



Legislation Text

File #: 13-1421, **Version:** 1

An Ordinance to Amend Section 10:148 of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-13-31)

This ordinance amendment will repeal Code Section 10:148, subsection (1) of which requires motorists to “stop before entering a crosswalk and yield the right-of-way to any pedestrian stopped at the curb, curb line or ramp leading to a crosswalk and to every pedestrian within a crosswalk” where there are no traffic signals or they are not working (known as “unsignalized crosswalks”).

Repealing Section 10:148 will have no effect on the requirements contained in subsections (2) and (3) of Section 10:148 because they are identical to rules in the Uniform Traffic Code (UTC), which the City has adopted.

Upon passage of this ordinance repealing Section 10:148, UTC Rule 702 will again apply, as it did before ordinance amendments passed by Council in 2010 and 2011. UTC Rule 702 provides as follows:

“When traffic-control signals are not in place or are not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is on the half of the roadway on which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but a pedestrian shall not suddenly leave a curb or other place of safety and walk or run into a path of a vehicle that is so close that it is impossible for the driver to yield.”

Repealing section 10:148 will change the rules for motorists and pedestrians only by no longer requiring drivers to yield the right-of-way to pedestrians who are ““stopped at the curb, curb line or ramp leading to a crosswalk.” Both the current ordinance and the UTC require drivers to yield the right-of-way to pedestrians who are in the crosswalk. The penalty provisions under the current ordinance and the UTC are also the same: both are civil infractions subject to the same fine.

Sponsored by: Council Members Kailasapathy, Petersen, Lumm, Kunselman and Anglin

Prepared by: Kristen D. Larcom, Senior Assistant City Attorney

See Attached Ordinance as Amended by Ann Arbor City Council on December 2, 2013.