



Traffic Safety Bulletin

NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY

APRIL 2010, BULLETIN NUMBER 10

"STOP AND REMAIN STOPPED" FOR PEDESTRIANS LAW • APRIL 1, 2010

On January 18, 2010, Governor Jon S. Corzine signed into law legislation revising the statutes concerning pedestrian safety and traffic control, primarily **R.S. 39:4-36**. The revisions require drivers to stop and remain stopped for pedestrians under certain conditions. **R. S. 39:4-32, 35, and 115** are amended as a result of this legislation; **R.S. 39:4-35** is repealed. The full text of the law can be found at: http://www.njleg.state.nj.us/2008/Bills/PL09/319_.PDF

OVERVIEW OF P.L. 2009, CHAPTER 319

DRIVER RESPONSIBILITY

1. A driver is required to stop and remain stopped to allow a pedestrian to cross a roadway within a marked crosswalk when the pedestrian is in or within one lane of the half of the roadway in which the vehicle is traveling or turning. Half of the roadway is defined as all of the lanes carrying traffic in one direction, as well as the entire width of a one-way street.

Please refer to the illustrations on the reverse/following page for clarification.

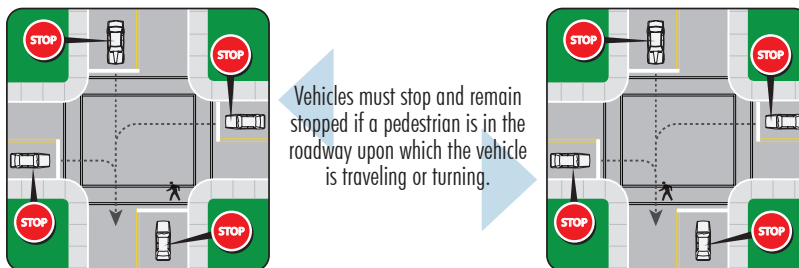
2. This requirement to stop and remain stopped to allow a pedestrian to cross applies to all controlled (by a police officer or device) and uncontrolled intersections.
3. When a vehicle is stopped to allow a pedestrian to cross the roadway in a marked or unmarked crosswalk, the driver of another vehicle approaching from the rear may not overtake and pass the stopped vehicle.
4. A driver making a right turn at an amber or red traffic signal or at a stop or yield sign must stop and remain stopped for a pedestrian in a marked or unmarked crosswalk.
5. There is a permissive inference that if a pedestrian is struck in a marked or unmarked crosswalk the driver did not exercise due care for the pedestrian's safety.
6. The fine for drivers in violation of these requirements is \$200 (plus court costs and fees) and two motor vehicle penalty points. Additionally, the court may impose up to 15 days of community service, and the driver may be assessed insurance surcharges.

OVERVIEW OF P.L. 2009, CHAPTER 319

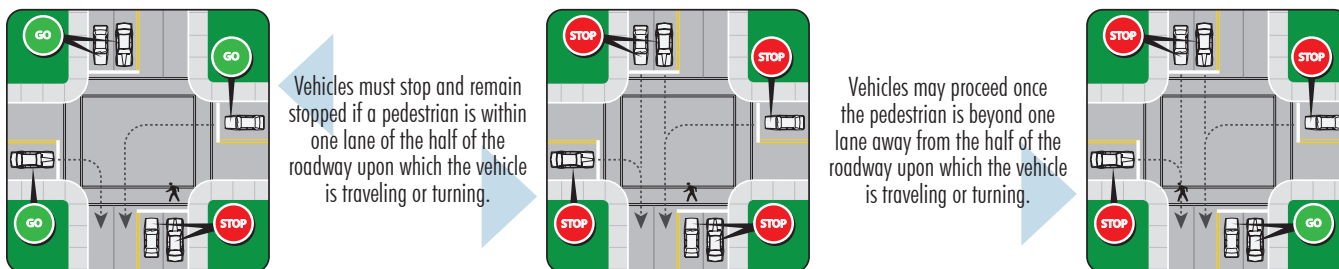
PEDESTRIAN RESPONSIBILITY

1. A pedestrian has the right to fully complete a crossing begun at an intersection on a "go," "walk" or "green" signal. However, a pedestrian may not walk against a "stop," "do not walk" or "red" signal regardless of whether the crossing is marked or unmarked.
2. A pedestrian crossing at any point other than within a marked or unmarked crosswalk at an intersection must yield the right-of-way to all vehicles.
3. While there is permissive inference that a driver did not exercise due care if a pedestrian is struck in a marked or unmarked crosswalk, this does not preclude a pedestrian from using **due care** for his or her own safety.
4. The fine for pedestrians in violation of these requirements is \$54 (plus court costs and fees).

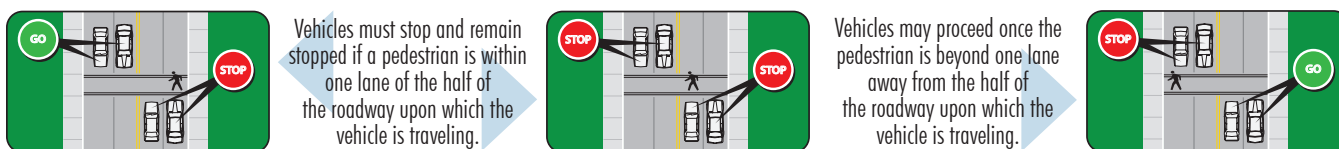
FOUR-WAY INTERSECTION • ONE TRAFFIC LANE IN EACH DIRECTION*



FOUR-WAY INTERSECTION • TWO TRAFFIC LANES IN EACH DIRECTION*



MID-BLOCK CROSSWALK • TWO TRAFFIC LANES IN EACH DIRECTION*



* The illustrations provided are intended for use as a guide to depict general rules when approaching pedestrians for **common** roadway situations. They do not depict **all** roadway conditions.

THIS LAW BECAME EFFECTIVE ON APRIL 1, 2010



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