

While some parking lots are still holding onto slowly melting piles of snow, most streets, sidewalks, and walking paths have shed winter's snowy grip. Spring weather is also slowly becoming more welcoming to those who enjoy a nice stroll outside. Summer and its parades, gatherings, and festivals are just around the corner making now a great time to review the rules around pedestrians and crosswalks.

Minnesota statute 169.22 dictates when drivers must yield to pedestrians saying "[w]here traffic-control signals are not in place or in operation, the driver of a vehicle shall stop to yield the right-of-way to a pedestrian crossing the roadway within a marked crosswalk or at an intersection with no marked crosswalk. The driver must remain stopped until the pedestrian has passed the lane in which the vehicle is stopped." In other words, pedestrians using marked crosswalks or crossing at intersections that have no traffic lights (even if there is no marked crosswalk) have the right-of-way and drivers must stop and allow them to cross safely. Drivers may not pass vehicles that are stopped to allow pedestrians across the roadway. This is especially important on roadways with 2 or more lanes in each direction. If you are driving on such a road and see that a vehicle is stopped at an intersection or crosswalk, approach with caution to make sure there are no pedestrians attempting to cross the road.

Minnesota statute 169.22 also places some common-sense restrictions upon pedestrians by saying "[n]o pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield." This sentence really shouldn't need any additional explanation, as the purpose of this entire statute is to ensure the safety of pedestrians, but pedestrians must make sure that drivers have time to react before attempting to cross. My best practice recommendation for pedestrians wishing to obtain the right of way from drivers at a crossing is to stand at the edge of the corner or sidewalk facing the direction the pedestrian wishes to cross. The pedestrian should turn their head in an attempt to make eye contact with the drivers of the vehicles in the first lane of traffic they must cross. Drivers should be alert for this non-verbal message from pedestrians, slow down, and be prepared to stop and yield the right of way. Pedestrians should watch for signs that the approaching driver sees the pedestrian and is prepared and able to stop. Once the pedestrian believes they may safely cross, they should begin their crossing and repeat this process for each lane of traffic they must cross. It is important that pedestrians ensure drivers in each lane have recognized them and yielded the right of way.

While most traffic violations are classified as petty misdemeanors (acts for which only a fine of up to \$300 may be imposed), Minnesota law emphasizes the importance of these pedestrian safety rules by making the violation of these rules a misdemeanor offense (up to 90 days in jail and/or a \$1,000 fine) for a first offense and a gross misdemeanor offense (up to one year in jail and/or a \$3000 fine) for a second or subsequent offense in the same year. More importantly, disobeying this law could result in severe injury or tragedy.

Some who read this may be wondering about "jaywalking" or pedestrians that cross a roadway at places other than an intersection or crosswalk. Generally, this behavior is not prohibited by state statute. On this topic, MN statute 169.22 say, "[e]very pedestrian crossing a roadway at any point other than within a marked crosswalk or at an intersection with no marked crosswalk shall yield the right-of-way to all vehicles upon the roadway." In other words, pedestrians may cross at places other than corners and crosswalks, however, any pedestrian doing so must yield the right-of-way to drivers on the roadway. The only time when this crossing in the middle of the block is prohibited by statute is

“[b]etween adjacent intersections at which traffic-control signals are in operation.” So, pedestrians in the middle of a block who find themselves with a traffic light to their left and a traffic light to their right must walk to the nearest traffic control device before crossing the roadway. Pedestrians considering crossing at places other than intersections or crosswalks may want to keep in mind the saying “just because you can do something, doesn’t mean you should.” Crossing at intersections and crosswalks is the safest choice and should be done whenever possible.

Finally, on the topic of traffic lights, pedestrians are subject to traffic control signals. Pedestrians may not cross against a red light or don’t walk signal regardless of whether there is a marked crosswalk or not. Pedestrians must wait for the green light or walk indicator before proceeding.

We must all watch out for each other and be alert for pedestrian/vehicle interactions. When everyone follows the rules and acts with care, we all get to where we are going safely.

For more crime prevention information and safety information visit the Benton County Sheriff’s Office website at: <https://www.co.benton.mn.us/211/Crime-Prevention>. You can also like and follow us on Facebook and Twitter at @BentonMNSheriff for regular updates and crime prevention messages.