

STOP SIGN VIOLATION--DUTY OF OPERATOR ENTERING INTERSECTION FROM STOPPED POSITION.

The motor vehicle law provides that it is unlawful for the operator of a motor vehicle, when starting from a stopped position and entering an intersection, to fail to yield the right-of-way to vehicles traveling on the designated main-traveled or through [highway] [street].¹

Failure to yield the right-of-way is not negligence within itself.

However, the failure to yield the right-of-way when, under the same or similar circumstances, a reasonably careful and prudent person would have yielded the right-of-way, would be negligence.

¹Howard v. Melvin, 262 N.C. 569, 138 S.E.2d 238 (1964).

