

PEDESTRIANS--DUTY OF LOOKOUT--PEDESTRIAN WITHOUT THE RIGHT-OF-WAY.¹

The law provides that a pedestrian who is required to yield the right-of-way is under a duty to keep a reasonable lookout.² This means that the pedestrian is charged with the duty at all times of keeping such a lookout as a reasonably careful and prudent person would keep under all the circumstances then existing. This duty is not only to look, but to see what ought to be seen.³ The pedestrian must be reasonably vigilant and anticipate the use of the highway by others.⁴

A violation of this duty is negligence.

¹For summary of places where pedestrians must yield the right-of-way to vehicular traffic, see G.S. § 20-174. See also, N.C.P.I.--Civil 211.30, 211.35, 211.36, 211.40, 211.45, 211.50, 211.55, and 211.56.

²Crossing without right-of-way:

Brooks v. Boucher, 22 N.C. App. 676, 207 S.E.2d 282, cert. denied, 286 N.C. 211 (1974); Rosser v. Smith, 260 N.C. 647, 133 S.E.2d 499 (1963); Garman v. Thomas, 241 N.C. 412, 85 S.E.2d 589 (1955).

Walking along highway:

Clark v. Bodycombe, 289 N.C. 246, 221 S.E.2d 506 (1975); Simpson v. Wood, 260 N.C. 157, 132 S.E.2d 369 (1963); Spencer v. Motor Co., 236 N.C. 239, 72 S.E.2d 598 (1952).

³Rosser v. Smith, *supra*; Garman v. Thomas, *supra*.

⁴Dendy v. Watkins, 288 N.C. 447, 219 S.E.2d 214 (1975).

