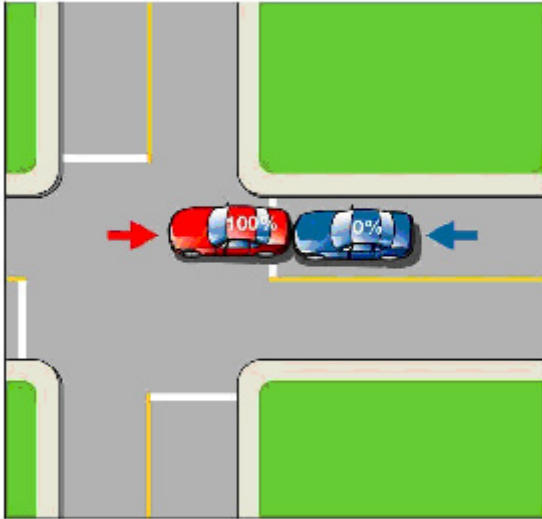


Reversing vehicle on roadway

The courts generally rule that a reversing vehicle is 100 per cent at fault for any resulting accident. Vehicles should not go backwards unless the movement can be made in safety. (*Motor Vehicle Act*, Section 193)



Motor Vehicle Act section(s): Section 193

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

- [Blehm v. Corby](#)
- [Leung v. Tham](#)

Blehm v. Corby

In the British Columbia Court of Appeal case of *Blehm v. Corby* [1994] 92 BCLR (2d) 270, a driver stopped behind a large truck with a crane mounted on it. The truck driver had his right turn signal on, however instead of turning the truck backed up and hit the driver behind him.

The Court of Appeal said the truck driver was clearly at fault for backing up when it was unsafe to do so. The only way the other driver could have been found at fault would have been to show that she knew he was going to back up and to do something to avoid the collision. In this instance she acted reasonably in the circumstances.

Leung v. Tham

In the British Columbia Supreme Court case of *Leung v. Tham* [1999] WL 33268991, a man was standing in an alley leaning on the hood of a truck writing out a cheque. A woman driving past him was blocked by a truck unloading produce, so she backed her vehicle up and hit the man.

The judge said that the driver should have been especially careful when backing up, because she knew the man was there and that there was not much room to pass. She did not honk to warn the man she was backing up. The man had no reason to think that the driver, having already passed him, would back up in the wrong direction for travel in the alley. In addition, the man did not take a step back and was entitled to have been there. The judge said the driver was 100 per cent at fault.