

SAFETY CORNER

Public Safety Newsletter

TOPIC: Crosswalk Safety

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Date: June 19, 2009



Over the recent months there have been several instances of vehicles failing to yield to pedestrians while the pedestrian is within a crosswalk. But what are our responsibilities as a driver or a pedestrian? Well hopefully I can shed some light on the subject to help keep everyone safe.

First off there are a few different types of crosswalks. You have those at the end of the blocks that are not marked. Some are plainly marked on the roadway with the addition of a yield sign. Finally you have those that are clearly marked and are controlled by a traffic light.

Regardless of the type of crosswalk the rules pretty much apply the same to all. There are rules for both the pedestrian and the driver. The main thing that varies is the penalty for violating one of these rules. The penalties range from either a petty offence, which is a \$25 fine, to a class 2 misdemeanor, which is a \$104 fine. Failing to yield to a pedestrian falls under city code as well as state codified law. Now keep in mind that police officers do not make these penalties. We are given these fines as a guideline to follow from the court system. If at all possible we as officers would prefer not to impose a fine. That's where the public comes in and I will explain further.

I could give you all the legal mumbo jumbo that police officers, lawyers and judges use to determine if a law has been violated but I'm not going to in this case. Instead I'll just give you the readers digest version.

-First off if the pedestrian is crossing in any clearly marked crosswalk or regular pedestrian crossing, such as those at the end of a block, the driver must yield. If violated by a driver this is punishable under a petty offense.

-Next if the pedestrian is legally crossing at an intersection where it is controlled by a traffic light the driver must yield. This is where the pedestrian is crossing under a green light. If the driver is turning, it is the driver's responsibility to yield until the pedestrian clears the intersection. If violated by a driver this is also punishable under a petty offense.

-Finally the topic I believe confuses the most people, yield signs. A driver approaching a yield sign shall slow down to a reasonable speed and if necessary shall yield to any pedestrians crossing within the crosswalk. Now in this case we are not only talking about the normal yield sign. The city has placed horizontal yellow pedestrian signs that have a yield sign on them at strategic locations throughout the city where pedestrian traffic is particularly high. Yes, these are yield signs intended to protect pedestrians. It is the driver's duty to yield to pedestrians and wait until the pedestrian is completely out of the

crosswalk before proceeding. If violated by a driver this is punishable under a class 2 misdemeanor.

Now don't think I forgot about the pedestrian's rules. The pedestrian doesn't get off that easy. The pedestrian must cross within the crosswalk. The pedestrian is not permitted to cross against a red light. If a vehicle has entered the intersection prior to the pedestrian crossing it does not permit the pedestrian the right of way. If crossing outside of a cross walk the pedestrian does not have the right of way. If violated by a pedestrian this is punishable under a petty offense.

The main thing to remember is that it is everyone's responsibility to help maintain a safe environment. Drivers please don't get in a rush and just slow down a bit. The last thing anyone wants is to hit a pedestrian. Keep in mind that as drivers it is our responsibility to keep our vehicle under control. Also pedestrian's use common sense to stay safe. If you see a vehicle coming and you think the driver may not see you, don't cross.

In case you need more clarification on the codified law you can go to the following web site to research the codified law. Just type in the following codified law: Chapter 32-27 specifically 32-27-1, 32-27-2 and 32-27-4. Also see Chapter 32-29 specifically 32-29-3. <http://legis.state.sd.us/statutes/index.aspx>

You can also go to the city web site to find more about city-codified law. Just go to <http://www.cityofmitchell.org/> and find the codified law tab along the left hand side. Go to Chapter 5 and find 7-5-1 and 7-5-2.

Be Safe.

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Patrol Sergeant

If you would like to learn about certain topics please email cindy@mitchelldps.com and reference Safety Corner.

