

Pedestrian Rights

There are certain rights set out in the Maine statutes that pedestrians have in the interaction between people and motor vehicles, but the general rule that requires people to act according to the standards of a “reasonable person” always applies. The general rule applies to pedestrians as well as motorists, so if a pedestrian is injured as a result of carelessly walking in front of a moving vehicle, then, assuming that the driver had no reasonable opportunity to avoid hitting the person on foot, the driver will not be responsible for the injuries, and the pedestrian will not be allowed to recover anything for the injuries.

Title 29-A of the Maine Revised Statutes spells out in some detail who has the right of way in various situations. For example in the absence of a traffic light the operator of a motor vehicle must yield the right-of-way to a pedestrian in a crosswalk, but the pedestrian is required to yield when crossing a street when not in a marked crosswalk. A pedestrian is prohibited from crossing an intersection diagonally, and a motorist must yield to a pedestrian when entering a public way from a private way.

Notwithstanding all of the specific rules, however, the statute requires the operator of a motor vehicle to exercise due care to avoid colliding with a pedestrian.

If you, or anyone you know, has been injured by being struck by a car or a truck, an attorney with experience in this type of accident should be consulted to determine what rights the injury victim may have. At Lowry & Associates we will be pleased to advise you free of charge.