

A Signaling Driver's Potential Liability

How many times have you approached an intersection and another vehicle wanted to turn left or a pedestrian wanted to cross the road in front of you? You're a courteous person, so you stop and wave them across in front of you. Bad mistake!

Courts in most states have now ruled that a driver's wave can reasonably be interpreted as an all-clear signal, not just for the signaling driver's own lane but for all lanes of travel. There are some additional legal nuances to this, but in general, the hand signal from the driver is the key element.

Most of the severe injuries and fatalities seem to occur on four-lane roads. Pedestrians often cannot see beyond the driver's vehicle to determine if there is oncoming traffic, so they rely on the hand signal and assume the driver checked for traffic.

Educate your drivers about this potential liability. It's probably best to avoid hand signals, but if you do signal, check all lanes of traffic to determine if it is safe to cross.