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**Regulation of Pedestrian Priority at Pedestrian Crossings in the
Vienna Convention**

Transmitted by the International Federation of Pedestrians (FIP)

Present situation

Article 21.2(b) of the Vienna Convention now reads:

If vehicular traffic is not regulated at that crossing by traffic light signals or by an authorized official, drivers shall approach the crossing only at a speed low enough not to endanger pedestrians using it, or about to use it; if necessary, they shall stop to allow such pedestrians to cross.

The question has been raised whether the term “about to use it” is sufficiently clear or whether pedestrians should be required to give a sign.

As Article 21 has the title “Behaviour of drivers toward pedestrians” it should not contain instructions for the behaviour of pedestrians, but it may define the behaviour of pedestrians that triggers the obligation of drivers to give way to pedestrians.

Discussion

1. Any new regulation of the priority of pedestrians at crossings has to make sure that the safety of pedestrians is improved and not worsened.
2. The priority of pedestrians at a marked crossing should follow the same principle as other forms of priority in traffic regulation. The general rule for priority among vehicles is that priority follows from a vehicle's relative position. The vehicle that has priority is not required to give any sign, except if the driver wants to renounce his priority. Thus in continental Europe the vehicle coming from the right gives no sign to the one coming from the left to show that indeed he intends to use his priority. Following this principle, a pedestrian standing at a marked crossing ought to give a sign only if he does not want to use his priority.
3. Conditions of limited visibility should not interfere with a pedestrian's priority at a marked crossing.
4. Any practical rule for pedestrian priority must respect the fact that some pedestrians are not young, are not able to move quickly, or may lack concentration or intelligence. Such limitations cannot disqualify a pedestrian. As no licence is required for walking, any rule for pedestrian priority must be simple and clear. However, the behaviour required of vehicle drivers may be defined in more complex and precise terms, as driving a vehicle requires a certain level of intelligence, physical capacity, and responsibility, and persons who lack one or more of these properties should not obtain a driver's license.
5. The fact that a person walks toward a crossing or stands facing the edge of the carriageway is a clear and unambiguous manifestation of an intention to cross the road. It is a more readily visible sign than any position or motion of the person's hand or foot, and can be easily recognised regardless of whether vehicles travel on the right or the left side of the road.

Proposed text

We propose that Article 21.2(b) be amended to read as follows:

If vehicular traffic is not regulated at that crossing by traffic light signals or by an authorized official, drivers shall approach the crossing only at a speed low enough not to endanger [pedestrians] *any pedestrian* using it[, or about to use it] *or intending to do so*; if necessary, they shall stop to allow such pedestrians to cross. *The fact that a pedestrian walks toward a crossing or stands on the edge of the sidewalk facing the crossing shall be taken by any driver as showing the pedestrian's intention to cross.*

Changes are shown in italics. The term "pedestrian" is in the singular, to make clear that a single pedestrian has the same rights as a group of pedestrians.

Further measures to improve safety at pedestrian crossings

Unfortunately many pedestrians are killed or injured on marked pedestrian crossings. To improve safety, additional measures should be taken to improve safety:

If a driver fails to concede priority to a pedestrian the consequences can be injury or death for the pedestrian. Therefore pedestrian priority should be rigorously enforced. Failure to concede priority should be a major offence and punished as such.

Wherever feasible, crossings should be provided with a central island if the posted speed exceeds 30 km/hour.

At all pedestrian crossings the speed should be limited to 50 km/hour or less.
