

# What do unmarked crosswalks mean for pedestrian safety?

Pedestrians share busy California roads with motorists and truck drivers each day. Yet, our roadway infrastructure often favors motorists over pedestrians.

Crosswalks are an essential part of pedestrian safety. Some are regulated by timed signals and are marked with signs and lights. Pedestrians and drivers may not always be aware of how dangerous unmarked crosswalks can be.

## What are unmarked crosswalks?

Unmarked crosswalks are areas where pedestrians are legally allowed to cross the street. Yet, they are not marked by paint, lights nor signs. Many unmarked crosswalks are located at intersections, which makes crossing the street especially dangerous. Crosswalks are usually only painted in areas where there is high foot traffic, such as in business districts, universities and roads that intersect paths designated for pedestrians and bicyclists.

Under California vehicle code (Section 21950(a)), drivers must yield the right-of-way to pedestrians who are using both marked and unmarked crosswalks. In addition, drivers are required to slow down and exercise due care when approaching a marked or unmarked crosswalk.

## Are unmarked crosswalks more dangerous than marked crosswalks?

A study on crosswalk safety was conducted in 1972 by a researcher named Bruce Herms. His research, which was conducted in San Diego, concluded that more pedestrians are injured at marked crosswalks than unmarked crosswalks. That's because pedestrians often had a false sense of security at marked crosswalks and were confident that motorists would stop to let them cross. Herms' assumption that pedestrians feel more confident about crossing at marked intersections is mere speculation.

Despite his theory being debunked by other studies, many traffic engineers

are reluctant to install marked crosswalks in many areas under the assumption that they could harm pedestrians. This leaves many areas where people get around on foot neglected.

The problem with unmarked crosswalks is that many drivers don't recognize them as legitimate areas for pedestrians to cross the street. So, some drivers fail to stop and allow pedestrians to cross.

Pedestrians are the most vulnerable road users. Those who survive being hit by a car often sustain broken bones, traumatic brain injuries, internal damage, crushed limbs and paralysis. If you're a pedestrian who was injured after being hit by a negligent driver, contact our law firm in Walnut Creek to learn about the legal options available to you.



# How are parking lot injuries caused and who is responsible for them?

Whether visiting a shopping mall, hospital, restaurant, college campus or other busy establishment, parking lots can be more dangerous than you think.

An incident can happen when you least expect it and leave you with serious injuries.

What are the leading causes of injuries in parking lots?

The leading causes of parking lot injuries that are linked to negligence or recklessness include:

- Car accidents – Parking lot car accidents generally occur at low speeds, but that doesn't mean injuries can't occur. Motorists can still sustain injuries from side-impact crashes, head-on collisions and rear-end crashes.
- Pedestrian accidents – Pedestrians are especially at risk of sustaining injuries in parking lots. That's because drivers are often distracted by cellphones or people and objects outside of their cars. Pedestrians are also at risk of being hit by drivers backing out of parking spaces.
- Slip, trip and fall accidents – Visitors are at risk of slip, trip and fall accidents when parking lots and walking areas aren't properly maintained. Falls can

occur due to unaddressed potholes, uneven surfaces, cracks, debris, spilled oil or liquids or hidden curbs.

Parking lots that are poorly lit can also contribute to slip, trip and fall accidents.

- Acts of violence – Acts of violence often occur in parking lots with inadequate lighting and lack of security cameras and security personnel. These often include fights, robberies, random acts of violence or sexual assaults.

Who is responsible for parking lot injuries?

The following parties can be held accountable for causing parking lot injuries or failing to prevent them:

- A motorist who causes a collision or hits a pedestrian.
- The property or business owner for failing to keep walking areas clear of defects or provide adequate lighting, security personnel, and surveillance cameras.

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- A local, state or federal government entity if you were injured on government property. Pursuing damages from a government entity is often difficult. Speak to an attorney to learn how to best take legal action.

The attorneys at Clancy & Diaz have repeatedly seen how someone's life can be turned upside by negligent or reckless behavior in parking lots. If you were injured, you may not be fully aware of the rights available to you or what course of action you should take. To learn more about your legal options, contact us and schedule your free case evaluation.

# When is surgery needed to recover from car accident injuries?

Many car accident injuries can be treated with pain medication, ice/heat therapy, physical therapy and rest. Some will never get better with time.

You may have sustained a severe injury in a head-on collision, T-bone crash, rollover or truck accident. Perhaps you were a pedestrian, bicyclist, or motorcyclist who was hit by an inattentive motorist.

What types of injuries require surgery?

If you sustained a severe injury in a crash, you may find out that you will need surgery in order to recover. The most common severe injuries that result in needing surgery include (but are not limited to):

- Severe traumatic brain injuries. Surgery is often administered to repair skull fractures, open TBIs, brain swelling, neuron damage and brain hemorrhaging.
- Neck, back and spine injuries. Surgery is often used to repair fractured spinal vertebrae, ruptured discs, and compression or damage to nerves in the spine.
- Facial injuries. Injuries to the face can result in permanent scarring and disfigurement. Facial injuries can be treated with reconstructive or plastic surgery.
- Internal injuries. Damage to internal organs can be fatal. Emergency surgery may be required to treat damage to the heart, lungs, kidneys or spleen.

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- Compound or multiple bone fractures. Broken bones need to be realigned and held in place with plates, pins and screws until they heal.
- Muscle, tendon and ligament tears. In most cases, soft tissue tears won't heal on their own. Serious injuries to the knees, rotator cuffs or other connective tissue will likely need surgery.

How can I afford to make ends meet and pay my medical bills?

Finding out that you need surgery can be overwhelming. On top of that, you may be dealing with high medical costs while you're out of work and unable to collect a paycheck.

That's why it's critical that you schedule your free case evaluation with the attorneys at Clancy & Diaz. We'll review the details surrounding your claim and devise a winning legal strategy to help you get the compensation you deserve. Contact us to learn more.

*Wishing everyone a safe and healthy holiday season*

