

205.70 PASSING HORSES OR OTHER DRAFT ANIMALS.

The motor vehicle law provides that the operator of a motor vehicle shall use reasonable care when approaching or passing a horse or other draft animal, whether the animal is being ridden or is otherwise under control.

If the operator fails to act as a reasonably careful and prudent person would act under all the circumstances then existing, such failure would be negligence.¹

1. See *Curry v. Fleeer*, 157 N.C. 16, 72 S.E. 626 (1911), which was decided under the predecessor of the current statute at a time when it required, among other things, that the motor vehicle driver slow to a speed not exceeding eight m.p.h.

As to the duties of persons riding animals and driving animal-drawn vehicles, see N.C.P.I.-Civil 225.35.