



# Pedestrian Safety: It's Not Just For Kids

We have been doing it since we could walk, but aside from advice from parents and teachers, few have had the opportunity to really learn what is legal and safe when it comes to walking across or along a street. Even for those who may have actually learned what is legal where they grew up, each state differs in what is allowed, and some cities add additional regulations. The following information has been compiled to provide information that can help keep adults safe and avoid unneeded citations based on the laws of the State of New Mexico.

## What Is Legal?

In New Mexico, pedestrians have great latitude in what they can do, with only the following restrictions:

- When available, pedestrians must generally cross at crosswalks. Cities are authorized to mandate crossing only at crosswalks, and to prohibit crossing at any other points. (66-7-333 NMSA 1978) When using a crosswalk, pedestrians must walk on the right side of the crosswalk whenever possible. (66-7-338 NMSA 1978)
- When crossing where there are traffic control devices, pedestrians must obey the signals. This includes “walk/don’t walk” signals, as well as regular traffic control lights (red, green, and yellow lights and turn arrows). (66-7-333 and 66-7-105 NMSA 1978)
- Pedestrians have the right-of-way when crossing a street within a crosswalk:
  - Ø As long as the pedestrian does not suddenly leave the curb and get in the path of a vehicle that does not have time to react and stop; and
  - Ø Only for the half of the roadway that they are actually on. (Vehicles on the other side do not have to yield until the pedestrian is close enough to be in danger). (66-7-334 NMSA 1978)
- Pedestrians must go to and use a crosswalk if there are traffic control signals at intersections on either side of where they are. (66-7-335.C NMSA 1978)
- If not otherwise prohibited, pedestrians may cross a street at any point, but must yield to all vehicles. In other words, vehicles have the right-of-way if a pedestrian is crossing at any place except at an intersection or crosswalk. (66-7-335.A NMSA 1978)
- Even if at an intersection, pedestrians must still yield to vehicles if pedestrian tunnels or overhead bridges are provided. (66-7-335.B NMSA 1978)
- When sidewalks are provided, pedestrians are required to use them when walking along a road or street. If a sidewalk is not provided, pedestrians shall (whenever practical) walk on the left side of the road facing oncoming traffic. (66-7-339 NMSA 1978)
- Pedestrians are prohibited from standing in streets for the purpose of trying to get a ride or for soliciting employment or business of any type. (66-7-340 NMSA 1978)

It is important to note that even though vehicles do have the right-of-way unless a pedestrian is using a crosswalk, drivers must still use reasonable care in operating their vehicles, and are required to use their horn and take other precautions, especially if children or confused or incapacitated adults are observed. Hence, drivers do not get an automatic “hunting license” for pedestrians crossing outside of crosswalks or at intersections. (66-7-337 NMSA 1978)

## The Laws of Physics

While the above provides information on what can be referred to as “man’s laws”, there are other important laws to be aware of also. For the purposes of this short course, these will be referred to as the “laws of physics”. And, since this is not a physics course, only the basic concepts are provided, as follows:

- Cars cannot stop instantly, and trucks take even longer. Do not expect a vehicle to be able to stop right away. (NOTE: Stopping times can be even greater depending on weather, lighting, and driver reaction times.)
- The faster the vehicle is traveling, the more time it will take for it to stop. Take this into account before crossing moderate and high-speed roadways.
- Cars weigh between 2,000 and 6,000 pounds, while most adults weigh less than 10% of this amount. Furthermore, most vehicles are built substantially stronger and more stable than bipedal pedestrians. Despite what man’s laws might say, the vehicle will always come out the “winner” in a collision with a pedestrian. See the photo below for a graphic example of this.
- Drivers will only be able to stop if they can first see the pedestrian. Walking out from between parked cars or other objects that block a driver’s vision without first stopping and looking for traffic, especially at points other than an intersection (called “mid-block” dart-outs), is a good way to get hit by a vehicle. Along the same lines, wearing dark clothing and crossing a dark street at night may prevent a driver from seeing a pedestrian in time to stop.

In summary, when there is a conflict between what a state law may say and what will happen if the laws of physics are applied, the only safe course of action is to act based on the laws of physics. Being right does not equate to being safe when a pedestrian is faced with being hit by a vehicle.



The pedestrian in this photo was crossing at an intersection, was in a crosswalk, and the vehicle ran a red light. Clearly, the pedestrian had the right-of-way. But the laws of physics dictated that the pedestrian was the one who suffered the most damage.  
(Photo from [www.safetyvideo.com](http://www.safetyvideo.com))

## Additional Safety Tips

The following are some additional safety tips for pedestrians that can help in avoiding the painful experience of being hit by a vehicle:

- Stop, look, and listen before crossing the street. While taught to children, as adults many forget one or more of these important steps.
  - Ø A pedestrian who stops gives a visual signal to drivers that they are about to change direction and may be getting ready to cross the street.
  - Ø Looking for oncoming traffic gives the pedestrian an opportunity to make sure it is safe to cross. Make sure to look not only at the vehicle, but also the driver. Making eye contact with the driver

ensures the driver knows the pedestrian is there. Conversely, seeing a driver who might be busy eating, talking on a cell phone, or otherwise is distracted lets a pedestrian know that it may not be safe to cross.

Ø Listening allows the pedestrian to determine if a vehicle is maintaining speed, speeding up, or (hopefully) slowing down. It also allows an opportunity to hear warning sounds like car horns, tires squealing, people shouting, etc.

- Cross a street in a straight line. This makes for the quickest possible crossing, and the least exposure to traffic.
- When crossing at an intersection, cross all the way to the other side before crossing a perpendicular street. Crossing only part way before angling to another corner (commonly referred to as “J” walking) is not specifically illegal in New Mexico if vehicles are not being unnecessarily delayed, but it is certainly not safe.
- Keep an eye (and ear) on traffic while crossing, constantly monitoring vehicles’ speed, indications of braking, driver attention (or lack thereof), etc.
- Don’t cross halfway across a street, and then stop to wait for traffic traveling the other direction to clear unless the stopping and waiting can be done on a “pedestrian safety island” out of the way of traffic. Turn lanes and double yellow lines offer no protection from being hit.
- Remember that alcohol, drugs, or simply the inability to operate a motor vehicle may impair some drivers. The actions these drivers take may be unpredictable and illogical. Don’t make assumptions based on what a driver should do, make rational decisions based on what the driver is actually doing.
- Alcohol and drugs affect pedestrians just like they do drivers. This includes the inability to move in a straight line, reduced reaction times, and poor judgment. Walking while impaired can place a pedestrian in just as much danger as driving. 34% of the pedestrians killed in 2003 had blood alcohol levels greater than .08 g/dl.

## **Additional Information**

New Mexico ranks fourth in pedestrian fatality rates in the nation (behind the District of Columbia, Florida, and Nevada), and is 166% the national average. And, while traditional efforts focus on child pedestrian safety, it is not just children who are struck and killed. In fact, children are often more careful when it comes to walking along and crossing streets than adults are. Nationwide in 2003, 4,749 pedestrians were killed, and another 70,000 were injured. Out of these, over 84% of the pedestrians killed and over 60% of the pedestrians injured were adults over the age of 21. (<http://www-nrd.nhtsa.dot.gov/pdf/nrd-30/NCSA/TSF2003/809769.pdf>)