

1 **13-1202. Duty of lookout and control.**

2 It is the duty of every operator of a vehicle, at all times, [to keep a proper lookout] [and]
3 [to maintain proper control of ~~[[his][her]]~~ their vehicle] so as to avoid placing the operator or others
4 in danger and to prevent an accident.

5 USE NOTES

6 If the ["proper lookout"] phrase is used, then UJI 13-1201 NMRA and UJI 13-1203
7 NMRA should be used.

8 [As amended, effective January 1, 1987; November 1, 1991; as amended by Supreme Court Order
9 No. S-1-RCR-2025-00126, effective for all cases pending or filed on or after December 31, 2025.]

10 **Committee commentary.** — It is the driver's duty to exercise ordinary care to see what is to be
11 seen. *Lopez v. Maes*, 81 N.M. 693, 699, 472 P.2d 658 (Ct. App.), cert. denied, 81 N.M. 721, 472
12 P.2d 984 (1970). At pages 700 and 701, the court makes specific reference to UJI 13-1202 and 13-
13 1203, the same as UJI 13-902 and 13-903, respectively, in the first edition. *See also Butcher v.*
14 *Safeway Stores*, 78 N.M. 593, 435 P.2d 212 (Ct. App. 1967); *Martinez v. City of Albuquerque*, 84
15 N.M. 189, 500 P.2d 1312 (Ct. App. 1972); and *Dahl v. Turner*, 80 N.M. 564, 458 P.2d 816, 39
16 A.L.R.3d 207 (Ct. App.), cert. denied, 80 N.M. 608, 458 P.2d 860 (1969).