

> -----Original Message-----

> From: DianeJonas Locker

> Sent: Wednesday, January 15, 2014 6:45 PM

> To: Police; Hieftje, John; Briere, Sabra; Kailasapathy, Sumi; Lumm, Jane; Petersen, Sally;Kunselman, Stephen; Taylor, Christopher (Council); Eaton, Jack; Teall, Margie; Anglin, Mike; Warpehoski, Chuck

> Subject: Crosswalk law caused a recent near-accident

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> Dear Chief Seto, Mayor Hieftje and Members of Ann Arbor City Council,

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> I would appreciate your help, as a driver, understanding how to comply with the Ann Arbor crosswalk law and prevent serious accidents. I have never received a traffic ticket nor been involved as a driver in causing an accident, but yesterday I had an experience on West Eisenhower near Waymarket Drive that nearly caused a serious accident. I believe, under your law, I should have received a ticket (as should the half-dozen or more cars behind me). I also believe, under your law, the father and child who were waiting to cross Eisenhower would have been within their rights to start crossing yet seriously injured or killed if they hadn't been exercising good judgment and extreme care and remained on the curb. This experience was the closest I have come, to-date, to having an accident since the current crosswalk law was passed (and its repeal vetoed by the Mayor). I see pedestrians on Eisenhower, waiting at the curb on a crosswalk, many mornings on my commute to work and I would hate to think that an accident is inevitable. I would like to explain my difficulty.

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> First of all, it was basically daylight yesterday (approximately 8:25 am) when I was driving on Eisenhower. It was fairly easy to see the father and child standing on the southeast corner of Waymarket and Eisenhower, waiting to cross Eisenhower. The daylight is significant because there have been numerous mornings when I am traveling before daylight, and realize after it is too late to stop -- literally too late to apply the brakes and bring the car to a stop before the crosswalk -- that there is a virtually invisible pedestrian, usually in dark clothing, standing at the curb. Because I have always, even before your law, been careful to watch for pedestrians (I am a walker myself and wish more drivers would pay attention), I suspect that I am a better than average driver at noticing pedestrians.

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> Because I had time to stop, and because I believed that the traffic behind me, both in the same lane and the adjacent lane, was far enough behind to both notice my brake lights and to begin and complete their stops, I applied my brakes.

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> I was in the left lane. I could see that the traffic in the right lane (nearest the pedestrians) had caught up, but they were also stopping. I then heard squealing brakes, and looked up to see, in my rearview mirror, the car directly behind me approaching so fast I thought I would be rear-ended. Because the pedestrians were still standing on the curb, I took my foot off my brake. Then, the cars in the right lane continued driving -- and so did I to avoid being rear-ended.

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> As I said before, it was a very good thing that that father and child had not stepped off the curb just because they saw the first car to approach the crosswalk (my car) begin to brake. If they had been in the crosswalk, and those of us in the front-most cars had been rear-ended, they could have been hit regardless of the fact that (some) traffic had stopped for them.

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> The only reason the cars behind me needed to squeal brakes was if they did not see me (or the front vehicles in the adjacent lane) applying the brakes. This was not (at the beginning) tightly packed traffic. There was plenty of time to stop. Of course, only the front cars could probably see the pedestrians, so the

only clue to the cars in the back that stopping might be needed, would be brake lights ahead.

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> There have been other occasions when I have chosen to keep driving, without even attempting to stop, even though I would have had just as much time to do so as I did yesterday. Why did I keep driving? Because the pedestrian was not walking and the car behind me was too close to react to my braking.

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> Ann Arbor deserves to be a pedestrian friendly town. Crosswalks with flashing signals, mounted high and clearly visible to oncoming traffic at a distance, are a great addition. Reflective reminders near crosswalks are a good idea. (Pedestrian signs that obscure the driver's view of the actual pedestrian are problematic in some places.) Drivers need to be more aware of pedestrians, and be prepared to give right of way. But any law must take into account visibility, human reaction times, and the laws of physics. And pedestrians must assume some portion of responsibility.

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> It is not safe to have a rule that puts all responsibility on drivers and does not take into consideration the visibility (or lack thereof) of the pedestrian. Visibility is a large factor in the unsafe nature of the current Ann Arbor crossing law. Pedestrians are small and rarely wearing even reflective clothing let alone lights -- they are very hard to see, even when you are in the habit of watching for them.

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> And cars are large moving objects subject to the laws of physics. When I learned to cross a street as a pedestrian, I learned to look all ways and to wait until I had enough time to cross any traffic lane completely before oncoming traffic overtook me -- because they might not be able to stop, whether they could see me or not. A rule requiring drivers to stop (or remain stopped) for pedestrians IN the crosswalk makes sense. The pedestrian must be required, however, to ascertain that it is safe to walk in front of any approaching vehicles. A traffic law cannot alter the rules of physics, and a moving car physically cannot stop just because another object (human or otherwise) suddenly appears in front of it. In other words, a pedestrian should not be allowed to begin crossing a street unless all traffic is completely stopped or there is sufficient distance that no approaching traffic will reach the pedestrian while in the street. (The father and child on Eisenhower yesterday were clearly applying this concept before crossing the street.)

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> If you have any suggestions for me, as a driver, to apply your current law safely, I would appreciate them. I am grateful that no accident happened yesterday.

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> I have been troubled by this problem ever since your new law took effect because I see potential accidents on at least a weekly basis on my drive to work. The solution is not education, although certainly any solution would benefit from better education of both pedestrians and drivers. I have come to the conclusion, quite frankly, that the solution is a different law and more crosswalk light signals that can be manually activated by pedestrians.

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> Thank you for your efforts to make Ann Arbor a safe place to work and visit.

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> Diane Jonas Locker