



Modesto Child Injured In Pedestrian vs. Car Accident

by [John Demas](#) on 11/03/10

A Modesto sixth grader who was volunteering as a crossing guard sustained injuries on Tuesday morning when she was struck by a car in a crosswalk. The [Modesto pedestrian accident](#) occurred at approximately 8:30 a.m. while the girl was helping students cross Orangeburg Avenue on their way to Fremont Elementary School. The light for pedestrian traffic was green when a car traveling south on Tully Road attempted to turn east on Orangeburg Avenue and struck the girl, who was transported to a local hospital for evaluation of her injuries.

Drivers should exercise special caution when driving in areas, like schools, where pedestrians are present. California Highway Patrol records indicate that 14,047 pedestrians were injured by motorists in California in 2008. The injuries are often serious, and sometimes deadly, because of the force that a vehicle imparts to an exposed body.

Modesto Pedestrian Accident Lawyers

The cause of this [Modesto injury accident](#) remains under investigation. In all pedestrian versus car collisions, witness accounts are essential. However there may be other information that can influence who will be deemed responsible, in whole or in part, for a collision. California Vehicle Code section 21950 says: "The driver of a vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection", and that a driver approaching a pedestrian within any marked or unmarked crosswalk "shall exercise all due care and shall reduce the speed of a vehicle or take any other action relating to the operating of the vehicle as necessary to

safeguard the safety of the pedestrian.” Determining who is at fault in a pedestrian versus auto collision usually requires a very fact specific investigation that includes consideration of the speed of the vehicle, the visibility of the pedestrian, road conditions, and whether avoidance measures were taken.

The driver of a vehicle can be held legally liable for injuries to a pedestrian even if they were not in a cross walk at the time they were hit. Pedestrians injured by a motor vehicle should seek the counsel of an experienced [Modesto Injury Attorney](#) who will analyze all of the factors involved in an incident and will hold the negligent parties accountable. If roadway conditions were a factor, a public or governmental entity may have liability. It is important to consult with a [California Personal Injury](#) lawyer quickly since any claim against a public or governmental agency must be filed within 180 days of the accident or injury. An experienced personal injury attorney will advise injury victims of their rights, including whether they are entitled to recover medical expenses, lost income and pain and suffering as a result of the incident.

Contact our Personal Injury Attorneys

*The [Demas & Rosenthal](#) personal injury law firm is not currently representing anyone mentioned in this article at the time it was posted. If you were involved in this incident or a similar incident and have questions as to your legal rights and options, call us or another well recognized and respected personal injury law firm. Please do not rely or act solely upon the information provided in this article. Please consider getting a consultation immediately. The [best California personal injury law firms](#) will provide a free consultation. **Demas & Rosenthal** will provide a free, confidential consultation to the persons who were not at fault named in this article. The free consultation offer extends to family members as well.*