

# Chapter 6—Enforcement

## 6.4 Enforcement Related to Motorist



### Introduction

Enforcement is one of the 5 E's of Complete Streets. (Education, Encouragement, Engineering, Enforcement and Evaluation are the 5 E's) This section is a compilation of Ohio laws and common sense rules for motorists. Other sections will cover similar information for other users, such as pedestrians, bicyclists, and transit users.

Enforcement efforts to promote complete streets should include substantial efforts directed toward motorists. This is important for several reasons:

- In almost all areas, motorists are the majority of road users. The vast majority of trips in central Ohio are currently taken by motor vehicle.
- Motorists are less vulnerable to injury and death in crashes than non-motorized users, such as pedestrians and bicyclists. Therefore, safe driving behavior on the part of motorists is essential in order to reduce the number of vehicle-related injuries and deaths. During the years 2007 to 2009, in MORPC's transportation planning area, 85% of pedestrian-related crashes resulted in injuries, and 78% of bicycle-related crashes resulted in injuries. By contrast, only 26% of crashes overall resulted in injuries.
- The test required to obtain a driver's license in Ohio normally does not include any questions related to how motorists should behave with regard to pedestrians, bicyclists, and other more vulnerable road users ([ODPS website](#)). Therefore, it is important for local jurisdictions to implement their own education and enforcement efforts.

### Programs or Enforcement Messages Targeting Specific Issues

The following are some programs or messages that target specific issues. These specific issues are chosen because they are known to increase the likelihood of crashes, including fatal crashes. These include failing to yield to pedestrians in crosswalks, disregard for bicyclists using roadways legally, distracted driving, red light running, ignoring bus-only lanes, and risky behavior at railroad crossings.

### Crosswalk Stings

Pedestrians are particularly vulnerable if they are in a crash with a motorized vehicle. One location where pedestrians are especially vulnerable is at crosswalks. Motorists are required to yield to pedestrians in a crosswalk.

Pedestrian safety "stings" are events in which police officers target a particular crosswalk (usually an unsignalized crosswalk) during a specific time period, and issue warnings or citations to motorists who fail to yield to pedestrians.

- Motorists are required to yield to pedestrians in a crosswalk per ORC §4511.46.
- In various studies, crosswalk stings have shown to result in a lasting improvement in motorists' yielding behavior at the locations where they take place. For example, a crosswalk sting project in Miami Beach, FL resulted in an increase in yield rates from 3.3% to 27.8%. The improvement in yielding was maintained up to a year after the periods of high-level enforcement ([Van Houten and Malenfant, 2004](#)).
- Crosswalk sting events require coordination between local government and police departments.
- Media exposure is very important, since raising public awareness is a key part of such endeavors.
- Locations and times should be carefully chosen in order to have the maximum impact in terms of changing motorist behavior.

The Ohio Revised Code (ORC) contains all acts passed by the Ohio General Assembly and signed by the governor.

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- Data on motorists' yielding rates should be collected directly before and directly after sting events in order to gauge their effectiveness.
- Ideally, data on yielding rates should be collected again several months after the event in order to gauge the long-term impact. A sample data collection form is available online: <http://www.morpc.org/trans/MORPC%5FCrosswalkYieldRate%5FDataForm%2Epdf>.
- Non-yielding motorists can either be given warnings or ticketed. Educational materials should also be distributed to them.



◀ A police officer at a cross walk sting event.

(Photo: MORPC, Columbus, OH)

#### Bicycle Safety

Similar to pedestrians, bicyclists are particularly vulnerable if they are in a crash with a motorized vehicle. Bicycles are particularly prone to crashes at intersections, just as motor vehicles are more likely to crash into another motor vehicle at an intersection. Intersections are known conflict points.

Most roadways, except for limited access highways, such as freeways, bicyclists are allowed to use the full lane on the road. It is important to ensure that motorists are respecting bicyclists on the road with them. Many states have passed a law that a motorist must give 3 feet to a bicyclist when passing; however, that law has not yet been adopted in Ohio.

- Actions and sentiments that oppose bicycle transportation should be discouraged.
- Ohio has no laws restricting motorists from harassing and threatening bicyclists. Therefore, local governments should pass their own anti-harassment laws. Several municipalities have passed such laws. A good example is a law from Boise, Idaho:  
It shall be a misdemeanor for any person, maliciously and with the specific intent to intimidate or harass or cause another person to crash, stumble, or fall because that other person is walking along the roadway or operating a bicycle along the roadway, to:  
A. threaten, by word or act, to cause physical injury to the pedestrian or bicyclist, or  
B. throw or otherwise expel any object at or in the direction of the pedestrian or bicyclist ([Boise City Code Section 10-10-14](#)).
- Professional drivers, such as transit vehicle operators and commercial drivers should be educated with regard to bicyclists' rights and should be discouraged from harassing bicyclists.
- Law enforcement officers should also be familiar with bicyclists' rights and can help to educate other roadway users.

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### Distracted Driving

A distracted driver is any driver whose attention is not fully focused on the task of driving. This can contribute to the likelihood of a crash. Distraction may be caused by a wide range of activities, such as eating, drinking, talking to passengers, applying makeup and other grooming, reading maps, adjusting a car radio, or using various electronic devices. According to the U.S. Department of Transportation, there are three main types of distraction:

- ◆ Visual (when the driver is not watching the road).
  - ◆ Manual (when the driver's hands are not on the wheel).
  - ◆ Cognitive (when the driver's mind is not involved in the task of driving).
- It is impossible to drive safely unless one's attention is entirely focused on the task of driving.
  - In 2009, 5,474 people died and an estimated 448,000 people were injured in police-reported crashes in the United States in which at least one form of driver distraction was recorded (U.S. DOT Distracted Driving website, "[Stats and Facts](#)").
  - Many states currently do not collect data on cell phone/electronic equipment distraction in police crash reports (GHSA, "[Cell Phone and Texting Laws](#)"), which means that the true numbers are likely higher than those cited above.
  - Starting in 2012, Ohio's crash reports will have a section where cell phone use can be recorded.
  - The use of various electronic devices is becoming increasingly widespread and represents one of the most significant sources of distraction while driving. Examples of such devices are cellular phones, GPS navigation systems, MP3 players, and laptops. Drivers can be distracted by many different electronics-related activities, such as talking on phones, initiating phone calls, composing e-mail or text messages, viewing web pages, finding directions via GPS, or watching videos.
  - Although Ohio has no laws against the use of electronics while driving, several local governments in central Ohio have passed legislation to prohibit text messaging while driving. When passing such laws, it is important to make them primary as opposed to secondary.



▲ A driver distracted by using the keypad of a handheld phone.  
(Photo: [Flickr User Kordite](#), Pittsburgh, PA)



▲ A driver distracted by a dog sitting in his/her lap.  
(Photo: [Flickr User Mrbula](#), Minnesota)

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### Increase in Crash Risk From Cell Phone Use

A study from the Virginia Tech Transportation Institute estimated the increase in crash risk caused by various types of cell phone use while driving. The results are in the table below. Text messaging is particularly dangerous ([VTTI, 2009](#)).

<i>CELL PHONE TASK</i>	<i>Risk of Crash or Near Crash event</i>
<b>Light Vehicle/Cars</b>	
Dialing Cell Phone	2.8 times as high as non-distracted driving
Talking/Listening to Cell Phone	1.3 times as high as non-distracted driving
Reaching for object (i.e., electronic device and other)	1.4 times as high as non-distracted driving
<b>Heavy Vehicles/Trucks</b>	
Dialing Cell Phone	5.9 times as high as non-distracted driving
Talking/Listening to Cell Phone	1.0 times as high as non-distracted driving
Use/Reach for electronic device	6.7 times as high as non-distracted driving
Text Messaging	23.2 times as high as non-distracted driving

### Red Light Running

Red light running is risky behavior by any user, including bicyclists and motorists. This combines the conflict point of the intersection with high-speed driving, precisely when other road users may start their own movement.

- According to the [Insurance Institute for Highway Safety](#), 676 people were killed and an estimated 113,000 were injured in crashes that involved red light running in the United States in 2009 ([IIHS, "Q&As: Red Light Cameras"](#)).
- Red light running is a widespread motorist behavior. A study conducted at five busy intersections during several months in Fairfax, Virginia (prior to red light camera installation) found that on average, a motorist ran a red light every 20 minutes at each intersection ([IIHS](#)).

### Red Light Cameras

Red light cameras are automated cameras that take photographs when drivers disobey stop lights.

- Red light cameras are more efficient than conventional police enforcement, since they do not require a police vehicle to follow the violating motorist.
- The red light camera system continuously monitors the traffic signal; the camera is triggered by any vehicle entering the intersection above a preset minimum speed and following a specified time after the signal has turned red.
- When their presence is indicated by signs, red light cameras can be an effective deterrent to red light violation, since motorists are made aware that they will be ticketed.
- Photographs provide evidence of the violation. The citation is typically mailed to the offending motorist.
- In Columbus, the cost of a ticket is \$95 ([Columbus Red Light Camera Info](#), p. 4).
- Columbus has seen an 83 percent decrease in right-angle crashes at camera-monitored intersections since the first ones were installed in 2006. Less-severe rear-end crashes have also decreased ([Columbus Dispatch](#), 2011).

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### Specific Concerns for Implementing a Red Light Camera Program:

- A publicity campaign should inform motorists that the cameras will be in use and that their purpose is to improve safety, not to generate revenue.
- Signs should be installed at all camera-monitored intersections advising motorists of the photo enforcement.
- Cameras should be set so that only vehicles that enter an intersection after the light has turned red are photographed. Vehicles that enter on yellow and are still in an intersection when the light changes to red should not be photographed or ticketed (IIHS).
- Police officers should review every photo and make sure the vehicle is in violation.



▲ “Traffic Laws Photo Enforced” sign (MUTCD R10-18)



◀ Red light camera with sign. (Photo: MORPC, Columbus, OH)

### Bus-Only Lanes

When a transit vehicle does not have dedicated, physically-separated lanes, there will be interactions between the transit vehicle and other users, predominantly motorists. Locally, COTA buses do have signed bus-only lanes, but they are not separated in the way that a light-rail vehicle may have its own tracks.

Bus-only lanes can improve the transportation system by making bus travel more efficient and less subject to traffic delays. This has the additional benefit of increasing transit mode share and reducing congestion.

- Some degree of enforcement is needed for bus-only lanes in order to prevent non-transit drivers from disregarding the regulation. Photo enforcement may help to solve this problem.
- In some circumstances, it may be practicable *for other users*, such as bicyclists and taxicabs, to be permitted in bus-only lanes.
- Some bus-only lanes are only restricted during peak hours. For example, High Street in downtown Columbus, OH restricts one lane in each direction to buses and taxis from 7–9 a.m. and 4–6 p.m. on weekdays.



◀ Bus-only lane blocked by parked vehicles. (Photo: Flickr User BicyclesOnly, New York, NY)

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#### Railroad Crossings

Motorists should exercise extra caution at railroad crossings. Due to the high speed and huge weight of railroad vehicles, all roadway users are extremely vulnerable if they are involved in a crash with a railroad. Motorists are no exception. Below are additional rules for motorists near railroads (Texas Department of Insurance, [Railroad Crossing Safety Fact Sheet](#)).

- Motorists always need to yield to flashing lights, whistles, closing gates, crossbucks, or stop signs at a railroad crossing.
- Motorists are not allowed to try to “beat” a train.
- Motorists are not allowed to pass another vehicle within 100 feet of a railroad crossing.
- Some vehicles must stop at all railroad crossings, such as school buses. Use caution when travelling behind these vehicles, since they will stop even if no train can be detected.
- If a motorist is crossing the railroad tracks and the gate comes down behind them, they need to keep driving. They are allowed to break the gate in front of them if necessary.
- Trains have the right of way 100% of the time over emergency vehicles, cars, law enforcement, bicyclists and pedestrians (Operation Lifesaver Inc., [Safety Tips](#)).



▲ Motorists waiting at a gated railroad crossing.

(Photo: [Route 50 Blog](#), Vincennes, Indiana)

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