

Appendix 17 The CERS Enforcement Program

The CERS enforcement program, one of the three major components of its *Triple E Courtesy- Promotes Safety Program* (Engineering, Education and Enforcement) developed by Dr. J.E. Louis Malenfant and Dr. Ron Van Houten of the Center for Education and Research in Safety places emphasis on the use of written warnings, and enforcement flyers. The proportion of warnings and citations is adjusted according to the previous history of crosswalk enforcement and to the level of anticipated public support. One or two day enforcement training workshops are offered by both groups and feature hands-on enforcement operations at pre-selected problematic crosswalks at signalized and uncontrolled crosswalk locations. Briefing and de-briefing classroom sessions are kept to a minimum in order to allow for sufficient experience in conducting street enforcement operations and to give workshop participants the opportunity to take on a variety of different enforcements tasks.

Components of Successful Programs

- *Warnings and citations.* Warnings and enforcement flyers should precede citations in jurisdictions that do not have a history of sustained crosswalk enforcement. A good dose of warnings and enforcement flyers (see example below) followed by an increasing percentage of citations for the most flagrant violations is the more socially acceptable strategy. One advantage of warnings and enforcement flyers is that they can be given to approximately 4 to 5 times as many drivers as citations and is a more effective approach to get the word out to the driving public that not yielding to pedestrians at crosswalks will result in a citation.

Warnings should precede citations because they serve to alert the driving public that more severe consequences will follow for drivers that continue to ignore pedestrian right of way at crosswalks. A number of studies show that written and verbal warnings are more cost effective than citations in producing a normative change in driving behavior when a large proportion of drivers are violating the motor vehicle code (Van Houten, & Nau, 1989)

The use of warnings and enforcement flyers are also an effective tool to generate positive media attention and public support. Police officers are generally more comfortable giving warnings, rather than citations, especially during training phases. However after they experience, first-hand, the risk to some pedestrians the police officers are motivated to cite drivers for flagrant crosswalk violations. When prosecutors and judges have been given advance notice of the enforcement operations, with sufficient detail on how the police will proceed, citations for the more flagrant crosswalk violations are generally supported in the courts.

- *Use of decoy pedestrians.* Enforcement operations are most effective when they make direct and indirect contact with a large proportion of the motoring public. One way to increase exposure to the program is to use decoy pedestrians when pedestrians are not using the crosswalk. Plainclothes police officers can easily

serve as decoy pedestrians. The use of police officers as decoy pedestrians not only allows more opportunities for the drivers to yield to a pedestrian in a crosswalk, but it also gives the police officer first hand experience as a pedestrian at a hazardous crossing.

- *Enforcement Flyers.* Providing information on the magnitude of the problem can enhance support for the enforcement program. Many motorists initially do not think it is a problem to fail to yield to pedestrians. The purpose of the flyer is to educate drivers on the magnitude of the pedestrian safety problem in their community, to provide reasons why their behavior is dangerous to pedestrians, and explain why the problem should be taken seriously. This information decreases defensive behavior and increases the level of acceptance for more pedestrian enforcement efforts. It accomplishes this by documenting that the program is not in place to generate revenue, but to increase the safety of the most vulnerable members of the community. (see Exhibit 9.1-25)
- *Associating Enforcement with Warning Signs.* Signs that remind motorists of their duty at crosswalks are most effective when they are introduced at the same time as enforcement. These signs should be installed at traffic signals, to inform turning motorists that they should yield to pedestrians; and at uncontrolled locations, to remind motorists of their obligation to yield to pedestrians using crosswalks.
- *Signs to Prompt Pedestrians to Reinforce Yielding Behavior.* Signs installed at crosswalks to prompt pedestrians to thank motorists that yield to them have been shown to increase driver yielding behavior. When pedestrians are reminded to thank yielding drivers with a wave and a smile, they strengthen this type of behavior and help to change the driving culture. Because increased enforcement will result in an increase in yielding, it is good to further strengthen this type of behavior with positive reinforcement. Recent data has indicated that such signs do increase thanking behavior, which, in turn, increases driver yielding behavior.
- *Schedule of Enforcement.* The schedule of enforcement should be regular at first, and then irregular, to produce and sustain changes in driver behavior. Police will typically conduct enforcement operations on a daily basis for one or two weeks before reducing enforcement to one or two operations per week. Next, the level of enforcement can be reduced to once every two weeks or once a month. Increasing the percentage of pedestrians that thank drivers can allow police to taper enforcement somewhat more rapidly.
- *Publicity and Media Attention.* Publicity through media attention can help focus awareness on the program. This will multiply the effects of the enforcement effort, because people who see an enforcement operation will assume it involves pedestrians, and because warnings have a general deterrence effect.



**You have just failed to yield to a pedestrian at a crosswalk in
MIAMI BEACH**

Drivers MUST yield to pedestrians. It's the law!

- Florida has the highest rate of pedestrian fatalities in the nation.
- Miami-Dade County has the highest rate of pedestrian crashes in Florida.
- Miami Beach has the highest rate of pedestrian crashes in Miami-Dade County.

In Miami Beach over the past five years:

- 846 Pedestrians were struck by drivers
- 228 Sustained serious injuries
- 20 were killed

An average of 3 pedestrians are struck and one pedestrian is seriously injured or killed per week

A NUMBER OF DRIVERS HAVE BEEN CHARGED FOR FAILING TO YIELD TO PEDESTRIANS. ALTHOUGH BEING PROSECUTED IS A SERIOUS MATTER, DRIVERS SHOULD CONSIDER THAT CARRYING THE RESPONSIBILITY OF INJURING A PEDESTRIAN IS MORE DIFFICULT TO BEAR THAN THE POSSIBLE CONSEQUENCES OF BEING CHARGED.

The Law in Florida is CLEAR

- Drivers must yield to pedestrians in crosswalks.
- Pavement markings are not required for crosswalks at intersections.
- Turning vehicles must yield to pedestrians crossing during the WALK signal.

REMEMBER DRIVERS ARE ALSO PEDESTRIANS

If drivers do not pay more attention to crosswalks, pedestrians will continue to be killed or injured. By yielding to pedestrians at crosswalks, you encourage them to refrain from jaywalking, a very dangerous behavior.

**We are trying to make your streets safer for you and your family.
Help us by cooperating and by encouraging others to do the same.**

A SAFETY MESSAGE FROM THE MIAMI BEACH POLICE DEPARTMENT
