

Review of Legal Provisions for Vulnerable Road Users

Rules for Drivers to Give Way to Pedestrians at Intersections (excluding pedestrian crossings, school crossing points, shared zones and traffic signals)

1.0 Background

The Road Safety to 2010 Strategy includes a project to develop a Pedestrian and Cyclist Safety Framework. This framework will provide a comprehensive approach to improving the safety of pedestrians and cyclists in New Zealand. Part of this project is a review of legal provisions specific to pedestrians and cyclists. This paper is part of this review.

2.0 Scope

This paper reviews the current New Zealand rules for drivers to give way to pedestrians at intersections. It does not, however, include a review of rules at pedestrian crossings, school crossing points, shared zones or traffic signals. These will be reviewed in separate papers.

3.0 Current NZ Legal Provisions

3.1 Road User Rules

The Land Transport (Road User) Rule includes rules for drivers to give way to pedestrians at pedestrian crossings, school crossing points, shared zones, and at traffic signals (a review of these rules is beyond the scope of this paper). In addition, clause 4.4 of the rule states:

4.4 Giving way when entering or exiting driveway

A driver entering or exiting a driveway must give way to a road user on a footpath.

The rule includes no other requirements for drivers to give way to pedestrians at other places.

Pedestrians crossing intersections other than those controlled by traffic signals or within a shared zone have no legal priority unless they are crossing on a marked pedestrian crossing or when a school crossing is in operation.

4.0 Summary of Submissions

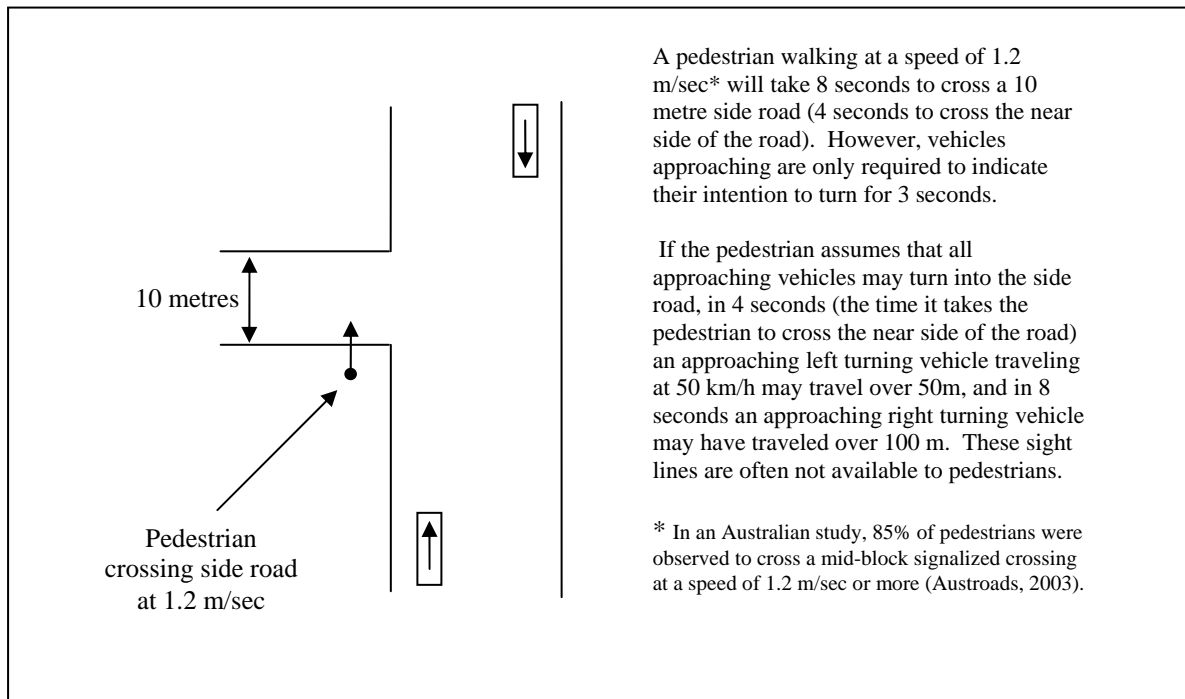
A number of submissions to drafts of the Land Transport (Road User) Rule requested that current rules for drivers to give way to pedestrians at intersections be reviewed. Appendix A includes a copy of these submissions.

In summary, these submissions suggest that:

- drivers of turning vehicles should give way to pedestrians (and other non-vehicular traffic) that are crossing the road the vehicle is turning into (ie adopt the Australian and UK rules).

In addition, they note that such a change in road user rules would:

- be consistent with current rules at traffic signals (drivers at traffic signals, including a driver turning left or right, must give way to pedestrians lawfully crossing or about to cross the road, clause 3.2 of the Land Transport (Road User) Rule).
- greatly assist with the establishment of “Safe Routes” to school (students crossing side-roads would be given greater priority).
- greatly improve the safety of pedestrians crossing side roads as they are often not given adequate warning by approaching vehicles intending to turn (see Example 1 below).



Example 1: A Simplified Pedestrian Crossing Calculation

5.0 The Vulcan Report

In August 2003 a team of road safety experts (headed by Peter Vulcan, Research and Safety Services Pty Ltd) published a report which assessed New Zealand’s road safety strategies, policies and programmes (Vulcan, 2003). Appendix B includes an extract from this report. Recommendation 2 states:

“Consideration should be given to requiring all turning vehicles at an unsignalised intersection to give way to pedestrians”.

The report also states:

“there would be merit in requiring both left and right turning vehicles to give way to pedestrians, at all intersections, as is required in Australia. (In New Zealand, this is only required at signalized intersections). This would further favour pedestrian safety and mobility, although possibly at the expense of some intersection capacity.”

This report reflects the views of those that made submissions to the Land Transport (Road User) Rule (see 4.0 above).

6.0 Overseas Practice

6.1 Australia

Road user laws in Australia are set in the Australian Road Rules. Like the New Zealand rules, the Australian rules include requirements for drivers to give way to pedestrians at pedestrian crossings, children's crossings, shared zones and at traffic signals.

In addition, however, there are a number of other requirements for drivers to give way to pedestrians.

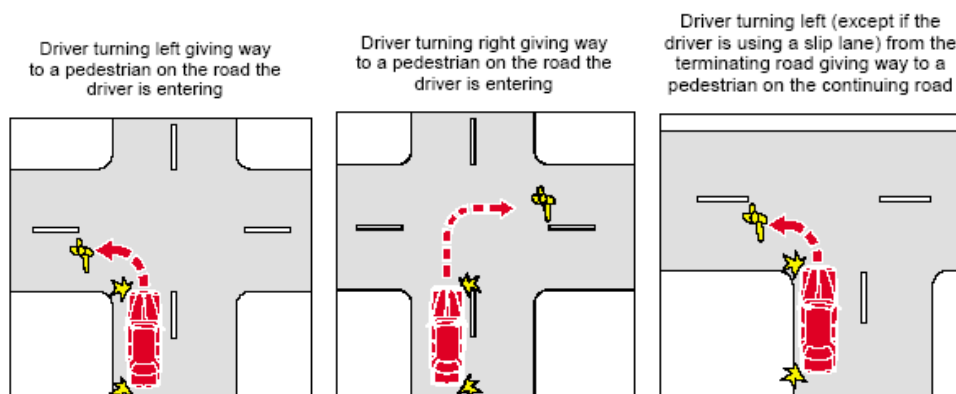
Appendix C includes those Australian road rules that require drivers to give way to pedestrians (excluding rules for pedestrian crossings, children's crossings, marked foot crossings, shared zones and traffic signals).

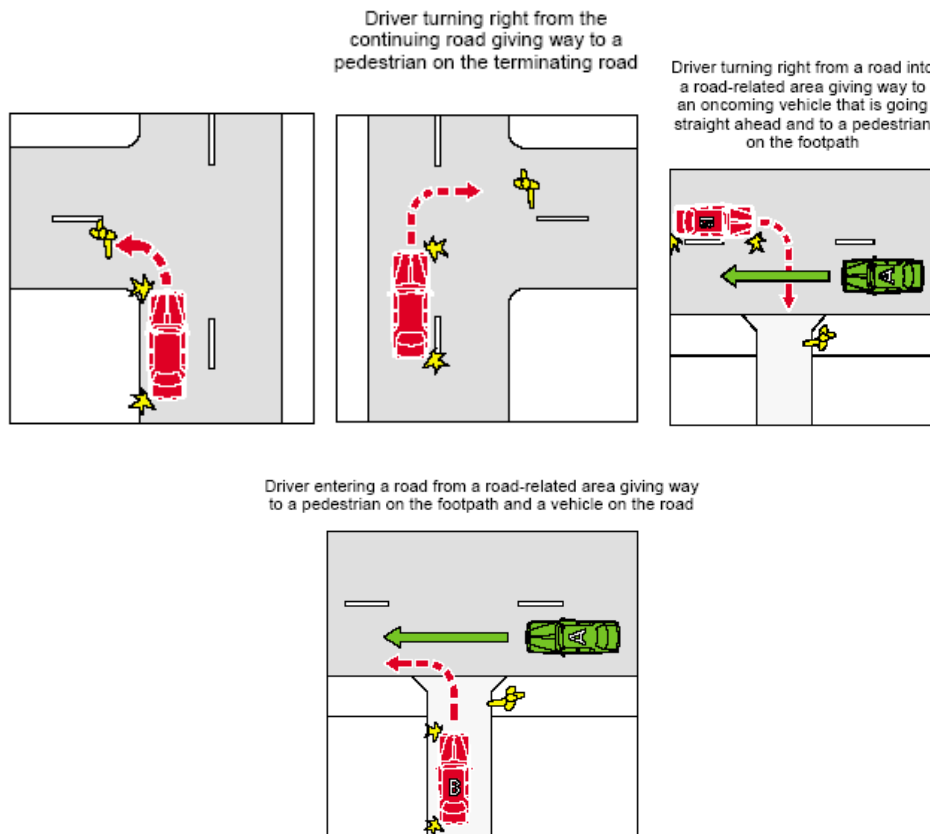
Specifically, the Australian Road Rules require drivers to give way to pedestrians:

- when making a **u-turn** (rule 38). A driver making a u-turn must give way to all vehicles and pedestrians.
- at places controlled by **stop signs** (rules 67 and 68). If a driver is turning, the driver must give way to any pedestrian on or near the road the driver is entering.
- at places controlled by **give way signs** (rules 69 and 71). If a driver is turning, the driver must give way to any pedestrian on or near the road the driver is entering.
- at **uncontrolled** intersections (rules 72 and 73). If a driver is turning, the driver must give way to any pedestrian on or near the road the driver is entering.
- When entering or leaving a road-related area (ie a driveway) (rules 74 and 75). A driver must effectively give way to all pedestrians.
- Near stopped trams (rule 164). A driver must give way to any pedestrian crossing the road from a tram to the left side of the road.

These rules are somewhat more comprehensive than the New Zealand rules and give greater priority to pedestrians. Rules 236(1) and 236(2) require pedestrians not to cause a traffic hazard by moving into the path of a driver, or to unreasonably obstruct the path of any driver.

In simplified terms, the Australian Road Rules require a driver that is turning left or right, or making a u-turn to give way to pedestrians that are on or near the road the driver is entering. Some examples:





6.2 United Kingdom

Appendix D includes extracts from the UK Highway Code. When drivers turn they are required to give way to pedestrians that have started to cross the road the driver is turning into (see below). This is similar to the Australian rule.



Vehicle required to give way to pedestrians

6.3 Illinois, USA

Appendix E includes an extract from the road code for the state of Illinois, USA (Rules of the Road). The code states that drivers must yield to pedestrians when

making a turn at any intersection. Again, a rule that is similar to those in Australia and the UK.


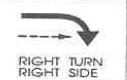


6.4 Hong Kong

Appendix F includes an extract from the Road Users' Code, Hong Kong. The Code states that drivers are to give way to pedestrians crossing the road into which they are turning. This is similar to the UK Code.

7.0 Crash Analysis

An initial analysis of road crashes in the Ministry of Transport's crash analysis system (CAS) showed that in 2003 there were 121 reported injury crashes at or near intersections that involved a turning vehicle hitting a pedestrian (ie the movements shown in Table 1). Of these crashes, 6 were fatal, 23 involved serious injury and 92 minor injury.

Table 1: Crash Movements used in Analysis

		C	D	E	F
N	PEDESTRIANS CROSSING ROAD	 LEFT TURN LEFT SIDE	 RIGHT TURN RIGHT SIDE	 LEFT TURN RIGHT SIDE	 RIGHT TURN LEFT SIDE

The movements shown in Table 1 are those movements that would be addressed by any change to rules for drivers to give way to pedestrians at intersections. Figure 1 shows a ten year trend and clearly shows that over the ten year period, crashes involving these movements have increased steadily (particularly crashes involving minor injury). Note that over this same period total injury crashes in New Zealand have declined.

Figure 1: Intersection Pedestrian Crashes Involving Movements NC, ND, NE and NF

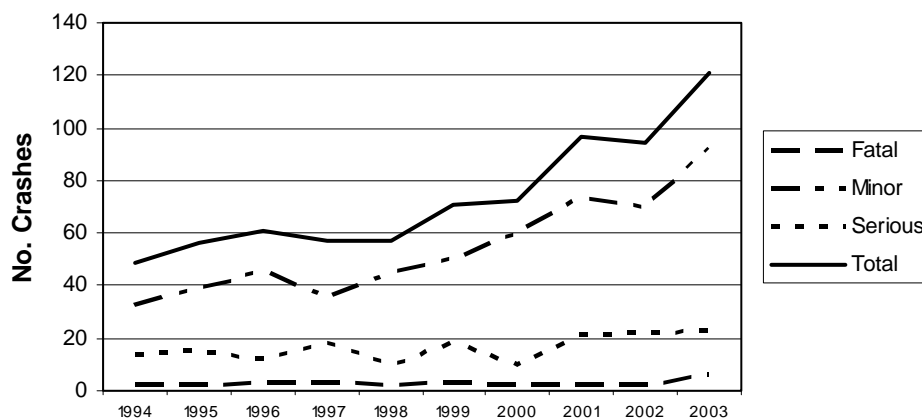


Figure 2 shows a breakdown by movement type and shows that there are considerably more crashes involving right turning vehicles hitting pedestrians (movements ND and NF) than left turning vehicles hitting pedestrians. Figure 3 is a ten year trend of these movement

types and shows that in 2003 there was a marked increase in the number of crashes involving the movement NF (a right turning vehicle hitting a pedestrian crossing the side road from the drivers left side).

Figure 2: Intersection Pedestrian Crashes Involving Injury (1994-2003)

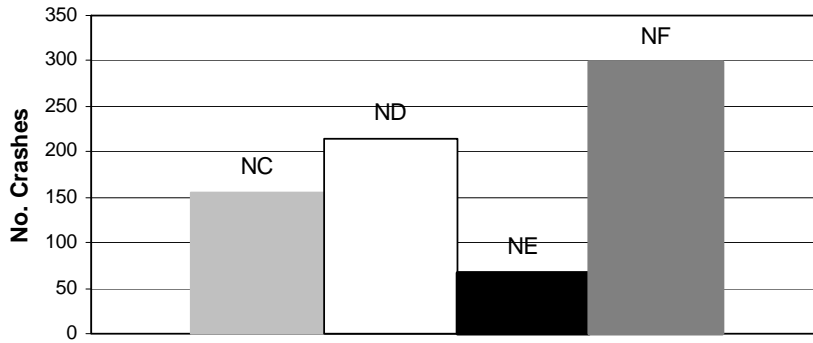
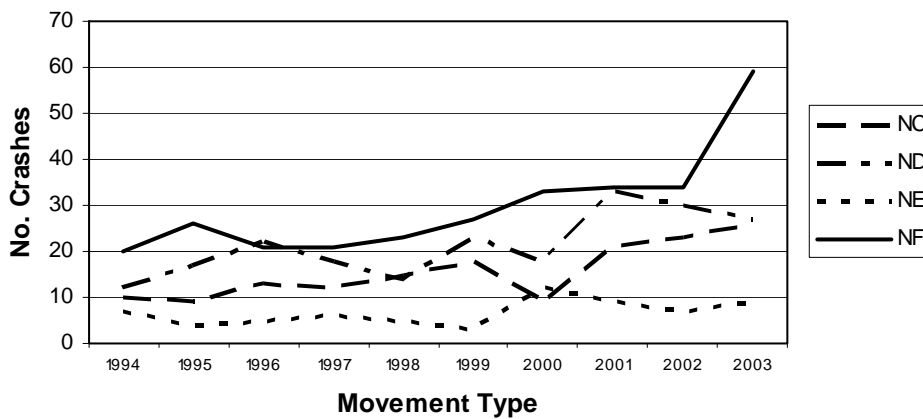


Figure 3: Intersection Pedestrian Crashes Involving Injury



8.0 Pedestrian Platforms

Pedestrian platforms are often used as an intersection treatment to provide a crossing point for pedestrians (Figure 4).

In 1998 the LTSA issued Traffic Note 2 to highlight the concern that some pedestrian platforms were creating a false sense of priority of pedestrians. Pedestrian platforms that have insufficient demarcation between the footpath and the platform can cause pedestrians to falsely perceive the platform as a continuation of the footpath rather than as part of the roadway. Consequently, pedestrians may mistakenly believe they have more priority at these points than in reality they have.

The road user rules for pedestrian platforms have been reviewed in a separate paper.

Requiring turning traffic to give way to pedestrians is likely to improve the safety of pedestrian platforms and may even reduce the need for platforms. Such benefits should be assessed when considering a change to require turning traffic to give way to pedestrians.



Figure 4: Example of a pedestrian platform installed at an intersection

9.0 Give Way Rules

In June 2001 the then LTSA consulted on the proposal to change the give way rules (LTSA, 2001). Specifically, left turning traffic would be given priority over opposing right turning traffic turning into the same road and all traffic from a terminating road (ie at a T-junction) would give way to traffic on the continuing road.

The proposal was not, however, approved by government. Such a change to priority rules would improve the safety of pedestrians (see Vulcan report) and when the proposal is revisited it should be considered in conjunction with the proposal that turning traffic give way to pedestrians.

10.0 Summary and Recommendations

In New Zealand drivers of turning vehicles are not required to give way to pedestrians that are crossing the road the driver is entering. In many other countries, including Australia, UK and the USA such drivers are required to give way to pedestrians crossing (see Figure A).



Figure A: Vehicle legally required to give way to pedestrians (Australian, UK and USA rule)

Submissions to the Land Transport (Road User) Rule and the road safety experts which completed the Vulcan report (Vulcan, 2003) supported a change in New Zealand to require drivers of turning vehicles to give way to pedestrians crossing.

An initial analysis of road crashes in the Ministry of Transport's crash analysis (CAS) system showed that over a ten year period, crashes involving the movements that are likely to be addressed by such a change have increased steadily despite the fact that total crashes over that same period have declined nationally.

It is, therefore, recommended that serious consideration be given to changing the rules to require drivers of turning vehicles to give way to pedestrians and that this is done in conjunction with the revisiting of the proposal to change the give way rules (left turn versus right turn priority).

To progress this work the following should be done:

1. In-depth crash analysis to enable the calculation of safety benefits;
2. the collection of further overseas practices;
3. traffic behaviour surveys to determine and quantify pedestrian and driver behaviour under the current rules;
4. the running of a traffic simulation model (eg PARAMICS) to determine any likely effect on pedestrian and driver delay, intersection capacity etc.
5. the benefits to pedestrian platforms (ie reduced confusion and reduced need for platforms) as a result of such a rule change be assessed.

References

(Austroads, 2003), Guide to Traffic Engineering Practice, Part 7, Traffic Signals, Third Edition, 2003

(Department for Transport, 2004), The Highway Code, Department for Transport, UK.
www.highwaycode.gov.uk

(LTSA, 2001), Road User Rule Consultation Paper, June 2001, Land Transport Safety Authority.

(LTSA, 2003), Pedestrian and Cyclist Safety Framework, Draft for Consultation, October 2003, Land Transport Safety Authority.

(Land Transport NZ, 2004), Traffic Note 2 – Revision 1, Platforms as crossing points, Land Transport New Zealand December 2004

(MoT, 2004), Land Transport (Road User) Rule 2004, Ministry of Transport

(NRTC, 1999), Australian Road Rules (October 1999), National Road Transport Commission, Australia.

(Secretary of State, 2004), Illinois Rules of the Road, Illinois, USA,
<http://www.sos.state.il.us/publications/rr/rrtoc.html>

(Transport Department, 2000), Road Users' Code, Hong Kong, May 2000,
<http://www.arcotect.com/roadguide/eng/code.html>

(Vulcan, 2003) Assessment of Strategies, Policies and Programmes Affecting Road Safety, Report to Land Transport Safety Authority, New Zealand; Peter Vulcan, I.W. (Harry) Hayes, Narelle Haworth, John McLean; August 2003; pgs 18-19.

Appendix A: Submissions on drafts of the Land Transport (Road User) Rule 2004

The following are extracts from submissions made by Tim Hughes (Christchurch Regional Office – Safety, Land Transport NZ) and Bob Lambourne.

“Common Law

There seems to be a fundamental rule missing. It is the land equivalent of the basic rule of the sea to avoid a collision. This has the effect in maritime law of placing an obligation on the boat with right of way to take evasive action when it becomes apparent that the party required to give way is not yielding right of way. A requirement to take care and be considerate is mentioned in various specific contexts but the general obligation to do so is not stated in the rule. It is expressed negatively in the act (section 8). The meaning of careless has had to be defined by the courts who have set a test which is: “exercising that degree of care and attention that a reasonable and prudent driver would exercise in the circumstances” this test should be spelt out in this rule, and plain English description of what this means in practice based on the precedents set by the judges. Otherwise it is only known to lawyers.”

“Pedestrian Issues

Pedestrians are not given duty to be careful and considerate like drivers are. The Act and rule appears to give them no rights on roadways except at pedestrian crossings and signals. They have greater rights in most other countries at pedestrian crossings and at intersections. This area needs a comprehensive review the rights and obligations of pedestrians need to be better defined. Australian rules have more on pedestrian obligations.”

“Pedestrians vs motor vehicles turning at Junctions

At traffic signals traffic turning at junctions gives way to pedestrians crossing road that the traffic is turning into. Away from signals this is not the case.

While surveying international road rules as part of the analysis for the Give Way changes I also asked about the requirements of other countries in relation to this situation. In most overseas countries the rules require turning traffic to give way to pedestrian crossing the road being entered, apply generally.

LTSA should seriously investigate changing our rules in this respect.”

Submission in respect of proposed changes to road user rules:

"That a vehicle turning at an intersection without lights controlling the movement of pedestrians should give way to pedestrians and other non-vehicular traffic crossing the road into which the vehicle is turning"

Argument:

The principle that turning traffic should give way to traffic that is not turning is widely applied in the construction of road rules in various jurisdictions. It appears in the current New Zealand "Give Way Rules" for vehicles as the second of those rules:

"If you are turning, give way to all vehicles not turning."

It is also the case that at signalised intersections without lights for pedestrians, signs are frequently displayed saying "turning traffic give way to pedestrians". (However, there is no reference to this in the current

Road Code, only to giving way to pedestrians crossing on a CROSS light.)

The situation in respect of pedestrians at non-signalised (uncontrolled/STOP/GIVE WAY) intersections is therefore anomalous. It would

logical and consistent to apply the principle stated above to interactions

between vehicles and pedestrians at these intersections. The result would be that pedestrians proceeding in a straight line along a road with

intersections at side roads would have priority over a vehicle turning into such a side road, just as they would if they were using a vehicle.

The change I propose would, I suggest, greatly assist in the setting up of Safe Routes/Safe Routes to School. Pedestrian crossings can be installed at strategic points so as to allow such routes to cross major arterial roads with high volumes of traffic. It is unlikely to be practical to install a pedestrian crossing at every intersection of a residential side road and a route along an arterial road. While it is true that the proposed rule change would not affect vehicles issuing from side roads, such vehicles typically move at slower speeds than those turning into side roads. Moreover, the fact that they are going to conflict with pedestrians crossing the road is self-evident - it doesn't depend on the vehicle signalling appropriately or the pedestrians seeing and interpreting those signals, as it does for turning traffic.

To give an example of the problems produced by the current situation: At an intersection near my home, where a residential road turns off an arterial road, the distance between the points where the footpath abuts on the carriageway on either side of the residential road is about 20 metres, and there is no central pedestrian refuge. An infirm pedestrian could take as long as 30 seconds to cross this intersection. During that time, a vehicle on the arterial road approaching at 50km/h will have covered over 400 metres. Only for the last 3 seconds of that time is the vehicle required to signal an intention to turn. Therefore, if the pedestrian does not have priority over turning vehicles, as is the current de facto position, they can only cross the intersection in accordance with the road code if the arterial road is clear of approaching vehicles for over 400 metres in each direction!

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Appendix B: Extract from Vulcan Report

(Vulcan, 2003) Assessment of Strategies, Policies and Programmes Affecting Road Safety, Report to Land Transport Safety Authority, New Zealand; Peter Vulcan, I.W. (Harry) Hayes, Narelle Haworth, John McLean; August 2003; pgs 18-19.



3.3.1 Give-way rules left-turn versus right-turn priority

It is proposed that "traffic turning right gives way to approaching traffic turning left into the same road" – a reverse of the present priority.

Conflicting right-turns at uncontrolled T-junctions

It is proposed that "all traffic from a terminating road gives way to all traffic on a continuing road".

These two changes will provide consistency with the give-way rules in Australia, the United Kingdom and some other countries. Based on an analysis in Victoria relating to the left-turn versus right-turn rule change, the LTSA has assumed a 2% reduction (range 1-3%) in casualty crashes at intersections. This corresponds to a reduction in social cost of \$3 million. There are no figures available from the change in the T-junction priority rule and this is probably too small to be included separately. Hence a reduction of approximately \$3 million annually in social cost is an appropriate estimate. The reductions are likely to affect all road users, but should favour pedestrians, particularly in urban areas.

When considering the rule change, there would be merit in requiring both left and right turning vehicles to give way to pedestrians, at all intersections, as is required in Australia. (In New Zealand, this is only required at signalised intersections). This would further favour pedestrian safety and mobility, although possibly at the expense of some intersection capacity.

Recommendation 2

Consideration should be given to requiring all turning vehicles at an unsignalised intersection to give way to pedestrians.

Appendix C: Australian road rules requiring drivers to give way to pedestrians (excluding pedestrian crossings, children's crossings, shared zones and traffic signals)

Arrows indicate where specific reference has been made to pedestrians

38 Giving way when making a U-turn

- A driver making a U-turn must give way to all vehicles and pedestrians.

Offence provision.

Note For this rule, *give way* means the driver must slow down and, if necessary stop, to avoid a collision — see the definition in the dictionary.

67 Stopping and giving way at a stop sign or stop line at an intersection without traffic lights

- (1) A driver at an intersection with a *stop sign* or stop line, but without traffic lights, must stop and give way in accordance with this rule.

Offence provision.

Note 1 *Intersection* and *stop line* are defined in the dictionary. This rule applies also to T-intersections — see the definition of *intersection*.

Note 2 For this rule, *give way* means the driver must remain stationary until it is safe for the driver to proceed — see the definition in the dictionary.

Note 3 Part 6 deals with stopping and giving way at an intersection with traffic lights.

Note 4 This rule only applies to a driver turning left using a slip lane if the *stop sign* or stop line applies to the slip lane — see Part 20, Divisions 2 and 3, especially rules 330 and 345.

- (2) The driver must stop at the stop line or, if there is no stop line, the driver must stop as near as practicable to, but before entering, the intersection.

Note *Enter* is defined in the dictionary.

- (3) The driver must give way to a vehicle in, entering or approaching the intersection except:

- (a) an oncoming vehicle turning right at the intersection if a *stop sign*, stop line, *give way sign* or *give way line* applies to the driver of the oncoming vehicle; or
- (b) a vehicle turning left at the intersection using a slip lane; or
- (c) a vehicle making a U-turn.

Note *Give way line*, *oncoming vehicle*, *slip lane* and *U-turn* are defined in the dictionary.

- (4) If the driver is turning left or right or making a U-turn, the driver must also give way to any pedestrian at or near the intersection on the road, or part of the road, the driver is entering.
- (5) For this rule, an oncoming vehicle travelling through a T-intersection on the continuing road is taken not to be turning.

Stop sign



68 Stopping and giving way at a stop sign or stop line at other places

- (1) A driver approaching or at a place (except an intersection, children's crossing, level crossing, or a place with twin red lights) with a *stop sign* or stop line must stop and give way in accordance with this rule.

Offence provision.

Examples

1 A *stop sign* at a break in a dividing strip dividing the part of the road used by the main body of moving vehicles from a service road.

2 A *stop sign* on an exit from a carpark where the exit joins the road.

Note 1 *Children's crossing* is defined in rule 80, *intersection*, *stop line* and *twin red lights* are defined in the dictionary, and *level crossing* is defined in rule 120.

Note 2 For this rule, *give way* means the driver must remain stationary until it is safe for the driver to proceed — see the definition in the dictionary.

Note 3 For the stopping and giving way rules applying to a driver at an intersection or level crossing with a *stop sign* or stop line, see rule 67 (intersections) and rule 121 (level crossings). Rule 80 deals with stopping at a stop line at a children's crossing.

- (2) The driver must stop at the stop line or, if there is no stop line, the driver must stop as near as practicable to, but before, the *stop sign*.
- (3) The driver must give way to any vehicle or pedestrian at or near the *stop sign*.

69 Giving way at a give way sign or give way line at an intersection

- (1) A driver at an intersection with a *give way sign* or give way line must give way in accordance with this rule.

Offence provision.

Note 1 *Give way line* and *intersection* are defined in the dictionary. This rule applies also to T-intersections — see the definition of *intersection*.

Note 2 For this rule, *give way* means the driver must slow down and, if necessary, stop to avoid a collision — see the definition in the dictionary.

- (2) The driver must give way to a vehicle in, entering or approaching the intersection except:
 - (a) an oncoming vehicle turning right at the intersection if a *stop sign*, stop line, *give way sign* or give way line applies to the driver of the oncoming vehicle; or
 - (b) a vehicle turning left at the intersection using a slip lane; or
 - (c) a vehicle making a U-turn.

Note *Enter*, *oncoming vehicle*, *slip lane*, *stop line* and *U-turn* are defined in the dictionary.

- (3) If the driver is turning left or right or making a U-turn, the driver must also give way to any pedestrian at or near the intersection on the road, or part of the road, the driver is entering.
- (4) For this rule, an oncoming vehicle travelling through a T-intersection on the continuing road is taken not to be turning.

Give way sign



71 Giving way at a give way sign or give way line at other places

- (1) A driver approaching or at a place (except an intersection, bridge or length of narrow road, level crossing, or a place with twin red lights) with a *give way sign* or give way line must give way in accordance with this rule.

Offence provision.

Examples

- 1 A *give way sign* at a break in a dividing strip dividing the part of the road used by the main body of moving vehicles from a service road.
- 2 A *give way sign* on a road at a place where a bicycle path meets the road.

Note 1 *Give way line, intersection and twin red lights* are defined in the dictionary, and *level crossing* is defined in rule 120.

Note 2 For this rule, *give way* means the driver must slow down and, if necessary, stop to avoid a collision — see the definition in the dictionary.

Note 3 For the give way rules applying to a driver at an intersection, bridge or length of narrow road, or level crossing, with a *give way sign* or give way line, see rule 69 (intersections), rule 70 (bridges and lengths of narrow road) and rule 122 (level crossings).

- (2) The driver must give way to any vehicle or pedestrian at or near the *give way sign* or give way line.

72 Giving way at an intersection (except a T-intersection or roundabout)

- (1) A driver at an intersection (except a T-intersection or roundabout) without traffic lights or a *stop sign*, stop line, *give way sign* or give way line, must give way in accordance with this rule.

Offence provision.

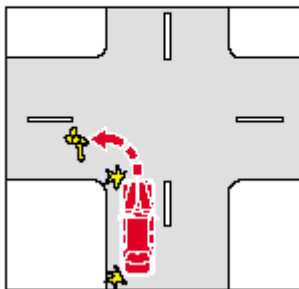
Note 1 *Give way line, intersection, stop line, T-intersection and traffic lights* are defined in the dictionary, and *roundabout* is defined in rule 109.

Note 2 For this rule, *give way* means the driver must slow down and, if necessary, stop to avoid a collision — see the definition in the dictionary.

- (2) If the driver is going straight ahead, the driver must give way to any vehicle approaching from the right, unless a *stop sign*, stop line, *give way sign* or give way line applies to the driver of the approaching vehicle.
- (3) If the driver is turning left (except if the driver is using a slip lane), the driver must give way to:
 - (a) any vehicle approaching from the right, unless a *stop sign*, stop line, *give way sign* or give way line applies to the driver of the approaching vehicle; and
 - (b) any pedestrian at or near the intersection on the road the driver is entering.

→ Example 4

Driver turning left giving way to a pedestrian on the road the driver is entering



In example 4, the vehicle must give way to the pedestrian.

(4) If the driver is turning left using a slip lane, the driver must give way to:

- (a) any vehicle approaching from the right or turning right at the intersection into the road the driver is entering (except a vehicle making a U-turn at the intersection); and

→ (b) any pedestrian on the slip lane.

(5) If the driver is turning right, the driver must give way to:

- (a) any vehicle approaching from the right, unless a *stop sign*, *stop line*, *give way sign* or *give way line* applies to the driver of the approaching vehicle; and

- (b) any oncoming vehicle that is going straight ahead or turning left at the intersection, unless:

- (i) a *stop sign*, *stop line*, *give way sign* or *give way line* applies to the driver of the oncoming vehicle; or

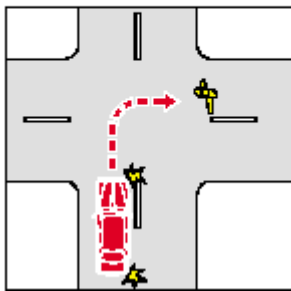
- (ii) the oncoming vehicle is turning left using a slip lane; and

→ (c) any pedestrian at or near the intersection on the road the driver is entering.

Note *Oncoming vehicle* is defined in the dictionary.

Example 9

→ Driver turning right giving way to a pedestrian on the road the driver is entering



In example 9, the vehicle must give way to the pedestrian.

73 Giving way at a T-intersection

- (1) A driver at a T-intersection without traffic lights or a *stop sign*, *stop line*, *give way sign* or *give way line*, must give way in accordance with this rule.

Offence provision.

Note 1 *Give way line*, *stop line*, *T-intersection* and *traffic lights* are defined in the dictionary.

Note 2 For this rule, *give way* means the driver must slow down and, if necessary, stop to avoid a collision — see the definition in the dictionary.

Note 3 Rule 75 (1) (d) requires a driver at a T-intersection to give way when crossing the continuing road to enter a road-related area or adjacent land.

- (2) If the driver is turning left (except if the driver is using a slip lane) or right from the terminating road into the continuing road, the driver must give way to:

- (a) any vehicle travelling on the continuing road; and

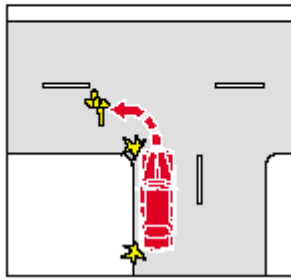
→ (b) any pedestrian on the continuing road at or near the intersection.

Note *Continuing road*, *slip lane* and *terminating road* are defined in the dictionary.



Example 2

Driver turning left (except if the driver is using a slip lane) from the terminating road giving way to a pedestrian on the continuing road



In example 2, the vehicle must give way to the pedestrian.

(3) If the driver is turning left from the terminating road into the continuing road using a slip lane, the driver must give way to:

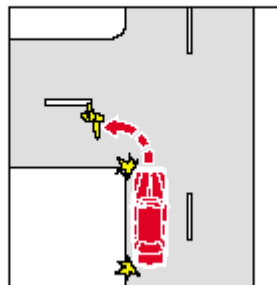
- (a) any vehicle travelling on the continuing road; and
- (b) any pedestrian on the slip lane.



(4) If the driver is turning left (except if the driver is using a slip lane) from the continuing road into the terminating road, the driver must give way to any pedestrian on the terminating road at or near the intersection.

Example 3

Driver turning left (except if the driver is using a slip lane) from the continuing road giving way to a pedestrian on the terminating road



In this example, the vehicle must give way to the pedestrian.

- (5) If the driver is turning from the continuing road into the terminating road using a slip lane, the driver must give way to:
- (a) any vehicle approaching from the right; and
 - (b) any pedestrian on the slip lane.



- (6) If the driver is turning right from the continuing road into the terminating road, the driver must give way to:
- (a) any oncoming vehicle that is travelling through the intersection on the continuing road or turning left at the intersection; and
 - (b) any pedestrian on the terminating road at or near the intersection.



Note *Oncoming vehicle* is defined in the dictionary.

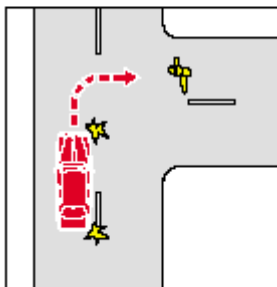
- (7) In this rule:
turning left from the continuing road into the terminating road, for a driver, includes, where the continuing road curves to the right at a T-intersection, leaving the continuing road to proceed straight ahead onto the terminating road.

turning right from the continuing road into the terminating road, for a driver, includes, where the continuing road curves to the left at a T-intersection, leaving the continuing road to proceed straight ahead onto the terminating road.

Note *Straight ahead* is defined in the dictionary.

Example 7

Driver turning right from the continuing road giving way to a pedestrian on the terminating road



In example 7, the vehicle must give way to the pedestrian.

74 Giving way when entering a road from a road-related area or adjacent land

(1) A driver entering a road from a road-related area, or adjacent land, without traffic lights or a *stop sign*, stop line, *give way sign* or give way line must give way to:

- (a) any vehicle travelling on the road or turning into the road (except a vehicle turning right into the road from a road-related area or adjacent land); and
- (b) any pedestrian on the road; and
- (c) any vehicle or pedestrian on any road-related area that the driver crosses to enter the road; and
- (d) for a driver entering the road from a road-related area — any pedestrian on the road-related area.

Offence provision.

Note 1 *Adjacent land*, *give way line*, *stop line* and *traffic lights* are defined in the dictionary, and *road-related area* is defined in rule 13.

Note 2 Adjacent land or a road-related area can include a driveway, service station or shopping centre — see the definitions of *adjacent land* and *road-related area*. Some shopping centres may include roads — see the definition of *road* in rule 12.

Note 3 Part 6 applies to the driver if there are traffic lights. Rule 68 applies to the driver if there is a *stop sign* or stop line, and rule 71 applies to the driver if there is a *give way sign* or give way line.

Note 4 For this rule, *give way* means the driver must slow down and, if necessary, stop to avoid a collision — see the definition in the dictionary.

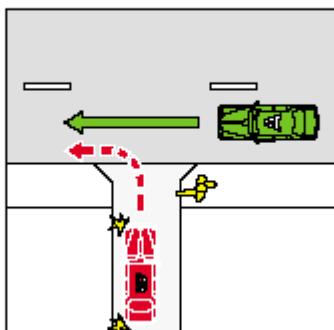
(2) In this rule:

road does not include a road-related area.

Note A *road-related area* includes any shoulder of a road — see rule 13.

Example

- Driver entering a road from a road-related area giving way to a pedestrian on the footpath and a vehicle on the road



In this example, vehicle B must give way to the pedestrian on the footpath and to vehicle A.

75 Giving way when entering a road-related area or adjacent land from a road

(1) A driver entering a road-related area or adjacent land from a place on a road without traffic lights or a *stop sign*, stop line, *give way sign* or give way line must give way to:

- (a) any pedestrian on the road; and
- (b) any vehicle or pedestrian on any road-related area that the driver crosses or enters; and
- (c) if the driver is turning right from the road — any oncoming vehicle on the road that is going straight ahead or turning left; and
- (d) if the road the driver is leaving ends at a T-intersection opposite the road-related area or adjacent land and the driver is crossing the continuing road — any vehicle on the continuing road.

Offence provision.

Note 1 *Adjacent land*, *continuing road*, *give way line*, *oncoming vehicle*, *stop line*, *straight ahead*, *T-intersection* and *traffic lights* are defined in the dictionary, and *road-related area* is defined in rule 13.

Note 2 Adjacent land or a road-related area can include a driveway, service station or shopping centre — see the definitions of *adjacent land* and *road-related area*. Some shopping centres may include roads — see the definition of *road* in rule 12.

Note 3 For this rule, *give way* means the driver must slow down and, if necessary, stop to avoid a collision — see the definition in the dictionary.

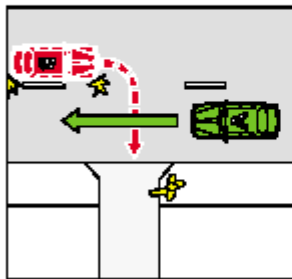
Note 4 Part 6 applies to the driver if there are traffic lights. Rule 68 applies to the driver if there is a *stop sign* or stop line, and rule 71 applies to the driver if there is a *give way sign* or give way line.

(2) In this rule:

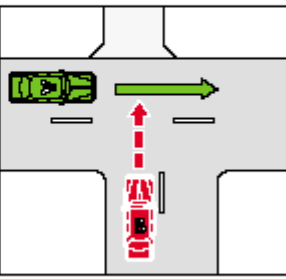
road does not include a road-related area.

Note A *road-related area* includes any shoulder of a road — see rule 13.

Example 1
Driver turning right from a road into a road-related area giving way to an oncoming vehicle that is going straight ahead and to a pedestrian on the footpath



Example 2
Driver crossing a continuing road at a T-intersection to enter a road-related area giving way to a vehicle on the continuing road



In each example, vehicle B must give way to vehicle A. In example 1, vehicle B must also give way to the pedestrian on the footpath.

125 Unreasonably obstructing drivers or pedestrians

- (1) A driver must not unreasonably obstruct the path of another driver or a pedestrian.

Offence provision.

Note *Driver* includes a person in control of a vehicle — see the definition of *drive* in the dictionary.

- (2) For this rule, a driver does not unreasonably obstruct the path of another driver or a pedestrian only because:
- (a) the driver is stopped in traffic; or
 - (b) the driver is driving more slowly than other vehicles (unless the driver is driving abnormally slowly in the circumstances).

Example of a driver driving abnormally slowly

A driver driving at a speed of 20 kilometres per hour on a length of road to which a speed-limit of 80 kilometres per hour applies when there is no reason for the driver to drive at that speed on the length of road.

164 Giving way to pedestrians crossing the road near a stopped tram

- (1) A driver must comply with this rule if:
- (a) the driver is driving past, or overtaking, a tram travelling in the same direction as the driver; and
 - (b) the tram stops, except at the far left side of the road; and
 - (c) there is no safety zone, dividing strip or traffic island between the tram and the part of the road where the driver is driving.

Offence provision.

Note *Dividing strip*, *overtake* and *traffic island* are defined in the dictionary, and *safety zone* is defined in rule 162.

- (2) The driver must stop and give way to any pedestrian crossing the road between the tram and the far left side of the road.

Note For subrule (2), *give way* means remain stationary until it is safe to proceed — see the definition in the dictionary.

- (3) If the driver stops to give way to a pedestrian, the driver must not proceed until there is no pedestrian crossing the road between the tram and the far left side of the road.

- (4) If there is no pedestrian crossing the road between the tram and the far left side of the road, the driver may proceed to drive past, or overtake, the tram at a speed not over 10 kilometres per hour (or, if another law of this jurisdiction provides another speed, not over the other speed).

- (5) In this rule:

tram includes a bus travelling along tram tracks.

230 Crossing a road — general

- (1) A pedestrian crossing a road:
 - (a) must cross by the shortest safe route; and
 - (b) must not stay on the road longer than necessary to cross the road safely.

Offence provision.

- (2) However, if the pedestrian is crossing the road at an intersection with traffic lights and a *pedestrians may cross diagonally sign*, the pedestrian may cross the road diagonally at the intersection.

Note *Intersection* and *traffic lights* are defined in the dictionary.

- (3) In this rule:
road does not include a road-related area, but includes any shoulder of the road.

Note *Road-related area* is defined in rule 13, and *shoulder* is defined in rule 12.

236 Pedestrians not to cause a traffic hazard or obstruction

- (1) A pedestrian must not cause a traffic hazard by moving into the path of a driver.

Offence provision.

- (2) A pedestrian must not unreasonably obstruct the path of any driver or another pedestrian.

Offence provision.

- (3) For subrule (2), a pedestrian does not unreasonably obstruct the path of another pedestrian only by travelling more slowly than other pedestrians.

Appendix D: Extract from UK Highway Code

Take extra care at junctions. You should

- watch out for cyclists, motorcyclists and pedestrians as they are not always easy to see
- • watch out for pedestrians crossing a road into which you are turning. If they have started to cross they have priority, so give way
- watch out for long vehicles which may be turning at a junction ahead; they may have to use the whole width of the road to make the turn (see [Rule 196](#))
- not assume, when waiting at a junction, that a vehicle coming from the right and signalling left will actually turn. Wait and make sure
- not cross or join a road until there is a gap large enough for you to do so safely



Appendix E: Rules of the Road, Illinois, USA

Pedestrian Right-of-Way

The driver and the pedestrian are both responsible for traffic safety. Here are laws that require a driver to give the right-of-way or yield to a pedestrian. Drivers *must yield*:

- when the pedestrian is in a marked or unmarked crosswalk on your side of the roadway and there are no traffic control signals.
- • when making a turn at any intersection.
- when making a lawful turn on a red light, after coming to a complete stop.
- after coming to a complete stop at a STOP sign or flashing red signal at an intersection.
- when the pedestrian entered the crosswalk before the traffic light changed.
- when the pedestrian is walking with a green light, to a "walking person" symbol or to a "walk" signal.
- to pedestrians when leaving or entering a street or highway from an alley, building, private road or driveway.
- to persons working on highway construction or in a maintenance area.
- to persons with physical disabilities or who are deaf or hard of hearing. When crossing the road with a guide dog or a cane, persons who are blind or visually impaired have the right-of-way. Persons operating motorized wheelchairs on a sidewalk or roadway are also granted all rights as pedestrians.

Source: <http://www.sos.state.il.us/publications/rr/rtrtoc.html>

Appendix F: Extract from Road Users' Code Hong Kong

Crossing the road

Crossing places are usually found only on busy roads where there are many vehicles and pedestrians. At other places pedestrians may cross the road other than by using a pedestrian crossing.

Junctions are a common place for pedestrians to cross the road, particularly across a side road where it joins a main road.

→ Give way to pedestrians crossing the road into which you are turning.

When approaching a major road give way to pedestrians crossing or waiting to cross.

Look out for pedestrians crossing the road using gaps between parked vehicles