeking damages, the negligent driver may be held liable for such [injury] [damage]. It is not necessary that the negligent driver's vehicle come in contact with the vehicle or person of the party seeking damages.¹

1. In *Kight v. Seymour*, 263 N.C. 790 (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*, 263 N.C. 769 (1965); *Bondurant v. Martin*, 252 N.C. 190 (1960).