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# Who Really Has the Right of Way?

BY TONI MORRIS

As a fellow driver and rider, I want to share thoughts on some roadway nuances. Let's start with pedestrians. Is it true that pedestrians always have the right of way? If you answer "yes" you'd get the textbook question correct. Answer "no" and you might raise some eyebrows. It seems in driver's education and driver improvement courses we often cover the textbook information and miss the opportunity to discuss the real situation on the street. Rather than dissecting the law or learning basics about crosswalks, it's much more helpful to know when pedestrians should safely enter the roadway; crosswalk or not. Obviously there are signs, signals, and crosswalks to manage this situation — but does everyone use them, and use them at the appropriate time? Do people jump out and walk before the walk signal illuminates? Will you encounter a pedestrian that steps into the crosswalk at the last second? Of course!

The goal in asking these questions is to create awareness for drivers and pedestrians, both of whom have a responsibility to avoid incident. Bottom line — drivers need to look out for pedestrians everywhere, especially in city streets. It is the unexpected pedestrian who jumps out suddenly that we must avoid at all reasonable costs. Swerving to avoid a pedestrian who carelessly steps into the street (crosswalk or not) with oncoming 40MPH traffic could be the first of many factors in a crash. There is no right answer in this equation.

Drivers simply must maintain an escape plan wherever they are. Cars simply cannot stop safely if a pedestrian aggressively assumes their right of way. Most laws are clear with respect to the definition of a pedestrian. This brief article need not become another lesson in driver's education; however it's prudent to offer at least one point of reference: [http://www.dmv.ca.gov/pubs/hdbk/right\\_of\\_way.htm](http://www.dmv.ca.gov/pubs/hdbk/right_of_way.htm). This is just for one of 50 states, others may vary in their classification and definitions, and installations could also enforce other regulations.



Next up, turn signals! Instead of boring you with obvious reasons for using a turn signal, let's think about some traffic scenarios that aren't mentioned enough. What if you want to pull out of a parking lot, but see an oncoming car with its right turn signal on? Can you assume the car is turning in where you are pulling out? Maybe; but what about the entrance 20 feet further down the road from you? Be courteous to others and practice good use of the signals. Turn signals

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identify driver intention. Drivers who choose not to (or forget to) use turn signals make the roadways more chaotic. Failure to use a signal has and will continue to be a contributing factor leading to a crash.

On the subject of emergency vehicles, if you see one approaching with lights flashing, slow down and pull over. That does not mean you should pull over in an unsafe manner. The smartest and safest thing to do is slow down and watch the emergency vehicle as it approaches. Sometimes they choose to use the shoulder or the oncoming lane to maneuver around traffic. It's simple — slow down and watch, then make a move to leave the emergency vehicle a clear path. It may not be officially stated, and this article is not traffic code gospel, but safely crossing a double yellow line or pulling over in a

“no stopping” zone in the effort to clear a path for an emergency vehicle will likely get you brownie points from law enforcement, not a ticket.

Making a left turn on a green is often not an easy task. I'm talking about a left turn without a green arrow; the one where you must yield to oncoming traffic. But what about the driver turning right on the opposite side? They can enter either lane, and it could be the one you wanted. Do they have the right of way? Yes ... and here's why: their right turn is based on a green light. Remember, you're yielding to oncoming traffic, so their light is green too. However, when you have a green arrow, you gain the right of way. But proceed with caution because the “right-turn-on-red” driver may not realize that you have the right of way. The right turning driver is supposed to hold at a red light until it is clear and safe to enter. Be ready! 

## Driving: Hazardous Situations

*Car crashes are the leading killer of Americans between the ages of 1 and 24. More than three-quarters of the time, errors by the driver contribute to the wreck. Here are a few techniques for coping with common hazards.*

### 1. Drivers who run traffic lights.

- Don't assume other drivers are going to obey the light when it changes color.
- If you are the first in line at an intersection, hesitate before starting to enter the intersection after your light turns green.
- Look left, right, then left again before you accelerate.

### 2. Blowouts.

- Know what one feels like. In the front, the car will pull hard to one side. In the rear, the car will weave and vibrate.
- Don't slam on the brakes.
- Take your foot off the accelerator and stay in your lane.
- Pull off the road at a safe location.

### 3. Skidding. According to the AAA Driver Improvement Course:

- Take your foot off the brake if the rear wheels skid because of hard or panic braking.
- Ease off the gas pedal if the rear wheels lose traction due to hard acceleration.
- If the skid is due to a loss of traction because of the road surface, shift to neutral.
- Look and steer in the direction you want to go.
- Just before the rear wheels stop skidding, counter steer until you are going in the desired direction. Don't jerk the steering wheel, though, or the rear wheels may start to skid in the opposite direction.

- Once the vehicle is straight, return to a driving gear and accelerate gently so the at the engine speed matches road speed.
- If the above methods fail, maneuver to the shoulder of the road and gradually coast to a stop.

### 4. Other motorists who exhibit road rage.

- Remain courteous.
- Don't honk your horn too much.
- Don't block the passing lane on a highway.
- Signal before you change lanes.
- Don't tailgate.
- Take your time; don't be in a hurry.





## Texting while Parking

### Motivated to Change Behavior

**Cape Fox Instructor Mark Harman** (serving Marine Corps Base Quantico) recently witnessed an eye-opening event. On a routine commute to work he stopped at his favorite coffee spot, a 7-11. What follows is in Mark's own words:

As I was getting out of my car, a young man, approximately 17 or 18, pulled into the space next to me and began to text on his phone. I took no real notice of him and went inside. After I exited the store and approached my car, he was still in his vehicle, but starting to back out of his parking space. His window was down. Being in the safety industry, I had to ask him:

"Out of curiosity, did you pull in here just to text someone?"

"Yes. Why?" He replied.

"I think that's great; as a retired police officer and now a traffic safety instructor, I am so glad to see that you decided to text here instead of on the road. How old are you?"

"I'm seventeen."

I told him that I thought his parents would be very proud of him for not only obeying the law, but setting a good example for other young adults his age. He told me that a friend of his had a minor crash while texting. There were no injuries, but the friend got in trouble with his parents and also got a ticket for reckless driving.

I said, "So, do you do this because you are afraid of your parents, afraid of getting a ticket, or because it's the right thing to do?"

He replied, "I guess, all of the above."

"Well, the motivation doesn't matter as much as the results. Thanks for your time and honest answers."

I gave him my business card and told him that his parents could call me if they wanted to discuss our conversation.

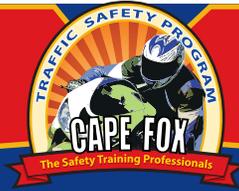
Mark took from this experience that at the end of the day, it doesn't matter whether a person's motivation is drawn from fear of consequence or the desire to do the right thing, actions are what matters. This teenager's actions helped keep him and other drivers safe on that clear spring morning.

As drivers, you're often overloaded with severe examples of unsafe driving practices such as texting and perhaps don't get the chance to hear or read about one that worked. Although minor, a crash becomes a significant event to contend with. There are consequences involving the police, the court system, the DMV and the insurance companies. Cape Fox understands that extreme examples can be useful at the appropriate time, but can often lead to "that could never happen to me" method of thinking. Our Instructors continue to look for and share these positive stories that we hope will motivate others to follow suit. 

## Texting While Driving (Banned!)

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|----------------------|----------------|----------------------|
| Alabama              | Massachusetts  | Utah                 |
| Alaska               | Michigan       | Vermont              |
| Arkansas             | Minnesota      | Virgin Islands       |
| California           | Mississippi*   | Virginia             |
| Colorado             | Missouri*      | Washington           |
| Connecticut          | Nebraska       | West Virginia        |
| Delaware             | Nevada         | Wisconsin            |
| District of Columbia | New Hampshire  | Wyoming              |
| Georgia              | New Jersey     |                      |
| Guam                 | New Mexico*    | <b>Including:</b>    |
| Idaho                | New York       | Japan                |
| Illinois             | North Carolina | Korea                |
| Indiana              | North Dakota   | <i>* Partial ban</i> |
| Iowa                 | Ohio           |                      |
| Kansas               | Oklahoma*      |                      |
| Kentucky             | Oregon         |                      |
| Louisiana            | Pennsylvania   |                      |
| Maine                | Rhode Island   |                      |
| Maryland             | Tennessee      |                      |
|                      | Texas*         |                      |





## My First Motorcycle

“What kind of bike should I buy?”

BY TONI MORRIS

**The motorcycle you want** to buy may not be the motorcycle you need. Tell that to a young active duty Service Member who’s been eagerly awaiting the opportunity to buy the hottest new sport bike or full-size cruiser. It’s a common scenario for all new motorcyclists, military or civilian. This is a hot topic that circulates throughout the motorcycle safety industry, from everyday water cooler chat to a factor in mishap reports.

For a new rider, that “first motorcycle” model is likely to affect learning curve, behavior, and risk management. Jumping on a high-horsepower sport bike is no different than trying to operate an earth mover vs. a lawn tractor. Everybody should receive training and familiarity before operating heavy equipment. Think of a sport bike or large touring motorcycle as “heavy machinery” and an entry-level 250 dual sport or cruiser as a sit-down powered lawn mower.

So which bike is right for you? Before you go buy a bike, ask yourself these questions: Do I want to ride to commute to work, or just for pleasure? How far is my commute? Where can I park my motorcycle at work? Is it a safe place? If pleasure riding, where do I live with respect to enjoyable on-road routes or off-road trails? Will I need to truck/trailer my bike to an off-road riding area? What type of bikes do my friends ride? Are they mostly taking part in off-road excursions or on-road weekend rides in the mountains, etc? Experienced riders will confess that at one point in their early motorcycling career, they bought a bike they felt wasn’t suited for the riding they do. The dual sport rider will end up riding with a pack of sport bike enthusiasts, or the sport bike rider isn’t comfortable

joining his friends on long-distance weekend outings. It’s best to answer these questions first, then go shopping. For most types of bikes (sport, cruiser, dual sport, touring, standard, etc.) there are small, medium, and large versions — consider all brands and you’re more likely to find the right size and model to start safely.

One of the most important elements in getting started with operating anything unfamiliar is training. Since the military offers free training to those considering the sport of motorcycling, a potential rider can take the first steps without having to buy a motorcycle. There are some experts who claim that training on your own motorcycle (the one you chose to purchase and ride) is more valuable than learning the basics on a training bike. Let’s not get into that debate as studies so far are inconclusive on the best way. There are, however, several levels of training offered that accommodate both scenarios.

Motorcycle Instructors hear this question from a student at least once every class: “What kind of bike should I get?” Some of these Service Members are coming off deployments, and many have seen combat. Instructors will always answer “get the bike that’s right for you ... a safe one.” 

