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August 22, 2012

VIA EMAIL

Mr. Lincoln Lin (spry@ms10.hinet.net)
2nd Floor, No. 95-2
Yun Hoe 3, Ta KN District
Taipei
TAIWAN, ROC

Re: Issue Involving the Traffic Markings on the Street and the Rear End Accident

Dear Lincoln:

I reviewed the photographs you gave to me regarding the accident which took place whereby the other driver rear ended your vehicle when you were slowed to look to the left in order to make a left hand turn due to the arrows painted on the asphalt street surface.

In that regard, I understand you slowed to find out where you would make a left turn and another vehicle rear ended yours. Under these circumstances, it is well settled traffic procedural law that the party who rear end the other car is absolutely at fault. In this instance, the rear end vehicle has the last chance to avoid the collision. This is the standard rule and would apply to this situation. This applies even if someone were to stop at an intersection where the light is green and the other vehicle rear ends the car that stopped.

In this instance, the matter is complicated by the fact that the street signage on the asphalt service is inconsistent with the double white lines which are painted on the asphalt surface also. As you can see, there is an arrow stating that the vehicle may proceed straight or may turn left. In fact, the vehicle cannot turn left because of the solid white line which blocks a left hand turn onto the one way street which separates the travel lane from the lane where a party may otherwise turn left.

Based on the California Vehicle Code, as long as the vehicle code of several other states, in this instance, slowing to determine where to turn left would constitute a condition that the rear end vehicle should see in order to avoid the collision. Since the rear ended vehicle did not avoid the



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collision, the rear end vehicle is the one at fault. Should you need anything further then this in terms of research, please let me know.

It is my pleasure to have been of help in this matter and provide my opinion.

Very truly yours,

Malcolm S. McNeil

[DICTATED BUT NOT READ]

cc: Mr. Peter Yin (via email)