

Walkabout: Pedestrian Laws and You

Your Rights as a Pedestrian

Picture this. You're standing at the corner of a busy intersection, minding your own business, when the crosswalk signals it's safe for you to cross the street. You walk across the blacktop, hands in your pockets, enjoying the pleasant afternoon weather. Maybe you glance at your phone as you cross or possibly stare up at a cloud sailing by. For whatever reason, you don't see the car careening towards you until it's too late. In an instant you're thrown to the hard pavement and both your afternoon and your life are now in complete disarray.

You begin to wonder what happens next. What do you do? How could this have happened to you of all people? How could you be so unlucky?

Most pedestrians never imagine they might be struck by an automobile until it's bearing down on them. Yet, this exact scenario plays out every 8 minutes for a pedestrian somewhere in the United States. If you've been struck by an automobile while walking, not only should you know your rights as a pedestrian, but you may very well be entitled to compensation.

Pedestrian Laws

Laws for pedestrians tend to vary from city to city and even from state to state. For example, the city of Seattle has a pedestrian protection program in place few other municipalities in Washington enforce. This plan includes strict laws governing how drivers interact with pedestrians, the installation of hundreds of designated crosswalks which give pedestrians the right-of-way, and pedestrian-friendly liability laws. In contrast, cities such as Dallas, which tend to be more car-centric, pedestrians are lucky to even find sidewalks to walk upon.

Pedestrian Liability and Accident Claims

The first step in building an injury claim in a case involving a pedestrian struck by an automobile is to establish who was at fault. Again, pedestrian laws are not uniform and vary depending on location. Most laws, though, protect pedestrians in crosswalks and sidewalks. If a police officer determines a pedestrian's actions are at fault, say, by walking in the middle of the road, then pressing an injury claim might prove difficult, if not impossible.

One way to prove liability is to obtain statements from any witnesses to the accident. Depending on your injuries this might be easier said than done. But if you are able try to write down the names and contact information of anyone who might have seen the accident. Taking photos of the scene, too, could end up being invaluable in proving you aren't at fault.

If you're a pedestrian who has been hit by a moving car contact the Advocates for a free evaluation of your case. Our lawyers have decades of experience and know how to help you quickly get back on your feet and on the road to recovery. Call us today.

References:

<https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812124>

http://www.seattle.gov/transportation/pedestrian_masterplan/