

Oregon Pedestrian Right of Way

It is a question that has been around as long as cars have been running over people crossing the street, or knocking down someone who is walking across their driveway. When, exactly, does the pedestrian have the right of way in Oregon, and when do they not? The answers are mostly defined by common sense, but all too often, a good [Portland personal injury attorney](#) will be required to deal with drivers who fail to exercise good judgment, or who refuse to acknowledge they were at fault.

Oregon [rules regarding pedestrian](#) right of way are not actually that complex. And the first rule is that, under Oregon law, every intersection constitutes a pedestrian crosswalk, whether or not it is marked or controlled by a traffic device. A [Portland accident attorney](#) will often hear the excuse from drivers that because the pedestrian was in an uncontrolled intersection (no lights, or walk/don't walk controls), the car should naturally have the right of way. This is most definitely not the case! This explains, however, why nearly 75 per cent of accidents between motor vehicles and pedestrians are caused because the driver failed (or refused) to yield the right of way to the pedestrian. What's more, a staggering 50% of all accidents between vehicles and pedestrians in Oregon occur while the pedestrian is in a crosswalk!

Pedestrians are not by any means totally absolved of responsibility for road safety. [Oregon statutes](#) carry a long list of duties of pedestrians when out on the roads. They include:

- Obeying the lights at a controlled intersection. If the pedestrian is facing a red light, they do not have any right of way. Similarly, if they are facing a steady yellow light, they may not enter the roadway.
- If the pedestrian is facing a sign that says *Don't Walk* or *Wait*, they do not have the right of way. This becomes a bit tricky if the pedestrian has entered a crosswalk when the light says *Walk*, then changes to *Don't Walk* or *Wait*. In those cases, it is the pedestrian's duty to move to a point of safety, like a traffic island or footpath, and wait until they once again have the right of way.
- If the pedestrian suddenly leaves the curb or footpath when a vehicle is so close it constitutes an immediate hazard, the pedestrian does NOT have the right of way. This is the kind of case where a competent Portland pedestrian attorney can give good advice.
- If the pedestrian is crossing the road at any point besides a marked crosswalk, or at an intersection (in other words, jaywalking), they do NOT have the right of way and must yield to any vehicle on the roadway. This is another potentially contentious issue. Many pedestrians feel they always have the right of way, but any Portland pedestrian attorney will advise you **Oregon statute 814.030** will come out in favor of the driver in these cases.

Drivers, of course, feel they have a right to proceed along the roadway, but they have a huge burden of care, not least because in the event of an accident between a vehicle and a pedestrian, the pedestrian will sustain the most damage, 10 times out of 10. [Portland personal injury lawyers](#) know that if a pedestrian is hit by a car doing 40 miles per hour or more, there's an 85 per cent chance the pedestrian will be killed. Bearing that in mind, Oregon drivers should observe the following rules:

- When turning at a traffic signal, drivers must stop—and remain stopped—for pedestrians, not only till the pedestrian has cleared the vehicle's lane, but until they are at least six feet into the next lane.
- Drivers must stop and remain stopped for pedestrians in any crosswalk, whether marked or unmarked.
- Drivers must yield the right of way to any pedestrian using a white cane or a guide dog, and must wait until the blind pedestrian has completely crossed the road before proceeding.
- In all cases regarding right of way for either pedestrian or driver, if a member of a traffic control division is issuing instructions, they shall be followed and right of way will only apply once the traffic control member has granted it.

Penalties for failing to obey rules on right of way are stiff. However, the damage that can be caused by a vehicle striking a pedestrian, no matter who had the right of way, can be far more severe. If you have been involved in a vehicle-pedestrian accident in Oregon, and you've been injured, the first thing you should do is get the medical attention you need. Then, contact a competent Portland pedestrian attorney, who will give you the advice you need.