**05.13 RIGHT-OF-WAY – DRIVER MAKING LEFT TURN**

Withdrawn 1986. See 1986 Introductory Use Note of Article 05.

# Comment

This instruction was based on 13 Alaska Admin. Code § 02.125.

The Alaska Supreme Court has not yet ruled on whether violation of 13 Alaska Admin. Code § 02.125 constitutes negligence per se. See generally 3 Blashfield, Automobile Law and Practice, § 114.127 (3d ed. 1965).

The driver of an approaching vehicle is also required to exercise due care. In Mitchell v. Knight, 394 P.2d 892, 895 (Alaska 1964), the Alaska Supreme Court affirmed a lower court’s finding of contributory negligence by holding that when a driver whose vehicle is traveling through an intersection in the right-hand lane sees that the traffic signal is green, that the left lane proceeding in the same direction has stopped, and that his view of the intersection is obstructed, reasonable care calls for the driver to slow down and proceed with caution because of the likelihood that an approaching vehicle is intending to make a left turn across his line of travel.

See 3 Blashfield, Automobile Law and Practice, § 114.121-132 (3d ed. 1965), for a general discussion of turns at intersections.