

## Q and A

Q) What is considered to be a crosswalk?

A) By definition;

“Crosswalk” means that portion of a roadway ordinarily included within the prolongation or connection of curb lines and property lines at intersections or any other portion of a roadway clearly indicated for pedestrian crossing by lines or other markings on the surface;

Q) When someone is struck or a driver fails to yield to a pedestrian in an **unmarked crosswalk**, are police less likely to issue a ticket to the driver?

A) In all cases of any infraction of any law, police are required to (1) investigate and determine whether or not there has been a violation of the law (2) decide based on the investigation whether there is sufficient evidence to support a charge beyond a reasonable doubt (3) whether the officer, based on his/her judgment, feels the situation justifies charges.

Q) Are police required to lay charges in all cases where a violation has clearly been committed?

A) All officers are required to justify their actions at the end of their investigations and are subject to review by their supervisors. A decision not to lay charges in cases where evidence could support a charge must be logically explained and justified in report form. If, after review by a supervising officer, it is determined that a charge should be laid, the officer could be directed to re-investigate and take further action.

Q) Are drivers always at fault at crosswalk accident?

A) No.

During the investigation, an officer will review the evidence to determine what the cause factors are or what major factors contributed to the event and then decide if fault can be attributed and charges are warranted.

Q) What could be one example of a pedestrian being at fault at a crosswalk accident?

A) If the pedestrian failed to give a driver a reasonable time and distance to stop and yield to the pedestrian then the person walking could be held to be at fault. See section 125(3) MVA.

Q) What do officers consider to be evidence when making decision to either charge or not charge individuals involved at crosswalk accident?

A) Evidence takes many form and can include but may not be limited to and physical evidence present at the scene i.e.: measurements, scene photographs, location of pieces of clothing or portions of vehicle post collision, and statements from eye witnesses or victims or possible suspects, video located from equipment installed at or near the accident site or dash cam in personal or public vehicles that may have captured the event i.e.: transit bus video.

Q) What happens if the pedestrian is struck in a marked crosswalk that is covered by snow or other objects that cover the crosswalk lines?

A) Then in cases where the crosswalk is not positioned at an intersection of streets and might

ordinarily fall within the definition of an “unmarked crosswalk” then the investigating officer may rely on other available signage such as crosswalk posted or overhanging signs to support a charge.

## Common offences involving pedestrians / vehicles

### And crosswalks:

#### **Pedestrian and vehicle rights of way**

125 (1) Where pedestrian movements are not controlled by traffic signals,

- (a) the driver of a vehicle shall yield the right of way to a pedestrian lawfully within a crosswalk or stopped facing a crosswalk; or
  - (b) where the traffic on a highway is divided into separate roadways by a median, the driver of a vehicle shall yield the right of way to a pedestrian lawfully within a crosswalk or stopped facing the crosswalk on the roadway on which the vehicle is travelling.
- (2) Where a vehicle has stopped at a crosswalk to yield to a pedestrian pursuant to subsection (1), it is an offence for the driver of any other vehicle approaching from the rear to overtake and pass the stopped vehicle.
- (3) A pedestrian shall not leave a curb or other place of safety and walk or run into the path of a vehicle that is so closely approaching that it is impractical for the driver of the vehicle to stop.
- (4) Where a pedestrian is crossing a roadway at a crosswalk that has a pedestrian-activated beacon, the pedestrian shall not leave a curb or other place of safety unless the pedestrian-activated beacon has been activated.
- (5) A pedestrian crossing a roadway at any point other than within a crosswalk shall yield the right of way to vehicles upon the roadway.
- 6) This Section does not relieve a pedestrian or a driver of a vehicle from the duty to exercise due care

#### **Crossing guard**

**125A (1)** A crossing guard may direct children across a roadway only at a marked crosswalk and as part of the crossing guard's employment.

**(2)** Before directing children across a roadway, a crossing guard shall

- (a) display an approved stop sign in an upright position so that it is visible to all approaching vehicular traffic;
  - (b) enter into the middle of the intersection while continuing to display the stop sign; and
  - (c) ensure that all approaching vehicles have stopped.
- (3)** When a stop sign is displayed as required by subsection (2), the driver of any vehicle approaching the crosswalk shall stop no closer than five metres from the crosswalk.
- (4)** It is an offence for a driver of a vehicle to fail to obey a crossing guard who is directing children in a crosswalk.

**Offence to disobey traffic signal**

126 At an intersection where traffic is controlled by traffic signals, it shall be an offence for a pedestrian to disobey the instruction of any traffic signal placed in accordance with this Act unless otherwise directed by a peace officer. *R.S., c. 293, s. 126.*

127 **Movement of pedestrians** Pedestrians shall move whenever practicable upon the right half of crosswalks.

**Fine schedules**

125 (1) Failing to yield to pedestrian within a crosswalk	= \$687.41 and 4 points
125 (2) Passing vehicle stopped at crosswalk	= \$687.41 and 4 points
125 (3) Pedestrian walking into path of vehicle at crosswalk	= \$399.91
125(4) Pedestrian failing to activate crosswalk beacons	= \$399.91
125 (5) Pedestrian crossing outside of crosswalk failing to yield to vehicles	= \$399.91
125 A (1) Crossing guard directing children outside of marked crosswalk	= \$399.91
125 A (2) Crossing guard failing to display sign and ensuring vehicles have stopped	= \$399.91
125 A (3) Drivers failing to stop at least 5 meters from crosswalk with guard present	= \$687.41
125 A (4) Failing to obey crossing guard directing children	= \$687.41
126 Pedestrian failing to obey traffic signal	= \$169.91
127 Pedestrian failing to move in right hand half of crosswalk	= \$141.16

# Pedestrian Safety

## Tips for Motorists:

- Pay attention to the road and your driving. Distractions kill.
- Put your cell phone away. Using it while driving puts your safety and the safety of others on the line, not to mention that it's illegal and comes with a **fine of \$169.91**.
- Be particularly mindful at crosswalks and keep a watchful eye out for pedestrians. Stay alert as some pedestrians don't activate overhead lights even though it's illegal for them not to.
- Just imagine how terrible you would feel if you struck a pedestrian who could be seriously injured or killed. Ask yourself, "Is where I'm going more important than someone's life?" Slow down. Respect pedestrians and other motorists. Failing to yield to a pedestrian in a crosswalks comes with a **fine of \$687.41**.

## Tips for Pedestrians:

- Keep your head up and pay attention to vehicles around you. Don't use your hand-held device while walking. Distractions kill.
- Be seen. Wear bright clothing, activate overhead lights where available and make eye contact with drivers before crossing the street. Failing to activate overhead lights at a crosswalk comes with a **fine of \$399.91**.
- Don't assume a car will stop for you. Darting out in the street, even in a crosswalk, can put your life on the line.

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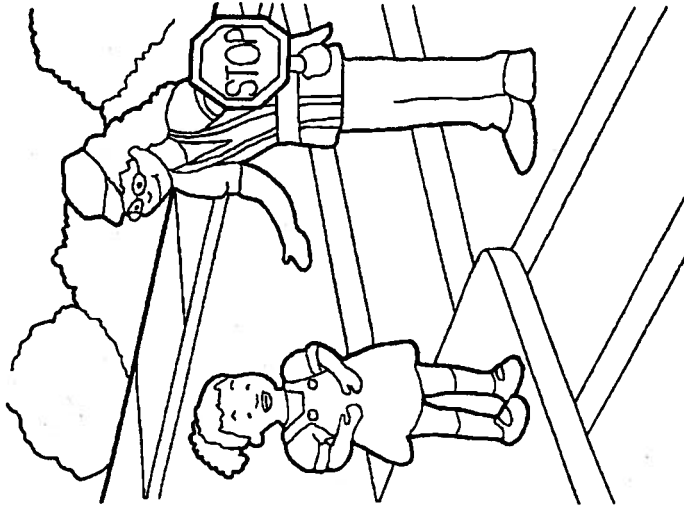
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**Cross the street safely:**

- Stop at the curb, look left, then right, then left again.
- Continue looking for traffic as you cross the street.
- Don't walk out in front of cars assuming drivers will stop for you.

**Take this home to colour!**



**Halifax Regional Police**

1975 Gottingen St.  
Halifax, NS B3J 2H1

To Report an Emergency or  
Crime-in-Progress  
**911**

Non-Emergency  
490-5020

General Inquiries  
490-5016

Community Offices

Central Division  
(Peninsular Halifax)  
490-5686

East Division  
(Dartmouth)  
490-5171

West Division  
(Mainland Halifax & Bedford)  
490-5200

Sergeant in-charge of  
Community Relations  
490-5397



*Leading and Partnering  
in our Community to  
Serve and Protect*

**Crosswalk  
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**Crime Prevention Series**

For more information:

Halifax Regional Police  
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490-5397

[www.police.halifax.ns.ca](http://www.police.halifax.ns.ca)

## Crosswalk Safety

Each year, many people are hurt trying to cross streets at intersections and crosswalks. Sometimes, these injuries result in death.

The number one way pedestrians get hurt near roadways is by darting out from between parked cars. Other ways people get hurt are by walking along the edge of the road, crossing multi-lane streets or in front of turning vehicles, going to or from an ice-cream truck, crossing behind a vehicle that is backing up, running across intersections or crossing in front of a stopped school bus.

Everyone has a responsibility to **Stay Alert** and **Stay Safe!**

### Safety rules for pedestrians:

1. **Look all ways before you cross the street.**
  - Stop at the edge of the street, look left, then right, then left again before crossing.
  - Cross only at corners or where there are traffic lights - not in the middle of the street or between parked cars.
2. **Keep away from parked cars**
  - Keep away from parked cars at all times.
  - Check for back-up lights when walking past driveways or in parking lots.
  - Never dart into traffic from between parked cars..

### 3. Walk when you cross the street

- Walk, don't run. When you run your head is usually down and you can't see if cars are coming. You are also more likely to fall if you are running.
- Always get off your bicycle and walk it across the street. Never ride it.

### 4. Where there is no sidewalk, walk on the left, facing traffic.

- Keep as far left as possible, facing traffic when you are walking where there is no sidewalk.
- Walk in a single line when you are walking with other children. Don't fool around or push and shove when you are on the side of the road.
- Make sure you can see drivers and they can see you.



### Drivers must:

- Yield the right of way to pedestrians in marked crosswalks.
- Be especially alert when approaching a marked crosswalk – watch for pedestrians who may dart out into the crosswalk without triggering the safety light system, or at crosswalks with no safety signals.
- Not pass cars stopped at a crosswalk – it's against the law!
- Follow all posted speed limits – especially around school zones and playgrounds.
- Be cautious when turning corners into a crosswalk area.

### Parents should ensure:

- Their children know to look both ways – first left, then right, then left again before crossing.
- Their children's vision is not impaired by hoods, umbrellas or hats

