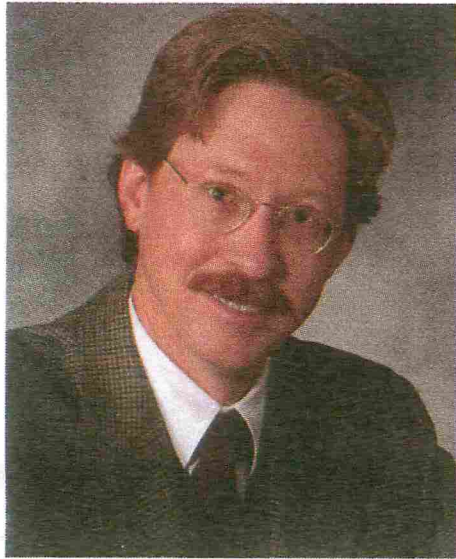


Around Our Town...Legally Speaking

Collisions with Pedestrians



by R. Michael Shickich

The Stats

When a pedestrian and a car collide, the pedestrian is always the loser. In 2009, about 5,900 pedestrians lost their lives in such collisions in the United States. These deaths account for 11% of all fatalities involving motor vehicles. Another 80,000 or so pedestrians are injured annually.

As you would expect, a large majority of pedestrian-vehicle collisions occur in urban areas where there is a higher volume of both traffic and pedestrians. Almost as high a percentage of pedestrian-vehicle collisions occur at night, when pedestrians are harder to see.

Collisions are most common where feet and

streets interact. Interestingly, pedestrian-vehicle collisions occur almost as frequently at crossings controlled by a signal as at those with no signal or crosswalk.

The Causes

There are many different causes for this kind of collision. Inattentiveness to one's surroundings (by either the driver or the pedestrian) is the most common cause, with cell phone use, map reading, and MP3 players all contributing. Another common cause is confusion: Drivers trying to figure out whether they can turn, what lane to drive in, or where they are on the map are more likely to hit a pedestrian than those who know where they are going.

Overly aggressive driving and driving too fast for the situation are often factors. Poorly designed intersections where traffic backs up or where drivers cannot see pedestrians crossing can also increase the chance of a collision.

The Solution

Remember that walkers must obey traffic laws and rules too. Cross only at marked crosswalks, and then only with the light—don't jaywalk. If you are crossing a street, stay alert for drivers not paying attention. Use caution when you are walking on a sidewalk that crosses an alley or parking lot, where drivers may be turning. Look all around before getting into and out of cars parked by the side of the road.

If you have to walk at night, wear a light color (preferably white), and if there are no sidewalks, always walk against the traffic to give cars the best chance to see you. Finally, don't insist on your legal right-of-way. It is far better to let the car do



something it is not supposed to do than get hit.

For drivers, be aware of pedestrians, especially if you are in a city or when the sun has gone down. Don't drive too fast, and watch for people emerging from behind obstacles such as parked cars, trash cans, city buses, and the like.

Keep in mind that not all people who are walking will obey the law. Watch for people jaywalking or crossing after the signal has changed. At this time of year, be especially wary around schools and in residential neighborhoods. Children often don't know the rules, and they may dart out from behind a car or cross unsafely to get to the school bus.

The role for government is to install sidewalks where there are none, provide better lighting, build overpasses and underpasses for walkers and provide "islands" in the middle of busy streets for pedestrians who don't make it all the way across. These can all

reduce the chances of such a collision.

When you are on the road, whether on foot or in a vehicle, pay attention, keep your eyes open and your ears alert. Let's make the roads safer for all the ways people get around our town.

Nothing in this article should be construed as legal advice. You must consult with an attorney for the application of the law to your specific circumstances. The Wyoming State Bar does not certify any lawyer as a specialist or expert. Anyone considering a lawyer should independently investigate the lawyer's credentials and ability, and not rely upon advertisements or self-proclaimed expertise.

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