

We already know that pedestrians have the right of way in marked or unmarked crosswalks. However, there are times when pedestrians do not always have the right-of-way. Are you aware of those times when a pedestrian must yield to a vehicle? In this chapter we will learn about who pedestrians are, where they should walk when there are no sidewalks, what to do regarding blind pedestrians, and some interesting facts about pedestrian fatalities.

4.1 Rights and Responsibilities: Pedestrians

According to data from the Fatality Analysis Reporting System (FARS), in 2023 there were 7,314 pedestrians killed in traffic crashes in the United States. This is a 3.7 percent decrease from the 7,593 pedestrian fatalities in 2022. On average, a pedestrian was killed every 72 minutes and injured every 8 minutes in traffic crashes in 2023. Substantially more pedestrian fatalities occurred in urban areas (84%) than in rural areas (16%) in 2023. Seventy-four percent of the pedestrian fatalities occurred at locations that were not intersections, 17 percent occurred at intersections, and the remaining 9 percent occurred at other locations in 2023. Nearly 1 out of every 4 pedestrians killed in traffic crashes in 2023 (24%) were struck by hit-and-run drivers. Of all 50 states, Texas and California had the most pedestrian fatalities.

Looking at California during this same time frame 1,106 pedestrians were killed in traffic crashes.

Looking at Ventura County during this same time frame, 10 pedestrians were killed in traffic crashes.

Pedestrian safety is very important. Make sure you're always being mindful of pedestrians. In our attempts to stay focused on the road and other vehicles ahead or not wanting to miss the changing light, pedestrians can seemingly hop out of nowhere, causing us to brake suddenly or swerve around them.

Pedestrians: A pedestrian is a person on foot or using a conveyance propelled by human power (skates, skateboard) other than a bicycle; and also includes disabled persons who may be using powered devices. Disabled persons using self-propelled wheelchairs, tricycles, or quadricycles are not able to move about as easily as pedestrians. These persons should be given the same rights as any other pedestrian. Here are a few things to keep in mind regarding pedestrians:

Pedestrians may be at risk walking near hybrid and electric vehicles because these vehicles are virtually silent while operating. Use extra caution when driving near pedestrians.

Respect the right-of-way of pedestrians. Always stop for any pedestrian crossing at corners or other crosswalks, even if the crosswalk is in the middle of the block, at corners with or without traffic signal lights, whether or not the crosswalks are marked by painted lines.

Do not pass a vehicle stopped at a crosswalk. A pedestrian you cannot see may be crossing the street. Stop and proceed when all pedestrians have crossed the street.

Do not drive on a sidewalk, except to cross it to enter or exit a driveway or alley. When crossing, yield to all pedestrians.

Do not stop in a crosswalk. You will place pedestrians in danger.

Allow older pedestrians, disabled pedestrians, and pedestrians with young children sufficient time to cross the street.

California's 2025 pedestrian safety law (known as Daylighting) limits where drivers can park near intersections and crosswalks to improve safety by reducing blind spots that put pedestrians at risk. **Starting in 2025, drivers cannot park within 20 feet ahead of most street corners or mid-block crosswalks.**

Obey signs pertaining to pedestrians. Examples include:



IMPORTANT: Blind pedestrians rely on the sound of your vehicle to become aware of your vehicle's presence, and the sound of the pedestrian signal to know when they are able to safely cross the street. It is important that you **stop your vehicle within 5 feet of the crosswalk.** Drivers of hybrid or electric vehicles must remain especially aware that the lack

of engine noise may cause a blind pedestrian to assume there is not a vehicle nearby. Follow this cue:

When a blind person pulls in his or her cane and steps away from the intersection, this gesture usually means for you to go. Do not give verbal instructions.

Crosswalks: A crosswalk is the part of the roadway set aside for pedestrian traffic. Most intersections have a pedestrian crosswalk whether or not lines are painted on the street. Most crosswalks are located at corners, but they can also be located in the middle of the block. Before turning a corner, watch for pedestrians about to cross the street. **Pedestrians have the right-of-way in marked or unmarked crosswalks.** Although pedestrians have the right-of-way, they also must abide by the rules of the road. A pedestrian should not suddenly leave a curb, or other place of safety, and cross into the path of a vehicle as this creates an immediate hazard. Furthermore, a pedestrian must not stop unnecessarily or delay traffic while in a crosswalk.

If you approach a crosswalk while driving, you are required to exercise caution and reduce your speed to safeguard the safety of the pedestrian. You may need to stop to ensure the safety of the pedestrian, per CVC §21950 which states: (a) **The driver of a vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection,** except as otherwise provided in this chapter. (b) **This section does not relieve a pedestrian from the duty of using due care for his or her safety.** No pedestrian may suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close as to constitute an immediate hazard. No pedestrian may unnecessarily stop or delay traffic while in a marked or unmarked crosswalk. (c) The driver of a vehicle approaching a pedestrian within any marked or unmarked crosswalk shall exercise all due care and shall reduce the speed of the vehicle or take any other action relating to the operation of the vehicle as necessary to safeguard the safety of the pedestrian. (d) Subdivision (b) does not relieve a driver of a vehicle from the duty of exercising due care for the safety of any pedestrian within any marked crosswalk or within any unmarked crosswalk at an intersection.

Crosswalks are often marked with white lines. Yellow crosswalk lines may be painted at school crossings. Most often, crosswalks in residential areas are not marked.

Some crosswalks have flashing lights to warn you that pedestrians may be crossing. Look for pedestrians and be prepared to stop, whether or not the lights are flashing.

No Sidewalks?: When walking on the side of the roadway, pedestrians should use the sidewalk. If there is no sidewalk no pedestrian may walk upon any roadway outside a business or residence district otherwise than close to his or her left-hand edge of the

roadway (In layman's terms: **If there are no sidewalks, walk facing traffic and as far from vehicles as possible**). Also, a pedestrian may walk close to his or her right-hand edge of the roadway if a crosswalk or other means of safely crossing the roadway is not available or if existing traffic or other conditions would compromise the safety of a pedestrian attempting to cross the road. CVC §21956. If there isn't a crosswalk, cross at a well-lit place in the road where drivers can best see you.

Toll Bridge/Highway Crossing: Pedestrians are not permitted on any toll bridge or highway crossing, or in any tunnel unless there is a sidewalk more than three feet wide, with signs telling you that pedestrians are permitted to use it. Wear bright or reflective clothing, day and night, when walking along a roadway that does not have a sidewalk. Don't walk or jog on any freeway where signs tell you that pedestrians are not allowed. A significant cause of accidents is pedestrians walking on roadways while intoxicated, wearing headphones, or otherwise not paying attention to traffic. It is dangerous to wear headphones while walking on roadways because you cannot hear approaching vehicles. It is dangerous to walk on railroad tracks. Joggers, runners, rollerbladers, and skateboarders must also obey all pedestrian rules. Rollerbladers and skateboarders may be prohibited from using sidewalks by local authority, but must otherwise obey all pedestrian rules.

Here are a few more rules from the California Vehicle Code regarding pedestrians at intersections and designated crosswalks:

Between adjacent intersections controlled by traffic control signal devices or by police officers, pedestrians shall not cross the roadway at any place except in a crosswalk. CVC §21955

When a signal first changes to "WALK" or the walking person for you, look left, right, and then left again before crossing the street. Yield the right-of-way to any vehicle in the intersection before the signal changed.

If a pedestrian control signal showing the words "WALK" or "WAIT" or "DON'T WALK" or other approved symbol is in place, the signal shall indicate as follows:

(a) A "WALK" or approved "Walking Person" symbol means a pedestrian facing the signal may proceed across the roadway in the direction of the signal, but shall yield the right-of-way to vehicles lawfully within the intersection at the time that signal is first shown.

(b) A flashing "DON'T WALK" or "WAIT" or approved "Upraised Hand" symbol with a "countdown" signal indicating the time remaining for a pedestrian to cross the roadway means a pedestrian facing the signal may start to cross the roadway in the direction of the signal but must complete the crossing prior to the display of the steady "DON'T WALK" or "WAIT" or approved "Upraised Hand" symbol when the "countdown" ends.

(c) A steady “DON’T WALK” or “WAIT” or approved “Upraised Hand” symbol or a flashing “DON’T WALK” or “WAIT” or approved “Upraised Hand” without a “countdown” signal indicating the time remaining for a pedestrian to cross the roadway means a pedestrian facing the signal shall not start to cross the roadway in the direction of the signal, but any pedestrian who started the crossing during the display of the “WALK” or approved “Walking Person” symbol and who has partially completed crossing shall proceed to a sidewalk or safety zone or otherwise leave the roadway while the steady “WAIT” or “DON’T WALK” or approved “Upraised Hand” symbol is showing.

When crossing at an intersection controlled by stop signs, you should make sure that drivers see you before you attempt to cross the roadway. Don’t assume that other drivers will stop just because one vehicle has stopped for you.

At an intersection where traffic is not controlled by signals or signs, drivers are required to yield the right-of-way to you within any crosswalk, marked or unmarked. However, you must give the driver a chance to yield to you and not just step off the curb when oncoming vehicles are nearby.

If you “jaywalk” across a street between intersections, where no pedestrian crosswalks are provided, you must yield the right-of-way to all vehicles. CVC 21954