

On Working to Create a Legal Movement for Non-Motorized Roadway Users in Oregon

By Ray Thomas April 8, 2008

It is time for us to band together with all user groups and pursue our common goals of making Oregon's roads more safe. Significant progress has already been made in recent years by the activist bicyclist movement, efforts to increase the safety of roadway workers, and to reduce speeds in school zones. Now the Willamette Pedestrian Coalition, which has advocated for improved safety for pedestrians since 1991, is expanding its work to include a new legal education program.

Oregon's roadways must be made safer for non-motorized roadway users. The Oregon Health Department and State Epidemiologist have both publicly recognized that getting people out of cars for transport is a serious health priority, both to counter global warming and to improve health through exercise. State planners and political leaders are almost unanimous in their support for reducing reliance on motor vehicles for neighborhood errands, downtown trips, and transport of school children.

Yet folks who actually put in the miles on foot on Oregon's roadways are forced to dodge cars and contend with dangerous intersections and roadways on a daily basis. Roadway safety for non-motorized users must improve before increased numbers of Oregonians are going to be willing to get out of the relative safety of their cars and walk or ride a bike.

A first step is to learn about the basic legal rights that all non-motorized road users have to the right of way on sidewalks and in crosswalks. A second step is to contribute to creating a group consciousness around the natural alliance of all folks on the road outside of cars. A third step is to work to enforce and improve the laws on the street, in the courts and in the legislature.

Pedestrians have important legal rights, but few people, on foot or in cars, really understand the basic legal rules for sidewalks, crosswalks and streets. When pedestrians and motorists view each other with ignorance and suspicion there is little likelihood for a positive cooperative atmosphere on the street. If people think streets aren't safe people won't walk.

The Willamette Pedestrian Coalition has created and is distributing a new legal guide: "Oregon Pedestrian Rights; A Legal Guide for Persons On Foot" is an authoritative primer on Oregon's traffic laws containing articles and sections of the Oregon Revised Statutes (ORS) which is now available online as a pdf file at <http://www.oregonpedestrianrights.com>.

The Willamette Pedestrian Coalition has also launched a series of legal clinics to teach people about their rights (and responsibilities) on the roadway. The WPC Legal Clinics provide an overview of legal rights and how to use the law to improve safety on the street. Clinics teach the basics about pedestrian laws and how to use the laws to prosecute dangerous drivers. For example, Oregon Revised Statute (ORS) 153.058 gives citizens the legal right to pursue, and convict, dangerous drivers in traffic court for common traffic violations like Failing to Stop and Remain Stopped for a Pedestrian in a Crosswalk (ORS 811.028) and Failure to Yield to a Pedestrian On a Sidewalk (ORS 811.025).

And when a "Vulnerable Roadway User" (defined as pedestrians, highway workers, bicyclists, skateboarders, blinders and farm workers) is injured or killed by a careless driver a new law passed by the Oregon Legislature in 2007 creates enhanced penalties including community service, traffic safety and driver improvement programs or a fine of up to \$12,500 and mandatory one year license suspension.

Please support the Willamette Pedestrian Coalition's efforts to improve safety on Oregon's roadways. Visit their website at www.wpcwalks.org and learn about how you can attend or sponsor a legal clinic.