

HOUSE No. 335

By Mrs. Cutler of Needham, petition of Leslie B. Cutler relative to the rights and duties of pedestrians on highways and at intersections and crosswalks where traffic-control signals are in operation. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Eight.

AN ACT RELATIVE TO THE RIGHTS AND DUTIES OF PEDESTRIANS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Pedestrians shall be subject to traffic-
2 control signals at intersections, but at all other places
3 shall be accorded the privileges and shall be subject
4 to the restrictions stated in this act. Any city or
5 town may by ordinance or by-law require pedestrians
6 to comply strictly with the directions of any official
7 traffic-control signal, and may prohibit pedestrians
8 from crossing any designated ways except in a cross-
9 walk.

1 SECTION 2. Except as provided in section three
2 of this act, when traffic-control signals are not in
3 place or in operation, the driver of a vehicle shall
4 yield the right-of-way, stopping if need be, to a

5 pedestrian crossing the roadway within a crosswalk
6 upon the half of the roadway upon which the vehicle
7 is traveling, or to a pedestrian approaching so closely
8 from the opposite half of the roadway as to be in
9 danger, but no pedestrian shall suddenly leave a curb
10 or other place of safety and walk or run into the
11 path of a vehicle which is so close that it is impossible
12 for the driver so to stop. Whenever any vehicle is
13 stopped at a marked crosswalk or at an intersection
14 to permit a pedestrian to cross the roadway, the
15 driver of any other vehicle approaching from the rear
16 shall not overtake and pass such stopped vehicle.
17 Whenever practicable, pedestrians shall move upon
18 the right half of crosswalks.

1 SECTION 3. Every pedestrian crossing a way at
2 any point other than within a marked crosswalk or
3 within an unmarked crosswalk at an intersection,
4 and especially where a pedestrian tunnel or overhead
5 pedestrian crossing has been provided, shall yield the
6 right-of-way to all vehicles upon the roadway.
7 Between adjacent intersections at which traffic-
8 control signals are in operation pedestrians shall not
9 cross at any place except in a marked crosswalk.

1 SECTION 4. Where sidewalks are provided it shall
2 be unlawful for any pedestrian to walk along and
3 upon an adjacent way. Where sidewalks are not
4 provided, any pedestrian walking along and upon
5 a way shall when practicable walk only on the left
6 side of the roadway, or its shoulder, facing traffic
7 which may approach from the opposite direction.
8 No person shall stand in a roadway for the purpose
9 of soliciting a ride from the driver of any vehicle.

1 SECTION 5. Notwithstanding the foregoing provi-
2 sions of this act, every driver of a vehicle shall exercise
3 due care to avoid colliding with any pedestrian upon
4 any way, shall give warning by sounding the horn
5 when necessary, and shall exercise proper precaution
6 upon observing any child or any confused or incapaci-
7 tated person upon a way.

1 SECTION 6. Whoever violates any provision of
2 this act shall be punished by a fine of not more than
3 one hundred dollars.

