

**New York State
Vehicle & Traffic
Law
For Pedestrians
and
Drivers**



Overview

- **Pedestrian rights and responsibilities**
- **Outline of NYS Vehicle and Traffic (V&T) Law that pertains to pedestrian safety**
- **Definitions of key terms and sections under NYS V&T Law**
- **Common driver violations**
- **Common pedestrian violations**

The Problem

- **Unintentional injuries are the leading cause of death for New Yorkers aged 1-34 years.**
- **More than 25% of all traffic fatalities involve pedestrians.**
- **Over 300 pedestrians are killed each year; over 15,000 are injured.**
- **More than 3,000 pedestrians are hospitalized each year.**
- **Young children and older adults are most vulnerable for pedestrian injuries and death.**

Your Safety Matters

- **NYS Department of Health, NYS Department of Transportation and the Governor's Traffic Safety Committee supports efforts to prevent pedestrian crashes, including *Pedestrian enforcement* efforts, in targeted high risk areas that focus on both drivers and pedestrians.**

Know Your Responsibilities

Drivers and pedestrians have a duty at all times to keep a lookout for one another.

Both drivers and pedestrians who are in violation of the New York State Vehicle & Traffic Law ("V&T Law") can be held negligent and responsible for paying fines.

Pedestrian and Driver Warning Notice

WARNING NOTICE



OBEY THE LAW

■ **DRIVER:** You failed to yield to a pedestrian in a crosswalk.

THIS IS AGAINST THE LAW

You could be subject to one or more of the following:

- 3 POINTS ON LICENSE
- \$150 FINE FOR FIRST VIOLATION
- 15 DAYS IN JAIL

■ **PEDESTRIAN:** You failed to obey signals and use the crosswalk correctly.

THIS IS AGAINST THE LAW

You could be subject to:

- \$150 FINE

Flip card to learn more about the law

Below are key points from New York State's Vehicle and Traffic law. For more information: safeny.ny.gov/peds-vt.htm.

When there are traffic-control signals

- A pedestrian has the right of way whenever a traffic signal shows a steady "Walk" or a walking person.
- No pedestrian should start to cross if the phrase "Don't Walk" or the upraised hand is flashing.
- No pedestrian should start to cross if the phrase "Don't Walk" or the upraised hand is steady.
- If a person has already started crossing on a "Walk" and the signal changes, then he or she can continue to a sidewalk or safety island.

When there are crosswalks*

- Pedestrians have the right of way if there is an intersection or any marked crosswalk on the road and no traffic signals. Drivers must yield, slowing or stopping, to allow pedestrians to cross.

When there are no crosswalks*

- Drivers have the right of way if there are no intersections or no marked crosswalks on the road. Pedestrians must yield the right of way to vehicles.

*Definition of crosswalk from NYS V&T Section 110: (a) That part of a roadway at an intersection included within the connections of lateral lines of the sidewalks on opposite sides of the highway between the curbs, or the absence of curbs, between the edges of the traverse roadway.



OBEY THE LAW



8/14

Law Enforcement Pocket Guide

§ 1142. Vehicle entering stop or yield intersection. (a) Except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign shall stop as required by section eleven hundred seventy-two and after having stopped shall yield the right of way to any vehicle which has entered the intersection from another highway or which is approaching so closely on said highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.

(b) The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for existing conditions, or shall stop if necessary as provided in section eleven hundred seventy-two, and shall yield the right of way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection. Provided, however, that if such driver is involved in a collision with a pedestrian in a crosswalk or a vehicle in the intersection after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield the right of way.

§ 1146. Drivers to exercise due care. (a) Notwithstanding the provisions of any other law to the contrary, every driver of a vehicle shall exercise due care to avoid colliding with any bicyclist, pedestrian or domestic animal upon any roadway and shall give warning by sounding the horn when necessary. For the purposes of this section, the term "domestic animal" shall mean domesticated sheep, cattle, and goats which are under the supervision and control of a pedestrian. (refer to subdivisions (b), (c), (d), (e) of Section 1146 for specific violations)

§ 1150. Pedestrians subject to traffic regulations. Pedestrians shall be subject to traffic-control signals as provided in section eleven hundred eleven of this

title, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this article.

§ 1151. Pedestrians' right of way in crosswalks. (a) When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk on the roadway upon which the vehicle is traveling except that any pedestrian crossing a roadway at a point where a pedestrian tunnel or overpass has been provided shall yield the right of way to all vehicles.

(b) No 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 impractical for the driver to yield.

(c) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

§ 1151-a. Pedestrians' right of way on sidewalks. The driver of a vehicle emerging from or entering an alleyway, building, private road or driveway shall yield the right of way to any pedestrian approaching on any sidewalk extending across such alleyway, building entrance, road or driveway.

§ 1152. Crossing at other than crosswalks. (a) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.

(b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.

(c) No pedestrian shall cross a roadway intersection diagonally unless authorized by official

traffic-control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements.

§ 1156. Pedestrians on roadways. (a) Where sidewalks are provided and they may be used with safety it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(b) Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practicable walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction. Upon the approach of any vehicle from the opposite direction, such pedestrian shall move as far to the left as is practicable.

See! Be seen!

Pedestrian Safety: It's no Accident.



**Department
of Health**

Funded by the National Highway Traffic Safety Administration with a grant from the New York State Governor's Traffic Safety Committee

QUICK REFERENCE

V&T LAW FOR PEDESTRIAN ENFORCEMENT

§ 110. Crosswalk. (a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway between the curbs or, in the absence of curbs, between the edges of the traversable roadway.

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

§ 130. Pedestrian. Any person afoot or in a wheelchair.

§ 1112. Pedestrian-control signal indications. Whenever pedestrians are controlled by pedestrian-control signals exhibiting the words "WALK" or "DON'T WALK", or exhibiting symbols of a walking person or upraised hand, such signals shall indicate and apply to pedestrians as follows:

(a) Steady WALK or walking person. Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right of way by other traffic.

(b) Flashing DON'T WALK or upraised hand. No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrians who have partially completed their crossing on the WALK or walking person signal shall proceed to a sidewalk or safety island while the flashing DON'T WALK or upraised hand signal is showing.

(c) Steady DON'T WALK or upraised hand. No pedestrians shall start to cross the roadway in the direction of such signal, but any pedestrians who have partially completed their crossing on the WALK or flashing DON'T WALK signal shall proceed to a sidewalk or safety island while the steady DON'T WALK signal is showing.

V&T Law and Common Violations

Knowledge is Power

V&T Law Pedestrian

§130

Any person afoot or in a wheelchair



V&T Law

Crosswalk

§110

- **The part of the roadway of an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway between the curbs or in the absence of curbs, between the edges of the traversable highway.**
- **Any portion of a roadway at an intersection or elsewhere distinctly indicated by pedestrian crossing by lines or other markings on the surface.**

V&T Law

Pedestrians' right of way in crosswalks

§1151

(a) When traffic-control signals are absent, drivers shall yield right of way to pedestrians crossing within a crosswalk on the roadway. Pedestrians crossing the roadway where a pedestrian tunnel or overpass has been provided shall yield right of way to vehicles.

(b) No pedestrian shall suddenly leave a curb and walk/run in front of a vehicle so that it's impractical for the driver to yield.

(c) When a vehicle is stopped at a marked crosswalk or unmarked intersection crossing for a pedestrian, other vehicles approaching from the rear shall not pass the stopped vehicle.



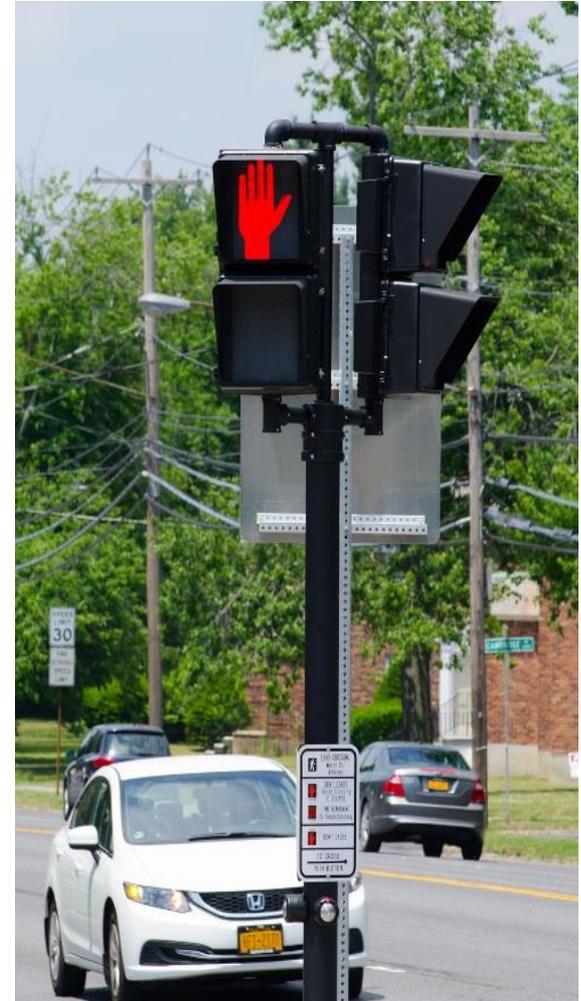
V&T Law

Pedestrian-control signal indications

§ 1112

Pedestrian-control **WALK** / **DON'T WALK** signals require:

- (a) Steady **WALK** or walking person. Cross the roadway in the direction of the signal; pedestrians shall be given right of way by traffic.
- (b) Flashing **DON'T WALK** or upraised hand. No pedestrian shall **start** to cross the roadway in the direction of such signal, but pedestrians who have partially completed their crossing on the **WALK** shall continue to the sidewalk or nearest safety island.
- (c) Steady **DON'T WALK** or upraised hand. No pedestrian shall start to cross the roadway in the direction of such signal, but pedestrians who have partially completed their crossing on the **WALK** or flashing **DON'T WALK** shall continue to the sidewalk or nearest safety island.



Pedestrian Crossing Signals

New York State Department of Transportation



V&T Law

Vehicle entering stop or yield intersection

§1142

(b) Every vehicle approaching a yield sign shall slow down to a speed reasonable for existing conditions, or stop if necessary, and shall yield the right of way to any pedestrian legally crossing the roadway on which he is driving. If such driver is involved in a collision with a pedestrian in a crosswalk (or vehicle in the intersection) after driving past a yield sign without stopping, **such collision shall be deemed prima facie evidence of his failure to yield the right of way.**

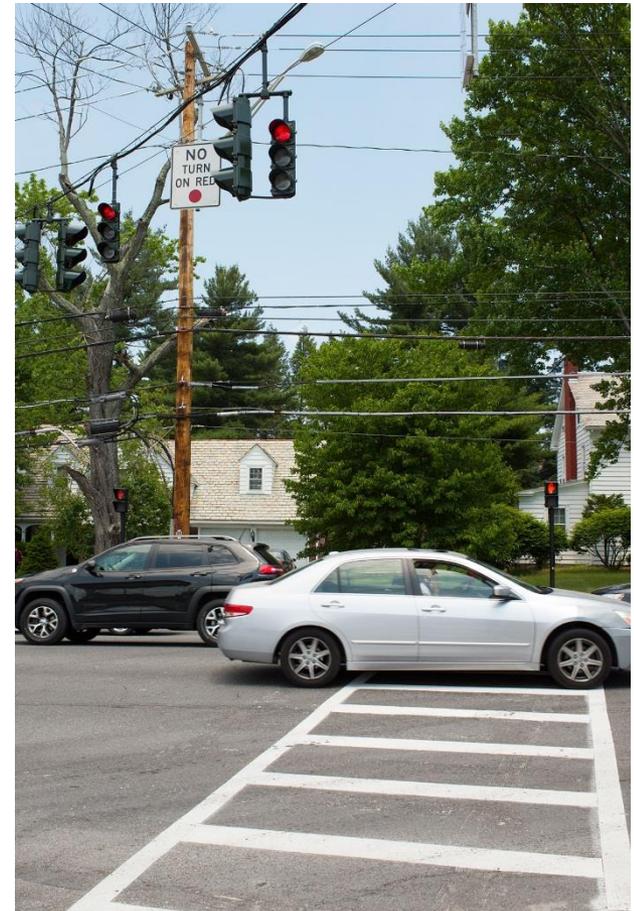


V&T Law

Drivers to exercise due care

§1146

(a) Every driver shall exercise due care to avoid colliding with any bicyclist, pedestrian or domestic animal and shall give warning by sounding the horn when necessary.



V&T Law
**Pedestrians subject to traffic
regulations**

§1150

- **Pedestrians shall be subject to traffic-control signals, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this article.**

V&T Law

Pedestrians' right of way on sidewalks

§1151-a

- **The driver of a vehicle emerging from or entering an alleyway, building, private road or driveway shall yield the right of way to any pedestrian approaching on any sidewalk extending across such alleyway, building entrance, road or driveway.**



V&T Law

Crossing at other than crosswalks

§1152

- (a) Pedestrians crossing at any point other than marked crosswalk/unmarked intersection crosswalk shall yield right of way to vehicles.**
- (b) Pedestrians crossing where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield right of way to vehicles.**
- (c) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic-control devices, and when authorized, only in accord with such traffic-control devices.**

V&T Law

Pedestrians on roadways

§1156

(a) Where sidewalks are provided and they may be used with safety it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(b) Where sidewalks are not provided, pedestrians walking along a roadway shall walk only on the left side of the roadway or its shoulder facing approaching traffic. When vehicles approach, pedestrians shall move as far to the left as is practicable.



Common Laws and Violations



Driving

- **Driver violations**



Walking

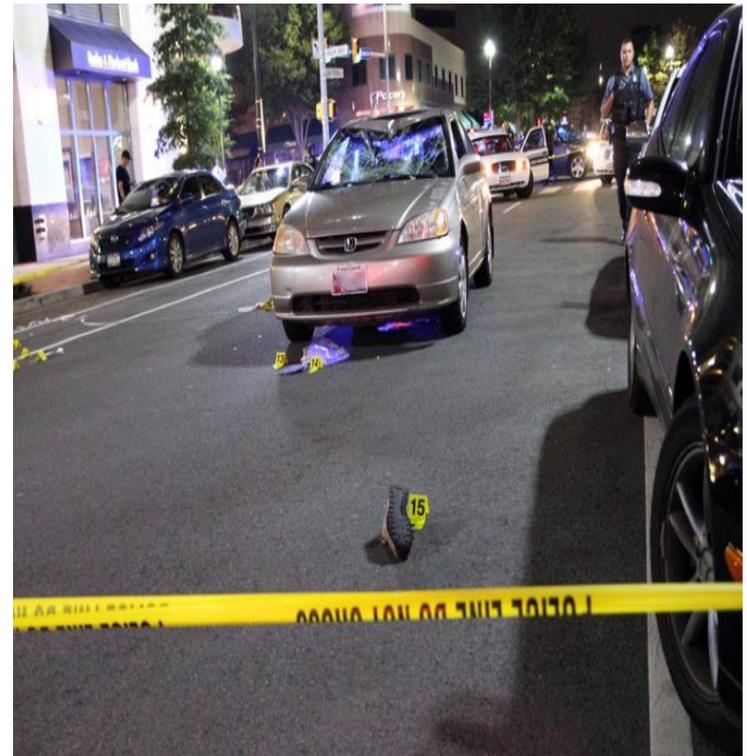
- **Pedestrian violations**



Driving

Common Driver Violations

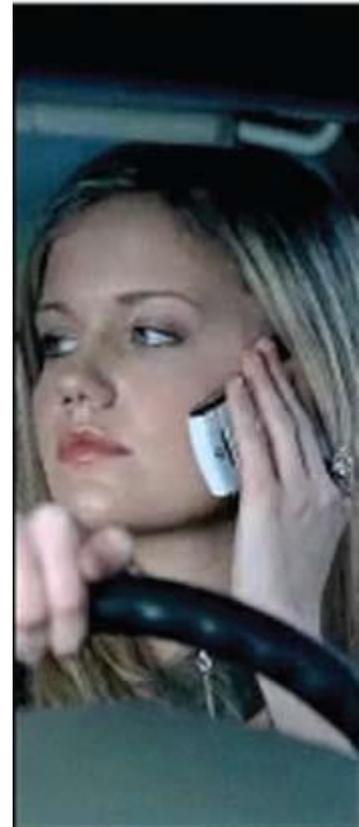
- Failure to yield
 - Disregarding signs and signals
 - Turning
- Speed
- Distractions
 - Cell phone, eating, radio
- Impairment
 - Alcohol and drugs





Driving

Driver Violation: Distractions





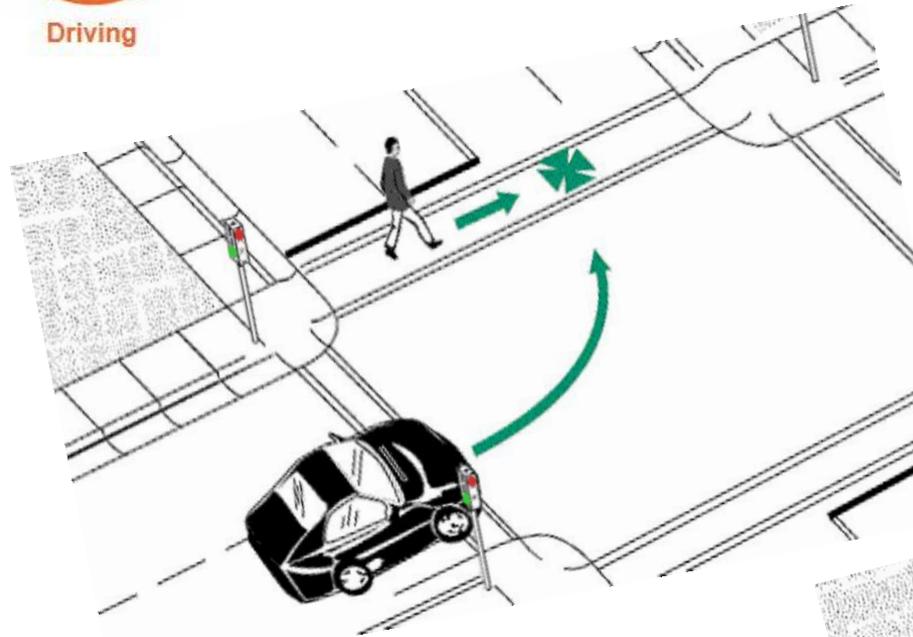
Driving

Failure to Yield: Multiple Threat



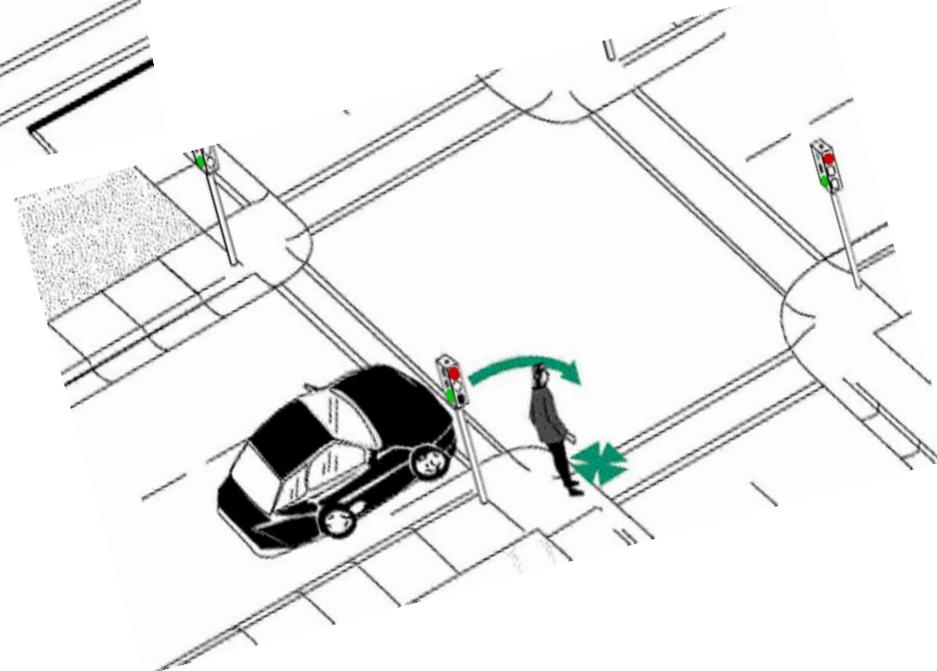
Driving

Driver Fails to Yield: Turning



Left on green

Right on green





Driving

Driver Violation: Speed

HIT BY A VEHICLE
TRAVELING AT:

**20
MPH**



9 out of 10 pedestrians survive

HIT BY A VEHICLE
TRAVELING AT:

**30
MPH**



5 out of 10 pedestrians survive

HIT BY A VEHICLE
TRAVELING AT:

**40
MPH**



Only 1 out of 10 pedestrians survives

Speed Videos





Driving

Driver Violation: Impairment





Common Pedestrian Violations

- Failure to yield right-of-way to vehicle
- Failure to obey a pedestrian control signal
- Pedestrian not walking against traffic

...and common contributing factors

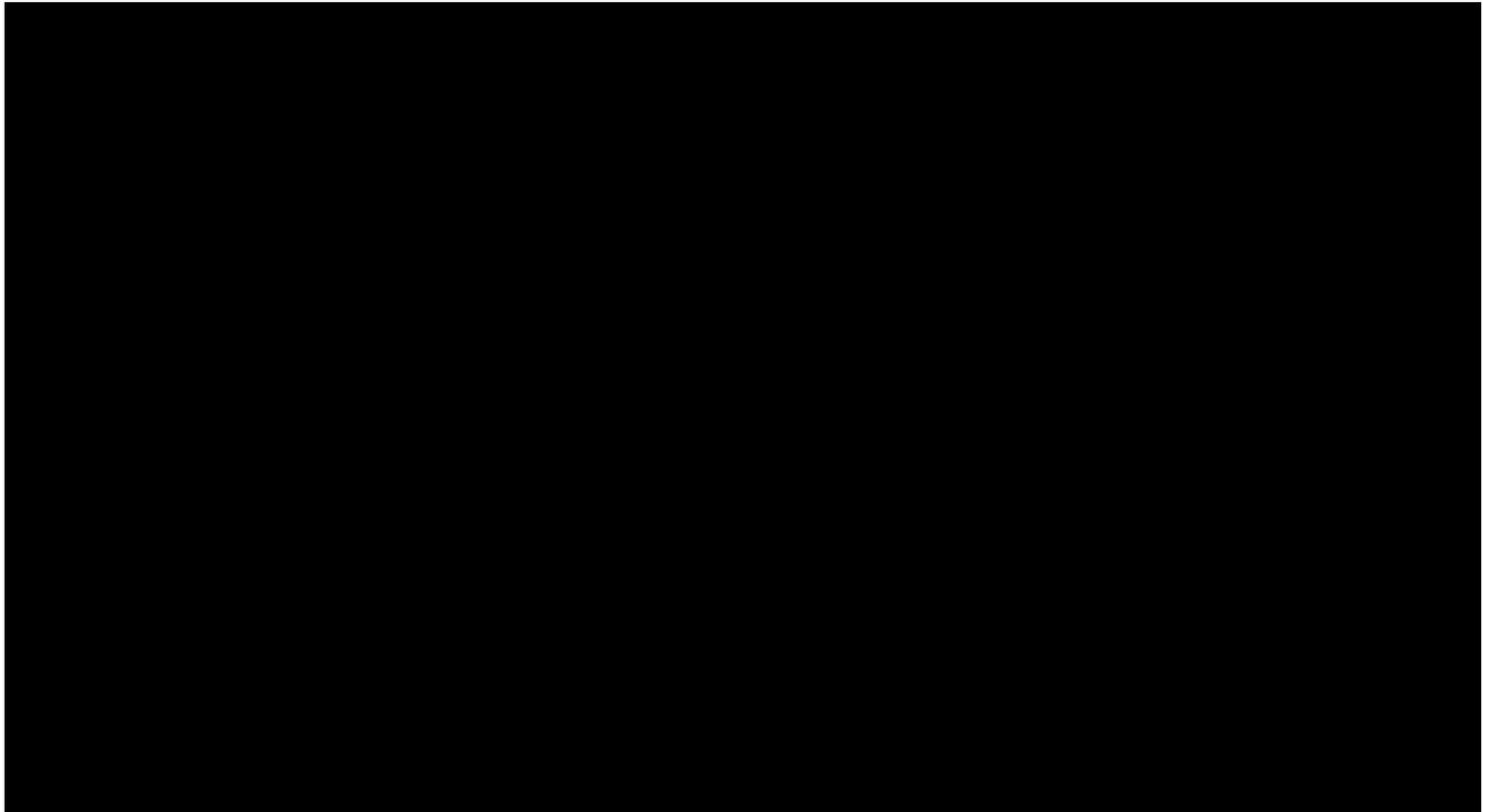
Pedestrian impairment

Pedestrian distraction

Poor visibility



Pedestrian Violation: Failure to Yield Right-of-Way to Vehicle





Pedestrian contributing factor: Distractions



Ryan Brumfield, FHWA



“See! Be Seen!” Tip Card



Drivers:

- YIELD for pedestrians at crosswalks and intersections – it's the law.
- Do not block crosswalks when stopping at intersections.
- Slow down and obey posted speed limits.
- Take extra care around schools, playgrounds and neighborhoods.
- Always look out for pedestrians, especially before turning at a green light or making a "right turn on red."
- Never run red lights.
- Be careful when passing stopped vehicles. They might be stopping for pedestrians.
- Pay Attention! Do not text and drive!
- Share the road. It's your responsibility to look for others.

Pedestrian Safety: It's no Accident.

Funded by the National Highway Traffic Safety Administration with a grant from the NYS Governor's Traffic Safety Committee.



Department
of Health



Be Seen!

Pedestrians:

- Cross at intersections and marked crosswalks.
- Use pedestrian pushbutton and WAIT for signal to cross.
- Before crossing, look left, right, then left again, and over your shoulder for turning vehicles.
- Use sidewalks. If there are none, walk facing traffic so you see vehicles, and drivers see you.
- Pay attention! Don't text while crossing!
- Make eye contact with drivers so they see you.
- Stay visible after dark and in bad weather with light-colored or reflective clothing.
- Don't step suddenly in front of buses and trucks. They take longer to stop than a car.
- Watch out for trucks and buses backing out of parking spaces and driveways.

Pedestrian Safety: It's no Accident.

Order FREE Pedestrian Safety Materials

Please download, complete, and save this form. Either email to injury@health.ny.gov, or fax to 518-474-3067. For different quantities or more information please call 518-402-7900 or email us at injury@health.ny.gov.

Name: _____
 Organization: _____
 Address: _____
 Phone: _____ Email: _____ Date: _____

**NO POST OFFICE
BOXES PLEASE**

	Language(s)	Pub.#	Quantity (please select one)				Other Amount	
"See! Be Seen!" Small Poster (11X17)	English	3290	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Spanish	6554	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Burmese	6601	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Haitian Creole	6574	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Karen	6602	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Kinyarwanda	6603	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Nepali	6599	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Russian	6575	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Somali	6598	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Swahili	6597	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Vietnamese	6600	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Yiddish	6573	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	"See! Be Seen!" Large Poster (17X22)	English	3291	<input type="checkbox"/>				
Spanish		6555	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
Haitian Creole		6571	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
Russian		6572	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
Yiddish		6570	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
"See! Be Seen!" Flip Card	English	3292	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	100
	Spanish	6556	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	100
	Burmese	6608	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Haitian Creole	6568	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Karen	6609	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Kinyarwanda	6610	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Nepali	6606	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Russian	6569	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Somali	6605	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Swahili	6604	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Vietnamese	6607	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Yiddish	6567	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20
	Warning: Crosswalk Safety (for Law Enforcement use)	English	6549	<input type="checkbox"/>				
Spanish		6576	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	150
Haitian Creole		6578	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	150
Russian		6579	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	150
Yiddish		6577	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	150
Law Enforcement Quick Reference Card: Pedestrian V&T Law	English	0666	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	100
	"See! Be Seen!" Window Cling	English	3293	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	100

New York State Department of Health

9/17

To request pedestrian safety educational material, email injury@health.ny.gov or call **518-402-7900**

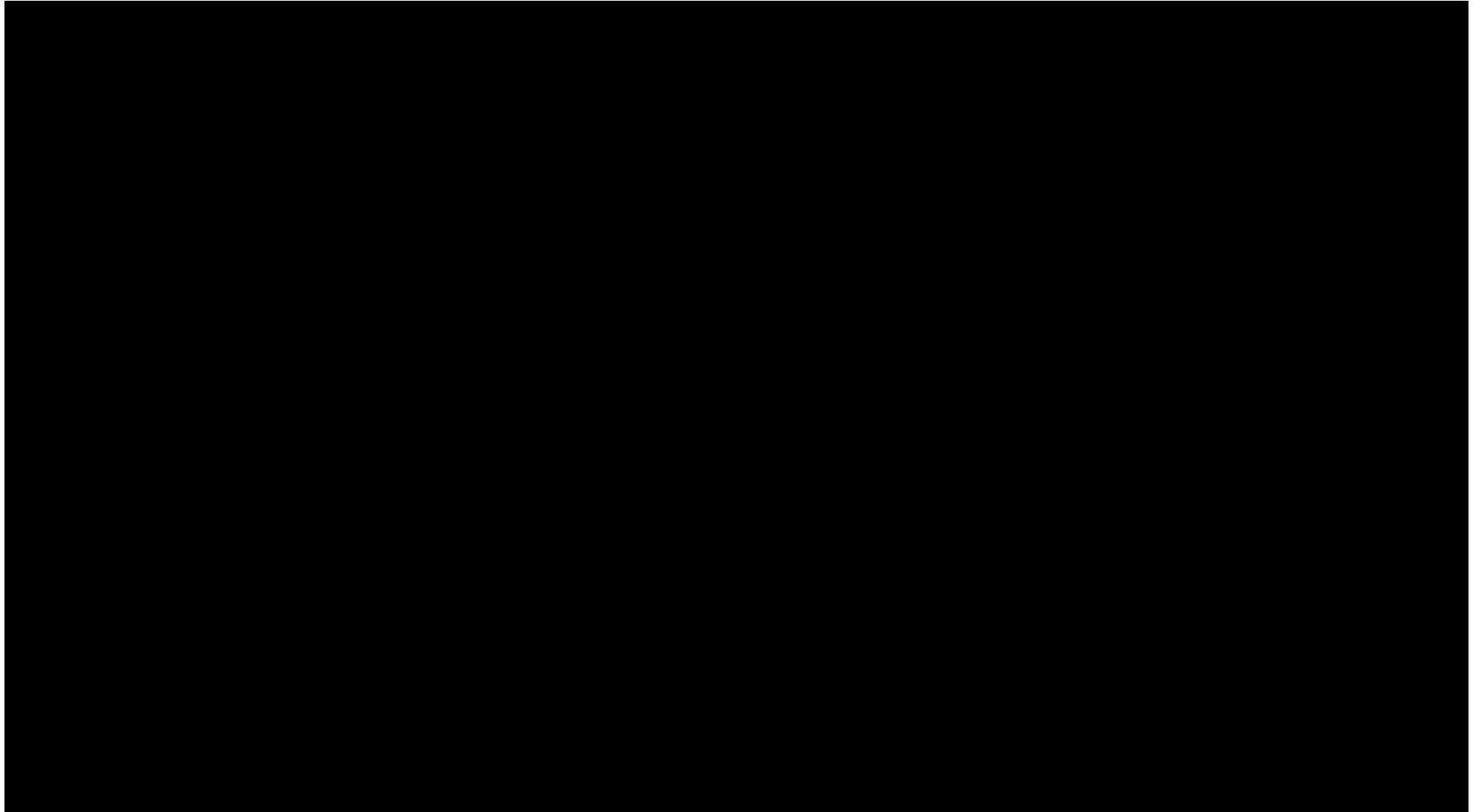
“See! Be Seen!” Distractions PSA



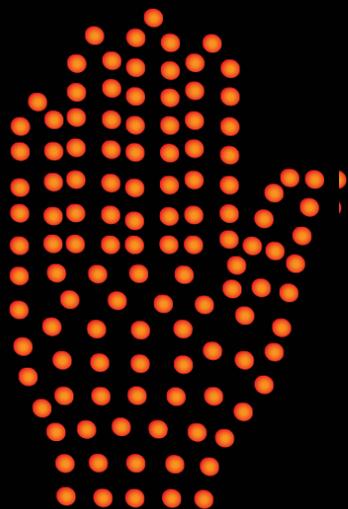
“See! Be Seen!” Visibility PSA



“See! Be Seen!” Intersections PSA



For more information contact



518-402-7900

or



518-474-5111

www.ny.gov/pedsafety

