

Pedestrian Crossings

These are strict liability offences, but not defenceless. **Motor Lawyers** will advise you properly on the implications of "strict liability" and how this affects your defence and the manner in which such cases are prosecuted.

A strict liability offence means that if the incident has occurred, you are guilty of the offence. For example, if you knock down a pedestrian who is on a pedestrian crossing, the offence is committed. However, in our experience, the offence is never really that straightforward and in many cases the motorist does have the basis of a defence. For example, was the pedestrian actually within the confines of the crossing, was the car already on the crossing when the pedestrian ran out?

Many of our competitors will recommend guilty pleas without considering the evidence and your account. **Motor Lawyers** will, within the fixed fee scheme, review all available evidence and advise you accurately as to whether a defence is viable and how your best interests are served.

What are the rules regarding pedestrian crossings?

You must give way to a pedestrian who has "moved onto a crossing". For all intents and purposes, this means that as soon as the pedestrian steps onto a crossing, that person has right of way. Further, you must not park on the zigzag lines on either side of the crossing, nor must you overtake a vehicle nearest to the crossing.

What are the potential penalties?

Most pedestrian crossing offences are dealt with by Fixed Penalty Notices, resulting in punishments of 3 penalty points and a £60 fine. If the case is dealt with at Court, a conviction will still result in 3 points but the fine can be as high as £1,000.

Are motorcycles allowed to overtake other vehicles in the vicinity of the zigzag lines?

Yes, as long as they do not cross the zigzag lines in order to do this and do not overtake the vehicle nearest the crossing, regardless of whether it is stationary or moving.

I only stopped on the zigzags for a moment in order to pick up my passenger. Why should I receive a Fixed Penalty?

There is a zero tolerance approach as far as the zigzag lines are concerned. The only time in which it could be permitted to stop on zigzag lines is in the case of an emergency or where the reason that the vehicle came to a halt was beyond the driver's control.



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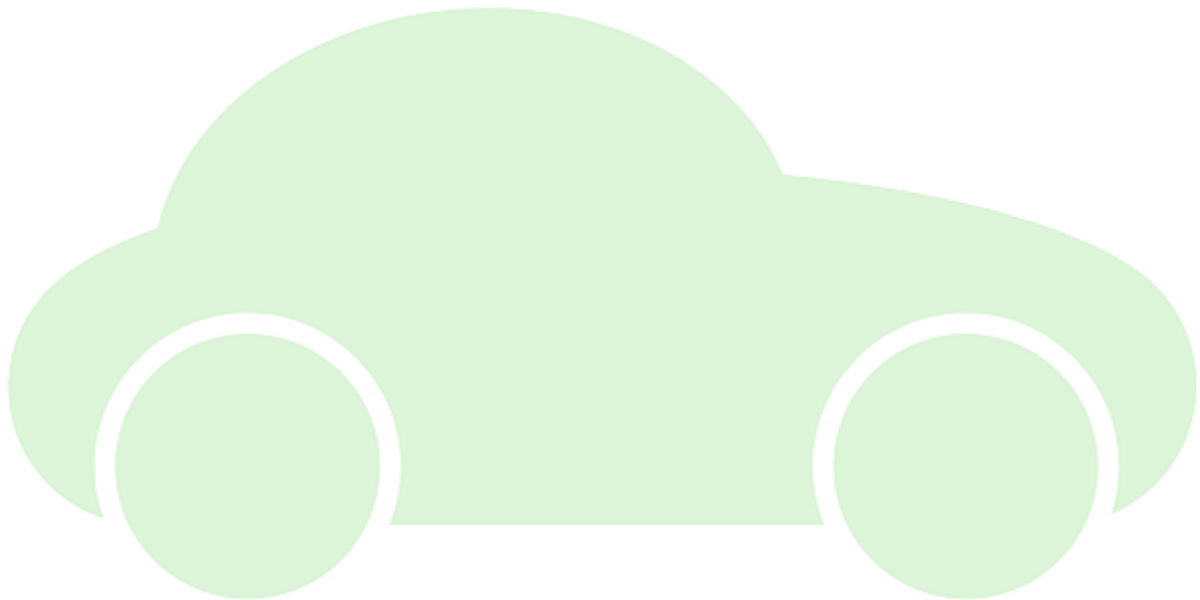
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At a pelican crossing, the lights were flashing amber so I proceeded. Have I committed any offence?

You are allowed to proceed on flashing amber if there is no pedestrian in the crossing area. Consequently, if the pedestrian is on the central reservation or on the pavement, you may continue but if the pedestrian has stepped onto the road, you must accord precedence to him.

My car ran out of petrol when I got to the zigzag lines, why should I be prosecuted for something that was beyond my control?

The Courts approach is that running out of petrol is not beyond the driver's control and is a problem that can be prevented.



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