

RIGHT-OF-WAY--VEHICLES APPROACHING INTERSECTION AT APPROXIMATELY THE SAME TIME. G.S. 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.

¹See 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). G.S. 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).

²The 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).

