

Safe Driving Rules

In this column, I want to emphasize the responsibilities we all have to help ensure safe travel for our neighbors, whether they are out for a stroll, driving to work, catching a bus to run an errand or go to UCC, or riding a bike to the park. Remember, State laws do not give a priority to any particular mode of travel on our roadways.

There is a very good reason for the speed limit reduction around schools, as well as for keeping speeds in check everywhere. The chance of major injury increases greatly with increasing vehicle speed in a pedestrian and motor vehicle collision. At 20 MPH, the chance of a major injury is 45%, at 25 MPH it is 60%, at 30 MPH it is 70%, at 35 MPH it is 90% and at 40 MPH it is 100%.

Stopping distance increases greatly as speed increases. Here are the stopping distances at various speeds:

64 feet at 20 MPH

86 feet at 25 MPH

112 feet at 30 MPH

138 feet at 35 MPH

170 feet at 40 MPH

For comparison's sake, a typical downtown city block is just over 300 feet long. So at just over 35 MPH, it takes almost half a block to stop.

Let's look at what constitutes speeding and provide some concrete examples of how vehicle speed impacts safety. A good place to start is to review the Basic Speed Rule which says a driver must not drive faster than a speed that is "reasonable and prudent" considering traffic, the surface and width of the street, hazards at intersections, weather or visibility. This means you are breaking the law even if you are driving at a speed under the posted speed limit if road conditions warrant a slower speed. I would add that the condition of your vehicle also matters. For example, if your tires are worn or underinflated, they will not provide good traction, particularly in wet weather.

State law imposes speed limits even if there is no speed limited posted. These are 15 MPH in an alley or a narrow residential street, 20 MPH in a business district, 25 MPH in a park, and 25 MPH in a residential area if the street is not an arterial (major) street, 20 MPH in a school zone, 65 MPH miles per hour on an interstate highway, unless posted

for a higher speed, and 55 MPH in locations not otherwise described. Trucks and busses are limited to 55 MPH on the interstates.

The 20 MPH in a school zone applies to an area adjacent to the school grounds with signs marking the school zone and either:

- there is a flashing light indicating children may be coming to or from school, or
- if there are no flashing lights present, between 7 AM and 5 PM on school days

The 20 mph also applies if there's a crosswalk with school zone signs and either:

- there is a flashing light to indicate students may be arriving at or leaving school, or
- there are students in the crosswalk, waiting to cross; or
- there is a crossing guard present.

Let me also remind everyone that a driver or bike rider must stop for a pedestrian who is crossing the street at a crosswalk, and a crosswalk is at every street intersection, including a "T" intersection, whether marked as a crosswalk or not. The law now states that a person is crossing the street "when any part or extension" of the individual's body, wheelchair, cane, crutch, bicycle or leashed animal enters the roadway. The driver or rider must remain stopped when the pedestrian is in the driver's or rider's lane, in the adjacent lane, in the lane into which the driver or rider is turning, at an intersection without a traffic signal into the lane adjacent to the lane into which the vehicle is turning, or less than 6 feet from the lane into which the vehicle is turning if there is a traffic signal at the intersection. However, if there is a safety island, the driver or rider doesn't need to stop if the driver or rider is on the far side of the crossing from the pedestrian.

But pedestrians also have responsibilities. They must obey traffic and walk signals, must not suddenly step into the path of an oncoming vehicle which is so close it is a hazard, and must yield to vehicles if they are crossing a street other than at a marked or unmarked crosswalk.

I hope these points make your travels safer for you and your neighbors.

The actual statutes and other materials for reference (not in order):

811.028 Failure to stop and remain stopped for pedestrian; penalty. (1) The driver of a vehicle commits the offense of failure to stop and remain stopped for a pedestrian if the driver does not stop and remain stopped for a pedestrian when the pedestrian is:

- (a) Proceeding in accordance with a traffic control device as provided under ORS 814.010 or crossing the roadway in a crosswalk; and
- (b) In any of the following locations:
 - (A) In the lane in which the driver's vehicle is traveling;
 - (B) In a lane adjacent to the lane in which the driver's vehicle is traveling;
 - (C) In the lane into which the driver's vehicle is turning;

(D) In a lane adjacent to the lane into which the driver's vehicle is turning, if the driver is making a turn at an intersection that does not have a traffic control device under which a pedestrian may proceed as provided under ORS 814.010; or

(E) Less than six feet from the lane into which the driver's vehicle is turning, if the driver is making a turn at an intersection that has a traffic control device under which a pedestrian may proceed as provided under ORS 814.010.

(2) For the purpose of this section, a bicycle lane or the part of a roadway where a vehicle stops, stands or parks that is adjacent to a lane of travel is considered to be part of that adjacent lane of travel.

(3) This section does not require a driver to stop and remain stopped for a pedestrian under any of the following circumstances:

(a) Upon a roadway with a safety island, if the driver is proceeding along the half of the roadway on the far side of the safety island from the pedestrian; or

(b) Where a pedestrian tunnel or overhead crossing has been provided at or near a crosswalk.

(4) For the purposes of this section, a pedestrian is crossing the roadway in a crosswalk when any part or extension of the pedestrian, including but not limited to any part of the pedestrian's body, wheelchair, cane, crutch or bicycle, moves onto the roadway in a crosswalk with the intent to proceed.

(5) The offense described in this section, failure to stop and remain stopped for a pedestrian, is a Class B traffic violation. [2005 c.746 §2; 2011 c.507 §1]

814.010 Appropriate responses to traffic control devices. This section establishes appropriate pedestrian responses to specific traffic control devices for purposes of ORS 814.020. Authority to place traffic control devices is established under ORS 810.210. Except when acting under the direction of a police officer, a pedestrian is in violation of ORS 814.020 if the pedestrian makes a response to a traffic control device that is not permitted under the following:

(1) A pedestrian facing a traffic control device with a green light may proceed across the roadway within any marked or unmarked crosswalk unless prohibited from doing so by other traffic control devices.

(2) A pedestrian facing a traffic control device with a green arrow signal light may proceed across the roadway within any marked or unmarked crosswalk unless prohibited from doing so by other traffic control devices.

(3) A pedestrian facing a traffic control device with a steady yellow light shall not enter the roadway unless otherwise directed by a pedestrian control signal.

(4) A pedestrian facing a traffic control device with a steady red light shall not enter the roadway unless otherwise directed by a pedestrian control signal.

(5) If a traffic control device is erected and maintained at a place other than an intersection, the provisions of this section are applicable.

(6) When a pedestrian control signal showing the words "Walk" and "Wait" or "Don't Walk" or any other pedestrian symbol approved by the Oregon Transportation Commission under ORS 810.200 and 810.210 for the purpose of controlling pedestrian crossing is in place, the signal indicates and applies as follows:

(a) If a pedestrian is facing a "Walk" signal or other symbol approved under ORS 810.200 and 810.210 indicating that the pedestrian may proceed, the pedestrian may

proceed across the roadway in the direction of the signal.

(b) A pedestrian shall not start to cross the roadway in the direction of a signal showing a "Wait" or "Don't Walk" or any other symbol approved under ORS 810.200 and 810.210 indicating that the pedestrian may not proceed. A pedestrian who has started crossing a roadway on a signal showing "Walk" or any other approved symbol to proceed shall proceed with dispatch to a sidewalk or safety island while a signal is showing "Wait" or "Don't Walk" or any other approved symbol indicating not to proceed. [1983 c.338 §553; 1985 c.16 §282]

814.020 Failure to obey traffic control device; penalty. (1) A pedestrian commits the offense of pedestrian failure to obey traffic control devices if the pedestrian does any of the following:

(a) Fails to obey any traffic control device specifically applicable to the pedestrian.

(b) Fails to obey any specific traffic control device described in ORS 814.010 in the manner required by that section.

(2) A pedestrian is not subject to the requirements of this section if the pedestrian complies with directions of a police officer.

(3) The offense described in this section, pedestrian failure to obey traffic control devices, is a Class D traffic violation. [1983 c.338 §552; 1995 c.383 §82]

814.040 Failure to yield to vehicle; penalty. (1) A pedestrian commits the offense of pedestrian failure to yield to a vehicle if the pedestrian does any of the following:

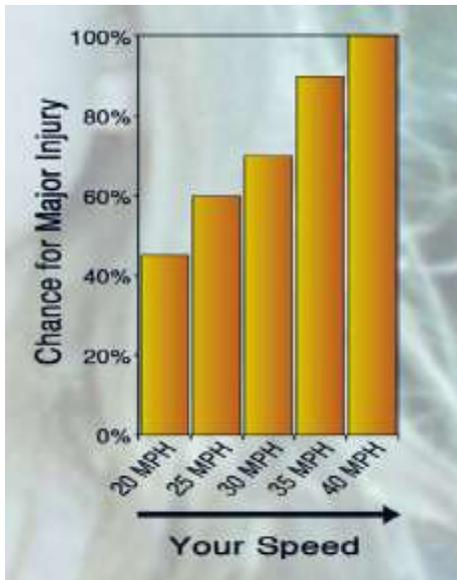
(a) Suddenly leaves a curb or other place of safety and moves into the path of a vehicle that is so close as to constitute an immediate hazard.

(b) Fails to yield the right of way to a vehicle upon a roadway when the pedestrian is crossing the roadway at any point other than within a marked crosswalk or an unmarked crosswalk at an intersection.

(c) Except as otherwise provided under the vehicle code, fails to yield the right of way to all vehicles upon the roadway.

(2) The offense described in this section, pedestrian failure to yield to a vehicle, is a Class D traffic violation. [1983 c.338 §555; 1995 c.383 §84]

Here's the link to the charts below, which didn't paste well below.
<http://www.oregon.gov/ODOT/TS/docs/pedestrian/5milesover.pdf>



At 20 mph you will stop in front of the first child.

At 25 mph you not only will have hit the first two children, but you will have increased their chances of a major injury* to 60%.

It doesn't matter how good a driver you are. The faster you go, the longer it takes to stop.

Driving 5 miles over the speed limit may not seem like a big deal, until someone steps out in front of you.

Killing or injuring a child – now that's a big deal.

**Show you CARE!
Drive the Speed Limit.**

*A major injury is an incapacitating injury such as broken bones, severe cuts, and unconsciousness, with the potential for being permanently disabling.

811.100 Violation of basic speed rule; penalty. (1) A person commits the offense of violating the basic speed rule if the person drives a vehicle upon a highway at a speed greater than is reasonable and prudent, having due regard to all of the following:

- (a) The traffic.
- (b) The surface and width of the highway.
- (c) The hazard at intersections.
- (d) Weather.
- (e) Visibility.
- (f) Any other conditions then existing.

(2) The following apply to the offense described in this section:

- (a) The offense is as applicable on an alley as on any other highway.
- (b) Speeds that are prima facie evidence of violation of this section are established by ORS 811.105.
- (c) This section and ORS 811.105 establish limitation on speeds that are in addition to speed limits established in ORS 811.111.

(4) The offense described in this section, violating the basic speed rule, is a Class B traffic violation if the person drives a vehicle upon a highway at a speed that is not reasonable and prudent under the circumstances described in subsection (1) of this section even though the speed is lower than the appropriate speed specified in ORS 811.105 as prima facie evidence of violation of the basic speed rule. [1983 c.338 §563; 1987 c.887 §9; 1989 c.592 §4; 1991 c.728 §5; 1999 c.1051 §229; 2003 c.819 §5]

811.105 Speeds that are evidence of basic rule violation. (1) Any speed in excess of a designated speed posted by authority granted under ORS 810.180 is prima facie evidence of violation of the basic speed rule under ORS 811.100.

(2) If no designated speed is posted by authority granted under ORS 810.180, any speed in excess of one of the following speeds is prima facie evidence of violation of the basic speed rule:

- (a) Fifteen miles per hour when driving on an alley or a narrow residential roadway.
- (b) Twenty miles per hour in a business district.
- (c) Twenty-five miles per hour in any public park.

- (d) Twenty-five miles per hour on a highway in a residence district if:
 - (A) The residence district is not located within a city; and
 - (B) The highway is neither an arterial nor a collector highway.
- (e) Fifty-five miles per hour in locations not otherwise described in this section.

811.111 Violating a speed limit; penalty. (1) A person commits the offense of violating a speed limit if the person:

(a) Drives a vehicle on an interstate highway at a speed greater than 65 miles per hour or, if a different speed is posted under ORS 810.180 (3), at a speed greater than the posted speed.

(b) Notwithstanding paragraph (a) of this subsection, drives any of the following vehicles at a speed greater than 55 miles per hour on any highway or, if a different speed is posted under ORS 810.180 (3), at a speed greater than the posted speed:

(A) A motor truck with a gross vehicle weight rating of more than 10,000 pounds or a truck tractor with a gross vehicle weight rating of more than 8,000 pounds.

(B) A school bus.

(C) A school activity vehicle.

(D) A worker transport bus.

(E) A bus operated for transporting children to and from church or an activity or function authorized by a church.

(F) Any vehicle used in the transportation of persons for hire by a nonprofit entity as provided in ORS 825.017 (9).

(c) Drives a vehicle or conveyance on any part of the ocean shore in this state at a speed greater than any of the following:

(A) Any designated speed for ocean shores that is established and posted under ORS 810.180.

(B) If no designated speed is posted under ORS 810.180, 25 miles per hour.

(d) Drives a vehicle upon a highway in any city at a speed greater than a speed posted by authority granted under ORS 810.180 or, if no speed is posted, the following:

(A) Fifteen miles per hour when driving on an alley or a narrow residential roadway.

(B) Twenty miles per hour in a business district.

(C) Twenty-five miles per hour in a public park.

(D) Twenty-five miles per hour on a highway in a residence district if the highway is not an arterial highway.

(E) Sixty-five miles per hour on an interstate highway.

(F) Fifty-five miles per hour in locations not otherwise described in this paragraph.

(e) Drives a vehicle in a school zone at a speed greater than 20 miles per hour if the school zone is:

(A) A segment of highway described in ORS 801.462 (1)(a) and:

(i) The school zone has a flashing light used as a traffic control device and operated under ORS 810.243 and the flashing light indicates that children may be arriving at or leaving school; or

(ii) If the school zone does not have a flashing light used as a traffic control device, the person drives in the school zone between 7 a.m. and 5 p.m. on a day when school

is in session.

(B) A crosswalk described in ORS 801.462 (1)(b) and:

(i) A flashing light used as a traffic control device and operated under ORS 810.243 indicates that children may be arriving at or leaving school; or

(ii) Children are present, as described in ORS 811.124.

811.124 Meaning of “children are present” in ORS 811.111. For purposes of ORS 811.111, children are present at any time and on any day when:

(1) Children are:

(a) Occupying or walking within a crosswalk described in ORS 801.462 (1)(b); or

(b) Waiting on the curb or shoulder of the highway at a crosswalk described in ORS 801.462 (1)(b); or

(2) A traffic patrol member provided under ORS 339.650 to 339.665 is present to assist children at a crosswalk described in ORS 801.462 (1)(b). [1997 c.438 §2; 2003 c.397 §5; 2003 c.819 §§9,9a,9b]

811.235 Fine for traffic offenses in school zones. (1)(a) If signs authorized by ORS 810.245 are posted, the presumptive fine for a person charged with an offense that is listed in subsection (2)(a) or (b) of this section and that is committed in a school zone shall be the amount established under ORS 153.020 for the offense.

(b) If signs authorized by ORS 810.245 are posted, the minimum fine for a person convicted of a misdemeanor offense that is listed in subsection (2)(c) to (g) of this section and that is committed in a school zone is 20 percent of the maximum fine established for the offense.

(c) If signs authorized by ORS 810.245 are posted, the minimum fine for a person convicted of a felony offense that is listed in subsection (2)(c) to (g) of this section and that is committed in a school zone is two percent of the maximum fine established for the offense.

(2) This section applies to the following offenses if committed in a school zone:

(a) Class A or Class B traffic violations.

(b) Class C or Class D traffic violations related to exceeding a legal speed.

(c) Reckless driving, as defined in ORS 811.140.

(d) Driving while under the influence of intoxicants, as defined in ORS 813.010.

(e) Failure to perform the duties of a driver involved in an accident or collision, as described in ORS 811.700 or 811.705.

(f) Criminal driving while suspended or revoked, as defined in ORS 811.182.

(g) Fleeing or attempting to elude a police officer, as defined in ORS 811.540.

(3) For purposes of this section, a traffic offense occurs in a school zone if the offense occurs while the motor vehicle is in a school zone, notice of the school zone is indicated plainly by traffic control devices conforming to the requirements established under ORS 810.200 and posted under authority granted by ORS 810.210 and:

(a) Children are present as described in ORS 811.124; or

(b) A flashing light used as a traffic control device and operated under ORS 810.243 indicates that children may be arriving at or leaving school. [1997 c.682 §3; 1999 c.1051 §293; 2003 c.397 §9; 2011 c.597 §115]

801.462 “School zone.” (1) “School zone” means both of the following:

(a) A specific segment of highway that is adjacent to school grounds and that is marked by signs described in subsection (2) of this section.

(b) A crosswalk that is not adjacent to school grounds and that is marked by signs described in subsection (2) of this section.

(2) Signs marking a school zone may include any words, symbols or combination of words and symbols that gives notice of the presence of the school zone. [2003 c.397 §2]