

Pedestrian Right of Way

A question is often raised as to what the right-of-way guidelines are for pedestrians. Pedestrians can be seen walking throughout our community and it is a good question to ask and review. A good rule of thumb for all drivers is to be safe and provide the right of way to pedestrians. However, pedestrians have a responsibility as well. This review is much more applicable now as our school season begins and children and parents will be using our sidewalks to get to the schools and many will cross side streets and major roadways. The Tennessee Code Annotated (TCA) 55-8-111, 134, and 135 are the most applicable to the question.

First, ***Crossing at an Intersection controlled by a pedestrian signal***; a pedestrian should only cross when the signal indicates "walk" or displays a walking pedestrian. However if a pedestrian is in the intersection when the signal changes to "don't walk" they still have the right-of-way to reach the sidewalk or a center island.

Second, ***Crossing at an intersection with a marked or unmarked crosswalk***; a driver shall yield the right-of-way by slowing or stopping in order to yield to a pedestrian crossing the intersection when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger. So, if the pedestrian is in the lane you are wanting to travel in, or so close to the lane to be a danger, the vehicle shall yield the right-of-way.

Third, ***Crossing where there is no intersection or crosswalk***; a pedestrian shall yield the right-of-way to vehicles when attempting to cross a roadway at other than at a marked or unmarked crosswalk at an intersection. However, if a pedestrian crosses a roadway at a point between intersections at which traffic signals are in operation, pedestrians shall not cross except in marked crosswalks - this is what we generally call "jaywalking". Vehicle operators should always drive in a defensive manner, aware of their surroundings, and cautious to the presence of pedestrians. Pedestrians also have a responsibility to be safe in crossing intersections and aware of the presence of approaching vehicles.

I can be reached at (931) 455-0530 or pblackwell@tullahomtn.gov for any questions about this or police operations. These articles are presented as a public service and are not legal advice. If you need legal counsel you should consult an attorney.