

Entering Intersection at a four-way stop

If two vehicles arrive at an intersection controlled by four-way stop signs at approximately the same time, the vehicle on the right has the right of way. The vehicle on the left is usually 100 per cent at fault.

The vehicle that arrives at the intersection first and enters the intersection prior to another vehicle has the right of way. (*Motor Vehicle Act*, Section 175). When ICBC adjusters are unable to determine which vehicle entered the intersection first, fault is usually shared 50-50.



Motor Vehicle Act section(s): Section 173

Who did the courts find at fault?

When ICBC assesses who is at fault for a crash, we do so based on how the courts have decided fault in previous, similar crashes.

The courts have the final say about who is at fault. Here is what the courts in British Columbia have decided in cases like the crash example above:

Related B.C. court cases

- [Wiltshire v. Anger](#)
- [Tse v. Jung](#)

Wiltshire v. Anger

In the British Columbia Supreme Court case of *Wiltshire v. Anger* [1992] BCWLD 2204, there was a two-car collision at the intersection of Cumberland Street and 6th Avenue in New Westminster. One of the vehicles, which was heading west on 6th Avenue, had come to a complete stop. Its driver looked to his right and saw that no vehicle was approaching. He then looked to his left, but his view was severely

restricted by an overgrown hedge. The other driver, who was heading north on Cumberland Street, failed to see the stop sign in time, and therefore didn't stop, hitting the first driver. The judge said that the driver who ran the stop sign was 100 per cent at fault for failing to stop.

Tse v. Jung

In the British Columbia Supreme Court case of *Tse v. Jung* [1998] WL 1719572, a driver was involved in three separate accidents over a number of years. Of interest is the October 31, 1992, accident, which involved two vehicles at the intersection of Cambie Street and King Edward Avenue. The lights at the intersection weren't working, so four-way stop signs had been erected. The first driver slowed down and stopped at the intersection. He let the vehicles from the other three directions proceed through, then he began through himself. When he was about half way across the intersection he was hit on the passenger side of his vehicle by another vehicle coming through on King Edward Avenue. The driver of the vehicle that struck him had failed to notice that she was entering an intersection and didn't notice any stop signs. The judge said that she was 100 per cent at fault for failing to stop. The other driver had the right to assume she was going to obey the rules of the road.