

Georgia Laws Pertaining To Pedestrian Safety

(This list is provided as a reference aid. For more information or to consult the law directly, you can review the Official Code of Georgia Annotated [OCGA] at <http://www.lexisnexis.com/hottopics/gacode/default.asp>.)

Many drivers aren't sure what to do when they encounter a pedestrian. In 1995, the Georgia legislature changed the crosswalk law such that drivers must "stop and stay stopped" for pedestrians, not just yield to them. Be sure you know the law. You'll avoid a ticket and maybe save a life.

40-6-91: Right of Way in Crosswalks

(a) The driver of a vehicle shall stop and remain stopped to allow a pedestrian to cross the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching and is within one lane of the half of the roadway on which the vehicle is traveling or onto which it is turning. For the purposes of this subsection, "half of the roadway" means all traffic lanes carrying traffic in one direction of travel.

In other words, it's illegal for drivers to squeeze by, drive around or cut off a pedestrian in a crosswalk, even if there's room. Forget yield. Remember STOP.

(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) Subsection (a) of this Code section shall not apply under the conditions stated in subsection (b) of Code Section 40-6-92.

(d) 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.

40-6-92: Crossing A Roadway Elsewhere Than In A Crosswalk

(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 unless he has already, and under safe conditions, entered 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 if he uses the roadway instead of such tunnel or crossing.

(c) Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

"Jaywalking" is not a legal term and does not appear in the Georgia Code. Even so, people often use "jaywalking" to describe a pedestrian crossing outside of a crosswalk. In fact, crossing the street outside of a crosswalk is perfectly LEGAL in most places, as long as the pedestrians yield to traffic.

(d) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic-control devices. When authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements.

40-6-22: Pedestrian Control Signals

Whenever special pedestrian-control signals exhibiting the words WALK or DON'T WALK or symbols so directing a pedestrian are in place, such signals shall indicate as follows:

(1) Word or symbol message WALK — Pedestrians facing such signal may proceed across the roadway in the direction of the signal. Every driver of a vehicle shall stop and remain stopped for such pedestrians; and

(2) Flashing or steady DON'T WALK — No pedestrian shall start to cross the roadway in the direction of such a signal, but any pedestrian who has partially completed his crossing on the WALK signal shall proceed to sidewalk or safety island while the DON'T WALK signal is showing.

Pedestrians and drivers are often confused by the meaning of the flashing “Don't Walk” signal. For pedestrians, it simply means “don't start crossing.” It does not give drivers who are turning at a green light the right of way. Even on green, turning drivers must stop and wait for pedestrians to cross the adjacent crosswalks.

40-1-1.(10): Definition of a Crosswalk

“Crosswalk” means (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 measured from the curbs or in the absence of curbs, from the edges of the traversable roadway; or (B) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Crosswalks exist at most intersections whether or not they are marked by painted lines.

40-1-1. (57): Definition of a Sidewalk

“Sidewalk” means that portion of a street between the curb lines, or the lateral lines of a railway, and the adjacent property lines, intended for use by pedestrians.

40-1-1. (22): Definition of an Intersection

“Intersection” means

(A) the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(B) Where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the

event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

(C) The junction of an alley with a street or highway shall not constitute an intersection.

40-6-203: Where Stopping Or Parking a Vehicle Is Prohibited

(a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

(1) Stop, stand, or park a vehicle:

-(A) On the roadway side of any vehicle stopped or parked at the edge of a curb of a street;

-(B) On a sidewalk;

-(C) Within an intersection;

-(D) On a crosswalk;

(2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

-(A) In front of a public or private driveway;

-(B) Within 15 feet of a fire hydrant;

-(C) Within 20 feet of a crosswalk at an intersection;

-(D) Within 30 feet upon the approach to any flashing signal, stop sign, yield sign, or traffic-control signal located at the side of a roadway.

40-6-144: Emerging From An Alley, Driveway or Building

The driver of a vehicle emerging from an alley, building, private road, or driveway within a business or residential district shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across such alley, building entrance, road, or driveway or, in the event there is no sidewalk area, shall stop at the point nearest the street to be entered where the driver has a view of approaching traffic thereon. The driver of a vehicle shall yield the right of way to any pedestrian on a sidewalk. No person shall drive any vehicle upon a sidewalk or sidewalk area except upon a permanent or duly authorized driveway.