

N.C.P.I.-Motor Vehicle 203.06
RIGHT-OF-WAY-VEHICLES APPROACHING INTERSECTION AT
APPROXIMATELY THE SAME TIME.
MOTOR VEHICLE VOLUME
APRIL 1989
N.C. Gen. Stat. § 20-155(a)

203.06 RIGHT-OF-WAY - VEHICLES APPROACHING INTERSECTION AT
APPROXIMATELY THE SAME TIME. N.C. Gen. Stat. § 20-155(a).¹

The motor vehicle law provides that when two vehicles approach or enter an intersection from different highways at approximately the same time,² the operator of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

A violation of this law is negligence within itself.

1. See *Neal v. Stevens*, 266 N.C. 96, 145 S.E.2d 325 (1965); *Raper v. Byrum*, 265 N.C. 269, 144 S.E.2d 38 (1965). N.C. Gen. Stat. § 20-155(a) is inapplicable where motorists are proceeding in opposite directions and meeting at an intersection. See *Fleming v. Drye*, 253 N.C. 545, 117 S.E.2d 416 (1960). Where by reason of automatic traffic lights, stop or caution signs, or other devices, one street at an intersection is favored over the other, and one street is thereby made permanently or intermittently dominant and the other servient, this instruction has no application. See *White v. Phelps*, 260 N.C. 445, 132 S.E.2d 902 (1963).

2. The key element of this instruction is that the vehicles approached or entered the intersection "at approximately the same time." For cases dealing with the interpretation of "at approximately the same time," see *State v. Hill*, 233 N.C. 61, 62 S.E.2d 532 (1950); *Brady v. Nehi Beverage Co.*, 242 N.C. 32, 86 S.E.2d 901 (1955); *Dawson v. Jennette*, 270 N.C. 438, 180 S.E.2d 121 (1971).