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AMENDMENTS TO AND IMPLEMENTATION OF THE 1968 CONVENTIONS ON ROAD
TRAFFIC AND ON ROAD SIGNS AND SIGNALS AND THE 1971 EUROPEAN
AGREEMENTS SUPPLEMENTING THEM

Behaviour at pedestrian crossings

At its thirty-eighth session, the Working Party continued its discussion on behaviour at pedestrian crossings on the basis of proposals by FIP (TRANS/WP.1/2002/6) and the secretariat (TRANS/WP.1/2002/10). The Vice-Chairman of the Working Party, Mr. D. Link (Israel), offered to prepare a new proposal for discussion at the thirty-ninth session. It appears below.

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Proposed policy for protecting pedestrians at unsignalized crosswalks (pedestrian crossings)

1. General

- 1.1 This document is a proposal to amend Article 21 of the Convention on Road Traffic (Vienna 1968, amended 1993) as appears in document E/CONF/56/16Rev.1/Amend.1.
- 1.2 The protection of pedestrians from accidents with vehicles is an all-important issue, which involves legislation, engineering, education and enforcement. Each of these disciplines has the potential of reducing the extent of the problem. Pedestrians are the largest portion of “vulnerable” road users.

- 1.3 Among UNECE members, the percentage of pedestrians of all road fatalities varies from 11% to 49%. On urban roads 50% to 70% of fatalities are pedestrians. Obviously, no possible measure to improve pedestrian safety should be overlooked.
- 1.4 Article 21 of the Convention on Road Traffic deals specifically with the behaviour of drivers towards pedestrians, mainly in pedestrian crossings (“crosswalks”). The Working Party found it desirable to further define these obligations, in order to further facilitate safe crossing of pedestrians. This is done without reducing the duties of pedestrians themselves, at or away from crosswalks. Following are recommendations for the amendment of Article 21.

2. The nature of the conflict between pedestrians and vehicles

- 2.1 The basic deep differences between pedestrians and drivers are listed below. In spite of the fact that every driver is also a pedestrian, his behaviour behind the wheel frequently is not in line with his role as pedestrian. The characteristics of vehicles (even very small ones) create situations that are fatally dangerous to pedestrians. It is the intention of the amendments to reduce this risk.
- 2.2 Pedestrians and vehicles are opposites in many respects:

	Pedestrians	Vehicles/drivers
(1)	Weak and vulnerable	Strong and protected
(2)	Slow	Fast
(3)	Wayward, not determined	Large mass, difficult to change course
(4)	Behaviour does not affect that of other pedestrians	Abrupt change of movement adversely affects other vehicles
(5)	Frequently limited, physically or mentally	Must pass licensing requirements and tests
(6)	No pedestrian licence required	Driver's licence required

- 2.3 These differences create permanent conflicts that must be mitigated. In our case, the legal instrument is used to shape the right behaviour on the part of both drivers and pedestrians, thereby reducing the frequency and severity of the conflict.
- 2.4 The basic arenas of the conflict are:
- 2.4.1 outside crosswalks;
- 2.4.2 at crosswalks:
- (a) – signalized
 - (b) – police controlled
 - (c) – uncontrolled

Listed below (para. 4) are several options of amendment to the provisions of Article 21, mainly with regard to uncontrolled crosswalks.

3. Present wording of Article 21

3.1 The present wording of Article 21:

ARTICLE 21

Behaviour of drivers towards pedestrians

1. Every driver shall avoid behaviour likely to endanger pedestrians.
2. Without prejudice to the provisions of Article 7, paragraph 1, Article 11, paragraph 9, and Article 13, paragraph 1, of this Convention, where there is on the carriageway a pedestrian crossing signposted as such or indicated by markings on the carriageway:
 - (a) If vehicular traffic is regulated at that crossing by traffic light signals or by an authorized official, drivers forbidden to proceed shall stop short of the crossing or the transverse markings preceding it and, when they are permitted to proceed, shall not prevent or obstruct the passage of pedestrians who have stepped on to it; drivers turning into another road at the entrance to which there is a pedestrian crossing shall do so slowly and give way, if necessary stopping for this purpose, to pedestrians already using, or about to use, the crossing;
 - (b) 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, or about to use, it; if necessary, they shall stop to allow such pedestrians to cross.
3. No provision of this Article shall be construed as preventing Contracting Parties or subdivisions thereof from:
 - Requiring drivers of vehicles to stop in all cases when pedestrians are using, or about to use, a pedestrian crossing signposted as such or indicated by markings on the carriageway in the conditions laid down in Article 20 of this Conventions, or
 - Prohibiting them from preventing or obstructing the passage of pedestrians who are crossing the carriageway at or very near an intersection even if there is at that point no pedestrian crossing signposted as such or indicated by markings on the carriageway.
4. Drivers intending to overtake, on the side appropriate to the direction of traffic, a public transport vehicle at a stop marked as such, shall slow down and if necessary stop to allow passengers to board or alight from that vehicle.

3.2 The main drawbacks of the present wording:

3.2.1 There is no obligation on the driver's part to enable the pedestrian to complete his crossing safely.

3.2.2 The wording speaks only about speed and ignores driver's attention or lack thereof.

3.2.3 The wording fails to mention any travel close to a pedestrian in a way that affects his safety, regardless of speed.

4. Basic options (for amended version)

4.1 Since the main motivation for amending Article 21 is the improvement of traffic safety, it follows that such amendment will further foster the crossing of pedestrians at crosswalks. This is possible by extending the duties of drivers approaching crosswalks and including new restrictions on the driver.

4.2 One should not overlook the issue of substituting pedestrian problems with rear-end collisions or with increased probability of overtaking stopped (or slow) vehicles before crosswalks. Those may result if severe limitations are set on the driver. These tradeoffs should be quantified to the extent possible.

4.3 Accordingly, the basic options are:

- (a) Increasing awareness and required caution on the part of the driver;
- (b) Reinforcing the prohibition of endangering pedestrians at crosswalks in any way;
- (c) Forcing the driver to enable pedestrians to complete their crossing safely;
- (d) Obligating the driver to enable pedestrians who are about to cross but not yet in the crosswalk, to cross;
- (e) Obligating the driver to enable pedestrians who are not yet in the crosswalk, but who give a clear indication of their intention (or request) to cross the street.

4.4 Adopting any or all of these options reflects the policies of the Contracting Parties to the Conventions. Furthermore, the decision to adopt one or more of the options must reflect also national policy regarding traffic flow, fair distribution of rights and duties of various road users, etc. It may also take into account the proper maintenance of road markings and traffic signs in various countries, which is a condition for imposing additional duties on drivers approaching pedestrian crosswalks. It affects the rights and duties of pedestrians and drivers and the delicate equilibrium between them, as well as that which exists between safety and traffic flow.

5. Optional amendments :

Paragraphs 1, 2 (a), 3, 4 are unchanged.

Paragraph 2 (b) may be amended as follows: (**bold** = additions, [] = deletions).

5.1 Option 1:

(b) 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 [, or about to use,] it; if necessary, they shall stop to allow such pedestrians to cross.

5.2 Option 2:

(b) 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 **the crossing, or about to use it, or who are close to the crossing and give a clear indication of their request to use it.** If necessary, drivers shall stop to allow such pedestrians to cross.

5.3 Option 3:

(b) 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 **the crossing, or about to use it, or who are close to the crossing and give a clear indication of their request to use it. Drivers will at all times enable such pedestrians to safely complete their crossing.** If necessary they shall stop to allow such pedestrians to cross.

5.4 The Working Party may opt to adopt one of the above, or another option, or refrain from amending para. 2 (b) altogether.

5.5 The Working Party may further look into the role of the pedestrian as well. Pedestrian safety (at or away from crosswalks) is obviously very much in the pedestrian's own hands, and thus equivalent care for his safety should be assigned to the pedestrian as well.
