

# Publisher's Note

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| <b>ANNOTATED BRITISH COLUMBIA<br/>MOTOR VEHICLE ACT</b><br>Michael Libby, K.C. & Alex Choi<br>Release No. 1, May 2024 |
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### What's New in this Update:

Recent case law discussed in the updates to the commentary includes:

- **Part 3 – Section 162 – Following too closely** – The Court of Appeal clarified that the word “follow” in section 162 refers to sequence, such as ‘go after’ or ‘go behind’, rather than proximity – consequently, proximity, along with speed and road conditions, would be a factor in assessing compliance with this section: *Helgason v. Rondeau*, 2023 BCCA 339, 2023 CarswellBC 2461 (B.C. C.A.).

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- **Part 3 – Section 181 – Duty of driver** – The Supreme Court held that the mere fact a driver did not see a pedestrian before hitting him or her would, on its own, be insufficient to establish that the driver had failed to keep an adequate lookout: *Makara v. Peter*, 2023 BCSC 1478, 2023 CarswellBC 2555 (B.C. S.C.).