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## **Memorandum:**

### **Evaluation of Current PSEE Training Materials in New Jersey**

#### **Purpose of the Memorandum**

This memorandum provides an evaluation of current Pedestrian Safety Education and Enforcement (PSEE) training materials used in New Jersey (NJ). The evaluation is based on:

- The author's professional opinions and years of experience with PSEE training
- Materials collected from national pedestrian safety practitioners
- Interviews and roundtable discussions on pedestrian safety and related topics

There is currently no official "standard" for PSEE training in New Jersey, nor is there an agreed-upon authority to review, update, or organize PSEE training materials in an official capacity. However, this evaluation can serve as a reference for the New Jersey Department of Transportation (NJDOT) and the New Jersey Division of Highway Traffic Safety (NJDOTS) when deciding how to support or establish standards for PSEE training. The existing materials provide fundamental elements recommended for law enforcement training on PSEE. Nonetheless, they should undergo a comprehensive update to align with modern visual expectations for training and to reflect recent findings and priorities in pedestrian safety.

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#### **Resource Collection and Review**

Although PSEE has been established in NJ for many years, there are only two key resources produced to support PSEE training in an official capacity:

1. **PowerPoint Training Resource\*** *See disclaimer below for full details.*
  - Originally developed based on training by Ron Van Houten and Louis Malefant (2007–2008), with minor modifications by NJDOT and NJDOTS in 2009–2010. This resource has changed only slightly in subsequent years, with various police departments and organizations like AAA adopting or modifying it.
  - The training slides are now significantly out of date. A comprehensive update is recommended to reflect current best practices in PSEE and

pedestrian safety at both state and national levels (see Appendix C for a more recent iteration).

## **2. Roll Call Training Video (2012)**

- Produced with NJDHTS funding as a brief resource (approximately 12 minutes) to refresh officers' understanding of PSEE before operations.
  - Considered comprehensive at the time, it was integrated into in-person PSEE trainings and embedded in training slides sponsored by NJDOT and NJDHTS.
  - While it remains a solid resource, the video should be updated to incorporate current best practices in pedestrian safety and to replace outdated statistics and messaging.
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## **Master Training Outline**

A master outline has been developed from the most recent version of PSEE training, accompanied by recommendations for each section. This outline establishes a credible baseline of key concepts required for a comprehensive PSEE training program and provides a foundation for training law enforcement in pedestrian safety. Everything in this outline (Appendix A) is considered core and should be included in any comprehensive PSEE training.

Additionally, recommended sections (Appendix B) have been identified for potential inclusion in future updates. These sections address emerging needs such as social media strategies, enforcement at signalized intersections, and data collection.

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**Appendix A: Master Training Outline (Core)**

## **Introduction to Pedestrian Safety and PSEE Training (Slides 2-5)**

**Discussion:** This section is important because it establishes the importance of pedestrian safety interventions in NJ. Any statistics should be reviewed annually to determine if there is an update and to alert potential trainers to any changes. We would also recommend that a representative video clip showing a challenging crossing be integrated into this section to clearly humanize the issue and establish the concern in a way that will resonate with the viewers, be they law enforcement personnel or other stakeholders.

- **Need for PSEE Training**
  - **Rising pedestrian fatality statistics**
  - **Key causes of pedestrian crashes**

**Identified Gap from 2022 PSEE and BSEE Program Analysis Report:\*\*** There is a lack of current statistics and a summary of the state of pedestrian safety in NJ and nationally to contextualize training needs. Statistics currently reflect up to 2021.

## **The Challenges of Pedestrian Safety Enforcement and PSEE as a Solution (Slides 6-8)**

**Discussion:** This section establishes the challenges of enforcing pedestrian laws before PSEE was established and then provides an explanation of how PSEE is a solution to this challenge, along with a high-level description of what is involved with PSEE operations. This section would benefit from scripted speaking notes in case the presentation is given by a presenter who is not familiar with the answers offhand. The second slide on PSEE Operation Overview should be better explained with potential separate slides to explain spot vs. structured operations.

- Issues with compliance, awareness, and shared responsibility among pedestrians and drivers
- PSEE Operation Overview
  - Steps for setting up a PSEE operation, including roles like spotters, decoys, and flaggers

**Identified Gap from 2022 PSEE and BSEE Program Analysis Report:\*\*** An expanded section needed on differentiating between “spot” and “structured” operations, including how to conduct each, their unique impacts, and stakeholder engagement strategies.



## **PSEE Safety Enforcement Video (Slide 9)**

**Discussion:** At this point in the presentation, the “Roll Call Training Video” has been played to provide a concise, visual training overview of PSEE operations. This video is very good but needs to be updated to ensure relevance and longevity since it contains multiple dated statistics and statements (produced in 2012).

## **New Jersey’s Pedestrian Laws (Slides 10-27)**

**Discussion:** This section reviews all relevant pedestrian laws and explains their meaning and functional application and interpretation. The base presentation is primarily citations of the law. This section should be reviewed annually to determine if there are any updates to the law that should be included in the presentation. Recent versions of the PowerPoint used in training replace this section with a dynamic “law review” section that couples representative video with the legal citations. This has proven to be more effective in explaining/illustrating the law and, while not required, should be considered in future training.

- **Key Legal Provisions**

- 39:1-1 Crosswalk Defined
- 39:4-32 Crossing Roadway, Signal
- 39:4-36 Driver to Yield to Pedestrians, Exceptions, Violations, Penalties
- 39:4-115 Making Right or Left Turn
- 39:4-144 Stopping or Yielding Right of Way Before Entering Stop or Yield Intersections
- 39:4-33 Use of Designated Crosswalk; Keeping to the Right
- 39:4-34 Pedestrians to Cross Within Crosswalk or at Right Angles; Facing Traffic, Sidewalks
- 39:4-92.4 Safe Passing Law
- 2C2-12 Entrapment

**Identified Gap from 2022 PSEE and BSEE Program Analysis Report:\*\*** The law section should be updated to consider safe passing (updated circa 2022) and any other changes to the laws that are not current in the training materials.

### 3E Approach Introduction (Slide 28)

**Discussion:** Currently, this is a single slide, the purpose of which is to set the stage for a discussion of what a 3E approach is in the following sections of Engineering, Education, and Enforcement. This should probably be reformatted into a clear section break and may need to be expanded into two to three slides. The synergies between these elements should be explained.

- **What's the solution to New Jersey's Pedestrian Safety Problem?**
  - Combined Measures
  - Isolated Interventions
  - Triple E Approach: Engineering, Education, and Enforcement

### Engineering (Slides 29-43)

**Discussion:** This section includes a variety of potential engineering improvements, and should be carefully considered for content appropriate for law enforcement. This might include selecting proven safety countermeasures, low-cost solutions, or relatively short-term improvements. Summary information on how to make recommendations for safety improvements, requests for studies, etc., should also be included. Lastly, this section should allude to additional resources/training that might be relevant.

- **Safety Infrastructure**
  - Rectangular Rapid Flashing Beacon
  - Pedestrian Hybrid Beacons
  - HAWK Signal
  - Refuge Islands
  - Curb Extensions
  - Raised Crosswalk/Intersection
  - "High-Visibility" Crosswalks
  - Advance Yield Markings
  - Problems with Stopping Too Close
  - In-Pavement Flashing Crosswalk
  - Advance Stop Bars
  - Reduce Turning Radius
  - Countdown Signals
  - Night Crashes

## Education (Slides 44-48)

**Discussion:** Education is not well addressed and this section should be carefully considered and reimagined. It should be revised to discuss education broadly and then delve into the educational channels typically available to PDs, as well as potential community stakeholders that could be collaborated with. Social media strategies should be discussed at a level appropriate for this training, and the presentation updated accordingly. Lastly, we should consider including a link to other resources that could be curated for officers if there are the resources to do so.

- **Print & Electronic Media: Examples**
  - News Media Reports, Press Conferences
  - Signs Advertising Enforcement Zones
  - Feedback & Roadway Signs
  - Warning Flyers

**Identified Gap from 2022 PSEE and BSEE Program Analysis Report:\*\*** There is a lack of adequate coverage and explanation of synergistic education and encouragement (the other two E's) efforts for law enforcement at the appropriate level for this training.

## Enforcement (Slides 49-54)

**Discussion:** The purpose of this section is to explain and emphasize the importance and role of enforcement as it relates to pedestrian safety generally as well as the connection with PSEE operations. This section also touches on best practices in scheduling operations, choosing locations, and rotating locations to maximize safety improvements. The section on enforcement vs. pedestrians merits discussion as it regularly arises. A consistent message on how to address this would be beneficial. A major gap in this section is the lack of discussion on how PSEE operations influence outcomes across varied populations.

- **The Need for Enforcement**
  - The Pedestrian Safety Solution (PSEE)
  - Scheduling
  - Driver Focused
  - Pedestrians

**Identified Gap from 2022 PSEE and BSEE Program Analysis Report:\*\*** Consideration of a section on best practices for addressing potential concerns and perceptions of operations according to varied populations and neighborhood context.

## **PSEE Operations and Operational Details (Slides 55-79)**

**Discussion:** The purpose of this section is to explain the PSEE operational protocol. This includes the different roles and responsibilities, operational objectives, preparation for carrying out operations, choosing locations, operational setup, and how to carry out the operations themselves. Key aspects of operations that need special attention are emphasized, such as proper crossing procedure and multilane operations protocol. Signal-controlled locations have never been a focus of operations but merit a more detailed section and optional training for officers who request it. Lastly, this section covers how to present and get approval for carrying out operations from command staff and educates officers on potential complaints from violators and how to address them. Overall, the content for this section is good.

- **PSEE Operation**
  - **Use of the Decoy**
  - **Primary Focus**
    - Drivers that do not stop for pedestrians in the crosswalk
    - Drivers that overtake stopped vehicles
    - Drivers that go around the pedestrian who is already in the crosswalk
  - **Detail Objectives**
    - Education
    - Enforcement
  - **Program Briefing**
  - **Choosing the Best Location**
    - Clearly Marked Crosswalks
    - Site Selection Based on Crash Data and Visibility
    - High Rate of Pedestrian-Involved Crashes
    - High Volume of Pedestrian Traffic
    - School Zones
    - Locations with Engineering Enhancements
  - **Officer Safety**
  - **Target Location and Setup**
    - Cone Placement
    - Operational Definition of Not Yielding
    - Yellow Signal Timing Formula
  - **Officer Roles**
    - Decoys

- Standard Crossing Protocols
- Multilane Roads
- Flagman/Recorder
- Contact Officers
- **Toms River PD Standard Operation**
  - Signal Controlled Crosswalks
  - Free-flowing Right Turn
  - Permissive Left Violation
  - Conducting an Efficient Operation at a Traffic Signal
  - Busy Intersection
  - Decoy on Both Sides
  - Stop Drivers That Free Flow Right on Red

**Identified Gap from 2022 PSEE and BSEE Program Analysis Report:\*\***

- There is a need for a more robust section differentiating “spot” vs. “structured” operations and appropriate stakeholders.
- A section should be included on how to carry out operations at signalized intersections.

**Program Implementation and Management (Slides 80-85)**

- **Selling the Program to Community and Command Staff**
- **Strategies for Community Buy-in and Public Awareness**
- **Advance Preparation Checklist**
- **Collaboration with Stakeholders**
- **Materials & Safety Checklist**
  - Necessary equipment and setup instructions for PSEE operations
- **Program Evaluation**
  - Best Practices

**Identified Gap from 2022 PSEE and BSEE Program Analysis Report:\*\*** A section should be added on how to collect and analyze data.

**Lessons Learned (Slides 86-87)**

**Discussion:** The purpose of this section is to give advice on lessons learned regarding preparing for and carrying out operations for key aspects of the program. This section should be reviewed and updated with any lessons learned that are not discussed.

Examples include updates on media strategies, campaign promotion, and court preparation if necessary.

### **Summary (Slide 88)**

### **PSEE Article Comments (Slides 89-90)**

### **Q & A (Slide 91)**

### **Debrief (Slide 92)**

**Discussion:** Sections XII-XV consist of five slides that allow the speaker to summarize PSEE training in the big picture and inform trainees on the types of reactions they can expect from the community based on comments from articles that covered PSEE operations. The comments are very interesting and show the breadth of opinions on pedestrian safety and PSEE operations, but they are also quite dated. Current references and/or testimonials should be found as an update to this section.

**Appendix B: Master Training Outline - Recommended Sections**

## **Social Media**

Social Media is one of the key components that can be used to build support for and facilitate a community discussion around PSEE operations being conducted and a general conversation about pedestrian safety overall. A section such as this should touch base on self-assessing the PD's capacity as well as that of the community. Suggested types, frequency, and insights that can be derived from social media should be reviewed.

## **Data Collection**

An important variable that is often overlooked in PSEE operations is measuring the impact of PSEE operations on pedestrian safety. A section that explains methodologies that could range from simple "back of the envelope" data collection techniques to more rigorous methods should be reviewed so communities can understand and match best practices in data collection according to their resources.

## **Enforcement at Signalized Intersections**

PSEE operations have traditionally focused on uncontrolled locations because they are the most common type of crosswalk with the most operational efficiency. As a result, PSEE operations at signalized intersections are touched on only briefly in current training with a broad overview of how operations at signal-controlled locations could be conducted. This high-level overview does not provide the level of instruction needed for a practical understanding of operational protocols at controlled locations. It is suggested that an in-depth training module be created that reviews in detail how to carry out operations at controlled locations.

## **Safety Stakeholders**

A presentation derivative from PSEE training but customized for community and agency stakeholders would be beneficial. Such a presentation would describe what PSEE is, how it can be a part of a community safety initiative, and the roles that various community stakeholders can have.



## **The Role of PSEE in Safety Campaigns**

A module should be developed that shows the intersection between PSEE as both an enforcement mechanism and educational campaign and how that can fit in with and enhance other types of safety campaigns such as Vision Zero, Complete Streets, Pedestrian Safety, and other campaigns oriented towards safety and mobility.

## **Enforcement Focused on Pedestrians**

A common observation regarding PSEE operations is that they target motorists and that there isn't an analogous operation for carrying out enforcement for pedestrian actions. Current training explains that PSEE solves for and is focused on enforcement of motorist actions because a mistake made while driving a motor vehicle can result in injury or death to a vulnerable user. Still, how to address pedestrian rule-breaking is commonly requested. A module that suggests best practices in enforcement and education towards pedestrians would be valuable.

## **Body Camera Coordination**

Technology has changed in recent years, including the mandatory use of body cams. There are policies for the use of body cams and how and when a body cam can be turned off as well as how any contact with a motorist is to be treated when body cams are in use. Guidance on this topic as it relates to PSEE is essential due to the use of body cams in enforcement. It is suggested that the NJ Police Traffic Officers Association be engaged to work on an approved guidance on this topic as it relates to PSEE operations.

## **PSEE Guide**

Current PSEE training explains how to carry out PSEE operations in the format of a classroom session and field operations but does not provide a detailed written model guide with step-by-step protocols that can be customized for community police department use and for defense of operations if they are called into question. Such a guide would thoroughly explain the underlying principles and rationale for PSEE, the operational protocol itself, and guidance on how to document and defend operations. Such a reference would be extremely useful to any PD interested in carrying out PSEE operations.

## **Defining Vulnerable Road Users**

In law enforcement, as in society in general, the idea of what a vulnerable user is and how they are treated under the law is something that is not well understood. However, this is something that is important to define so that it resonates with law enforcement and community members. Such a section would humanize the term “vulnerable road user” by showing the diversity of people we are talking about, relevant demographic variables, as well as personal anecdotes (such as mother, father, husband, wife, son, daughter, etc.) about how vulnerable users are our family and friends whenever they are outside a car.

## **Resources and Other Trainings**

There are a variety of complementary trainings and resources that have been generated that could be briefly profiled and linked to so that officers or community members who have an interest in active transportation safety can find other complementary programs or trainings relevant to their individual or community goals. For example, Engineering for Law Enforcement from CAIT LTAP would be a good training to recommend to complement PSEE. There are many other such trainings that should be compiled, linked to, and promoted in an effort to improve safety through community enforcement and safety campaign efforts.

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## **General Presentation Needs/Recommendations:**

- A common presentation with agreed-to sections and content should be established for consistency of training and approach.
  - If this presentation is used by a variety of presenters, speaking notes should be established for each slide.
  - A general review should be conducted of the visual representation of materials.
  - Slides with dated references or visuals should be updated or replaced.
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## Conclusion

PSEE training in New Jersey has evolved over many years but requires a substantial overhaul to align with current best practices in pedestrian safety and to meet modern training expectations. By updating the core materials, expanding sections on social media, data collection, considerations related to operational fairness, and signalized intersection operations, and formalizing a user-friendly guide for officers, PSEE can remain an effective tool to improve pedestrian safety across the state.

## Next Steps

- Update the PowerPoint and Roll Call Training Video with current data and best practices.
- Incorporate the recommended sections (Appendix B) into future training resources.
- Establish a process for annual reviews and updates, including new laws and crash statistics.
- Engage with key stakeholders (e.g., NJ Police Traffic Officers Association) to standardize body cam usage policies for PSEE operations and develop a robust PSEE Guide.

This memorandum and its appendices (A: Master Training Outline – Core; B: Master Training Outline – Recommended Sections; C: Example Iteration of PSEE Training Slides) offer a roadmap to improve PSEE training materials for both immediate and long-term needs. By taking a unified, regularly updated approach, NJDOT, NJDHTS, and other stakeholders can ensure that law enforcement officers across New Jersey are equipped with the tools and knowledge required to promote pedestrian safety effectively.

### **\*Disclaimer**

The attached presentation in Appendix C is among the most recent iterations of the PSEE training. However, there has been no “official” NJDOT/NJDHTS training resource update since around 2012. Subsequent versions of this presentation have undergone only minor, ad hoc changes, with no major revisions.

In 2023, CEC retained the core structure of the original presentation but refreshed its content—most notably by adding an illustrated video review of relevant Title 39 laws—to give it a contemporary look and improve understanding through visual representation. This updated iteration, including the video review, was developed by CEC using its own resources for a conference presentation and later adapted for PSEE training. It remains

the intellectual property of Civic Eye Collaborative, LLC and its CEO and Founder, Ranjit Walia.

This version is included in the memo because it represents the most current arrangement of the materials.

***\*\*Identified Gap from 2022 PSEE and BSEE Program Analysis Report***

In 2022, Civic Eye Collaborative produced the 2022 PSEE and BSEE Program Analysis Report that identified certain gaps in the training that should be addressed. A link to that document is here as a reference. [2022 PSEE and BSEE Program Analysis Report](#)

**Appendix C: Example Iteration of PSEE Training Slides**



# Pedestrian Safety Education and Enforcement Training Resource

# Lecture Points

1. Is there a need for PSE training?
  1. Pedestrian safety statistics
  2. Causes of pedestrian crashes
2. What is NJ law on this topic?
3. What is the solution?
  1. Engineering
  2. Education
  3. Enforcement
4. How do you conduct a PSE operation?
  1. Operational details
5. Lessons Learned





# Is there a need for PSEE Training

## Pedestrian Deaths as a Percentage of Total Traffic Fatalities in New Jersey

Year	Pedestrian Deaths
2018	31.1%
2019	31.5%
2020	30.5%
2021	31.1%

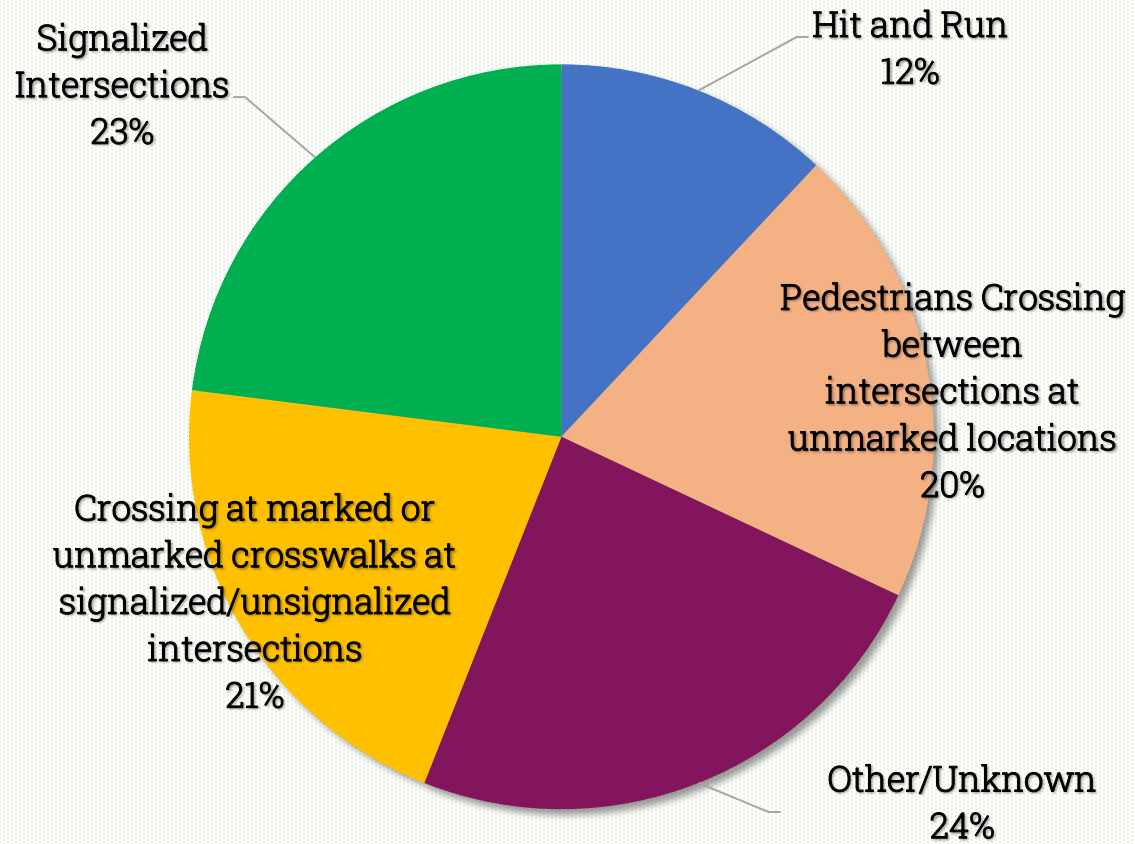


In 2021, people on foot comprised 17% of all traffic fatalities across the United States.



# Crossing the road is dangerous!

## Pedestrian and Bicyclist Crash Types in New Jersey



# Pedestrian Safety Education and Enforcement



Before structured PSE training....the problem

Subjectivity of failure to yield, or now, to “stop and stay stopped”

The issue of shared responsibility

Down time while team waits for pedestrians to cross

Drivers and pedestrians generally unaware of the law or have a pattern of violating them



What is PSE training?

Education for enforcement personnel

Training on PSE operations



Why PSE Training?

Enforcement is critical but pedestrian laws and the duties of motorists to pedestrians have not been a focus area in training

An opportunity for training on structured defensible operations



# PSEE Operation Overview



Identify crossings that will be target of operations  
Set up orange safety cones prescribed distance  
Represent point at which motorist has ample time to stop/yield



Assign officers to three roles  
"Spotter"  
"Decoy Pedestrian"  
"Flagger"



Carry out operations  
Operations are often phased over time  
Pre-operation media blitz and outreach





# PSEE Operation Overview



Structured Operation Plan:  
Can achieve sustained behavioral change  
More time consuming and resource intensive



Components to plan:

- Training
- Engineering – Striping, “Stop for Pedestrian” Signs, Advanced Stop Bars
- Education
  - To Motorists – Flyers, Sandwich Board Signs, Warnings
  - To Public – Feedback Signs, Flyers, Media Outreach
- Feedback System – Feedback Signs
- Enforcement
  - Schedule (6 weeks; intense in beginning and ramp down)
  - Locations (4 locations per community)
    - Rotate locations
- Data Collection (Optional) (4 enforcement locations + 4 control points per community)



“Spot” operations:

Sporadic operations over the course of the year  
Temporary change in behavior if conducted in isolation  
More effective as reinforcement to structured 3E operations

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# Pedestrian Law Review

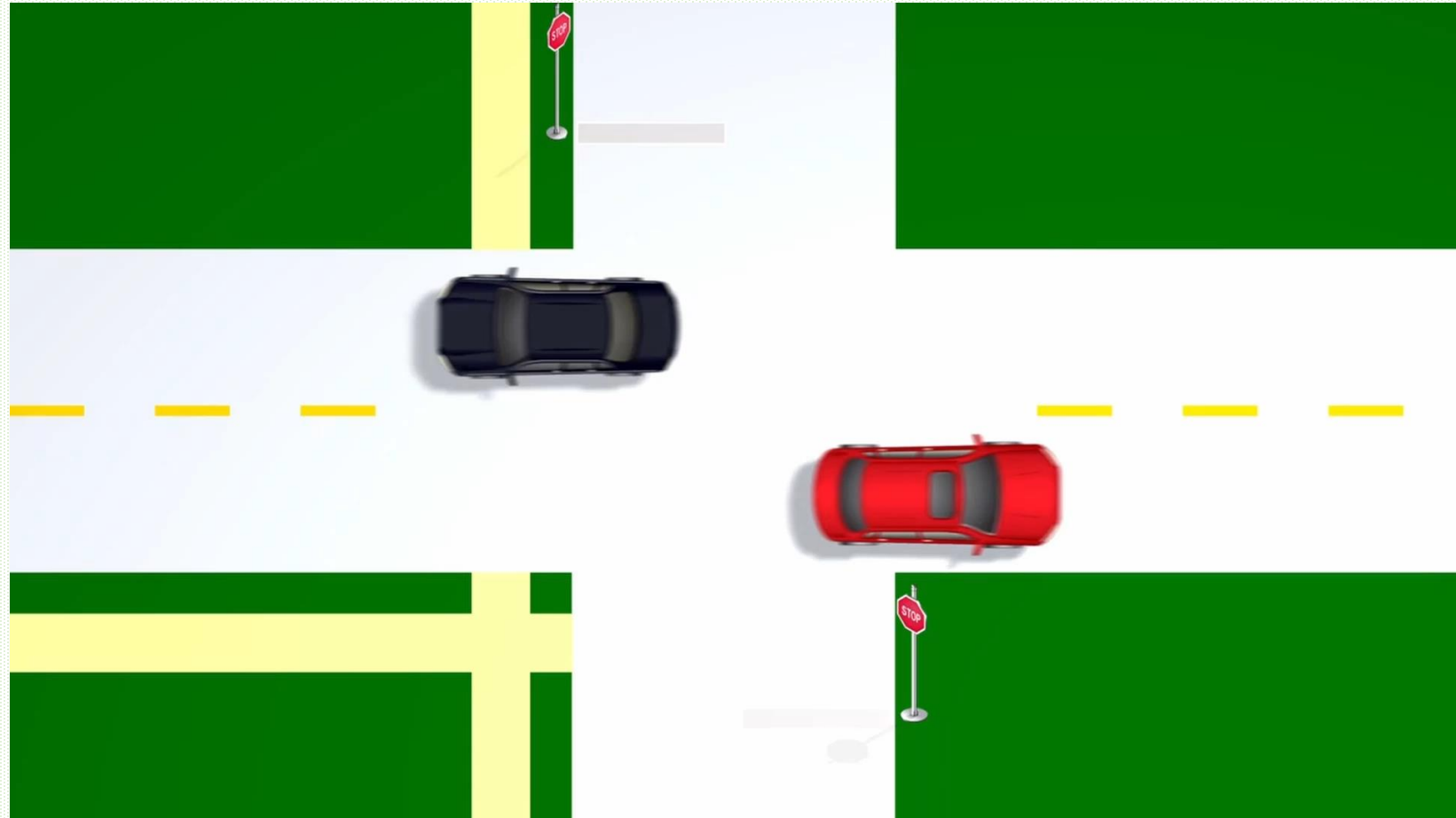


E CHAR

# 39:1-1

## Crosswalk Defined

- At Intersection
- Marked or Unmarked
- Each approach of every roadway intersection
- Within the connecting line of sidewalk, curb, or road edge
- Or any portion of highway distinctly indicated by lines or marking





# 39:4-32

## Crossing Roadway; Signal

Where traffic is controlled by  
signal or police officer

- a. Pedestrians shall not cross a roadway against the "stop" or red signal at a crosswalk, whether marked or unmarked, unless otherwise specifically directed to go by a traffic or police officer, or official traffic control device.



# 39:4-32

## Crossing Roadway; Signal

b. No driver of a vehicle shall fail to stop and remain stopped for a pedestrian crossing a roadway at a crosswalk when the pedestrian is upon, or within one lane of, the half of the roadway upon which the vehicle is traveling or onto which it is turning during the “go” or green signal. As used in this subsection, “half of the roadway” means all traffic lanes conveying traffic in one direction of travel and includes the entire width of a one-way roadway.





# 39:4-32 Crossing Roadway; Signal

c. A pedestrian crossing or starting across the intersection on a “go” or green signal, but who is still within the crosswalk when the signal changes, shall have the right of way until the pedestrian has reached the opposite curb or place of safety.



# 39:4-32 Crossing Roadway; Signal

d. No pedestrian shall leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield or stop.





# 39:4-32 Crossing Roadway; Signal

e. Whenever any vehicle is stopped to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.



# 39:4-32 Crossing Roadway; Signal

f. Every pedestrian upon a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.





39:4-32

## Crossing Roadway; Signal

g. Nothing contained herein shall relieve a driver from the duty to exercise due care for the safety of any pedestrian upon a roadway. Nothing herein shall relieve a pedestrian from using due care for his safety.

h. In the event of a collision between a vehicle and a pedestrian in a marked or unmarked crosswalk, there shall be permissive inference that the driver did not exercise due care



39:4-36

## Driver to Yield to Pedestrians, Exceptions, Violations, Penalties

a. (1) The driver of a vehicle shall stop and remain stopped to allow a pedestrian to cross the roadway within a marked crosswalk, when the pedestrian is upon, or within one lane of, the half of the roadway, upon which the vehicle is traveling or onto which it is turning.





39:4-36

# Driver to Yield to Pedestrians, Exceptions, Violations, Penalties

a. (2-5)

Rights and duties are the same as 39:4-32

No pedestrian shall leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield or stop.

(3) Whenever any vehicle is stopped to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

(4) Every pedestrian upon a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

(5) Nothing contained herein shall relieve a driver from the duty to exercise due care for the safety of any pedestrian upon a roadway. Nothing contained herein shall relieve a pedestrian from using due care for his safety.

## 39:4-36

# Driver to Yield to Pedestrians, Exceptions, Violations, Penalties

b. A person violating any paragraph of subsection a. of this section shall, upon conviction thereof:

- Violator shall pay \$200 fine
- Court may impose up to 15 days community service
- In the case of serious bodily injury to pedestrian, violator shall pay a fine of \$100 - \$500 and may be subject to imprisonment up to 25 days and/or license suspension up to six months
- \$100 of each fine goes to "Pedestrian Safety Enforcement and Education Fund"
- Permissive interference that driver did not exercise due care





# 39:4-115

## Making Right or Left Turn

...proceed to make the turn upon a "stop" or "caution" signal with proper care to avoid accidents after coming to a full stop, observing traffic in all directions, yielding to other vehicular traffic traveling in a direction in which the turn will be made, and stopping and remaining stopped for pedestrians crossing the roadway within a marked crosswalk, or at an unmarked crosswalk, into which the driver is turning





39:4-144

## Stopping or Yielding Right of Way Before Entering Stop or Yield Intersections

c. No driver of a vehicle or streetcar shall turn right at an intersecting street marked with a "stop" sign or "yield right of way" sign unless the driver stops and remains stopped for pedestrians crossing the roadway within a marked crosswalk, or at an unmarked crosswalk, into which the driver is turning.

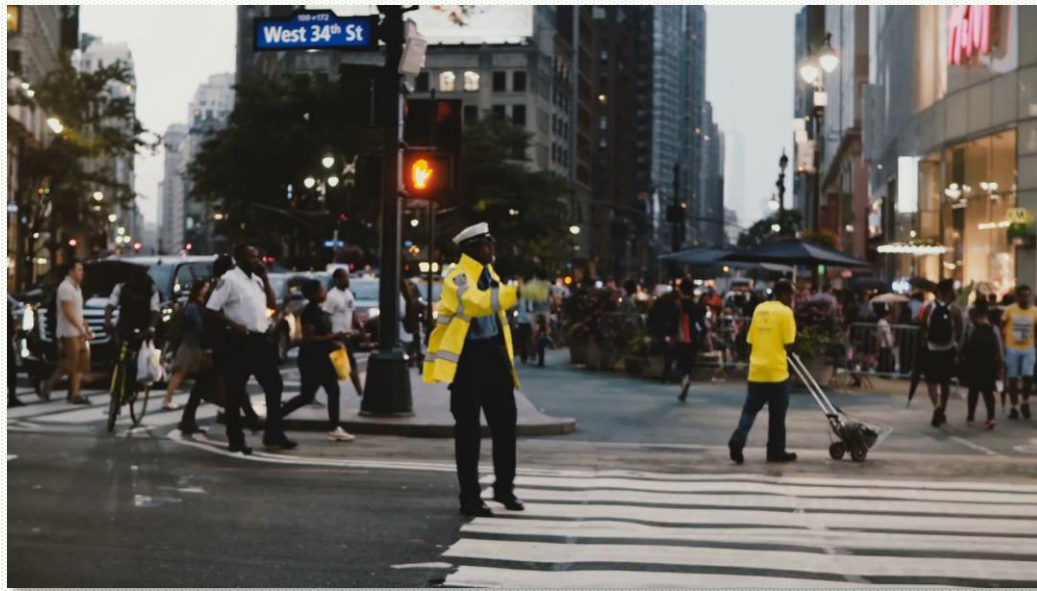




39:4-33

## Use of Designated Crosswalk; Keeping to the Right

- At intersections where traffic is directed by a police officer or traffic signal, no pedestrian shall enter upon or cross the highway at a point other than a crosswalk.
- Pedestrians shall move, whenever practicable, upon the right half of crosswalks.



39:4-34

## Pedestrians to Cross Within Crosswalk or at Right Angles; Facing Traffic; Sidewalks

- At uncontrolled, unsignalized intersections, pedestrians shall use crosswalk
- In absence of crosswalk, pedestrians shall cross at right angles to roadway
- Pedestrian shall not cross medial barrier
- Where there is no sidewalk, pedestrian shall walk on left side of road or shoulder facing traffic
- Pedestrian shall walk on sidewalk, not road, where provided





## 39:4-92.4

# Safe Passing Law

- Drivers in NJ are now required to approach and pass vulnerable road users with “due caution”
- “Due caution” means both slowing down and giving the other user plenty of space when passing
- Drivers must follow all current no-passing, no speeding laws and move over a lane IF there’s one to move into.
- On a single-lane road, drivers must allow at least a 4-foot safety zone when they pass.
- If 4 feet is not possible on a section of road, drivers must slow to 25mph and be prepared to stop until they can pass safely without endangering those sharing the road.

# Entrapment



2C:2-12

Induces or encourages

As direct result

Causes defendant to engage in conduct

Makes false representation to induce to believe not illegal

Employ's methods of persuasion or inducement which create a substantial risk that offense will be committed by one who is not ready to commit it.

Strict Liability



When PSEE operations are conducted correctly it is NOT considered entrapment under the law.

# What's the solution to New Jersey's Pedestrian Safety Problem?



Combined measures  
that mutually reinforce  
each other



Isolated interventions  
are not as effective



Triple E Approach

Engineering

Education

Enforcement





# Engineering



# Rectangular Rapid Flash Beacon





# Pedestrian Hybrid Beacons





# HAWK Signal



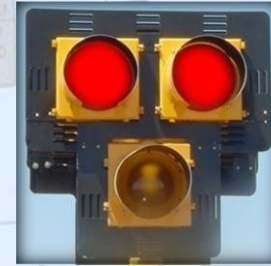
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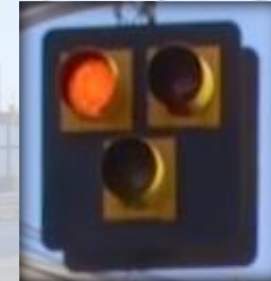
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3



4



5



6





# Refuge Islands





# Curb Extensions





# Raised Crosswalk/Intersection



[http://www.pedbikeimages.org/Tom Harned](http://www.pedbikeimages.org/Tom%20Harned)



[http://www.pedbikeimages.org/Dan Burden](http://www.pedbikeimages.org/Dan%20Burden)

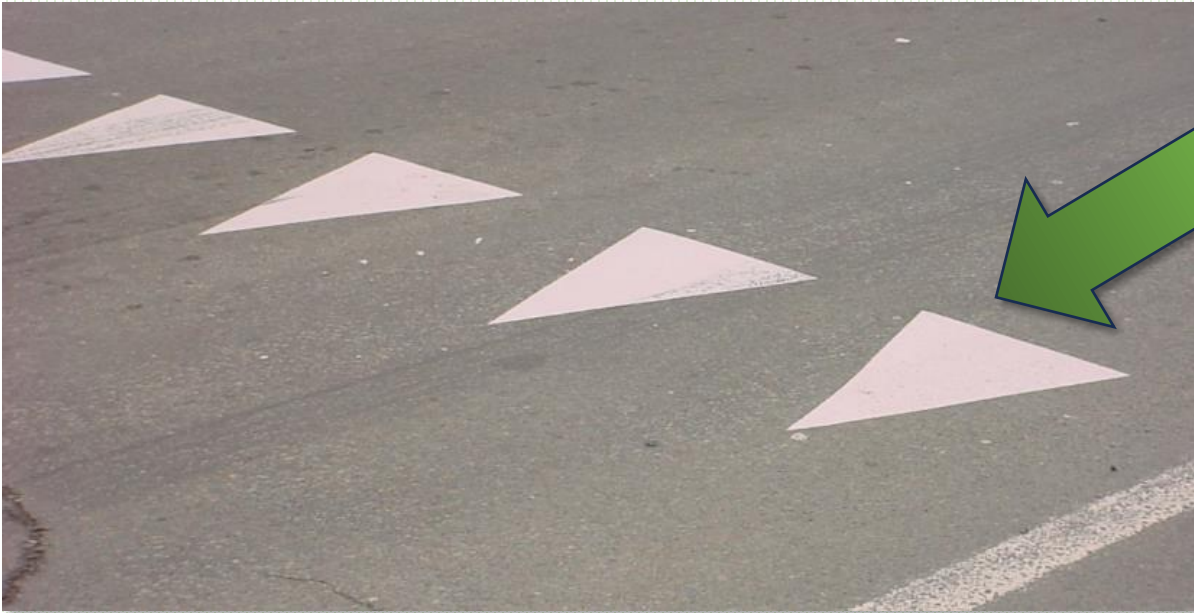


# High Visibility Crosswalks



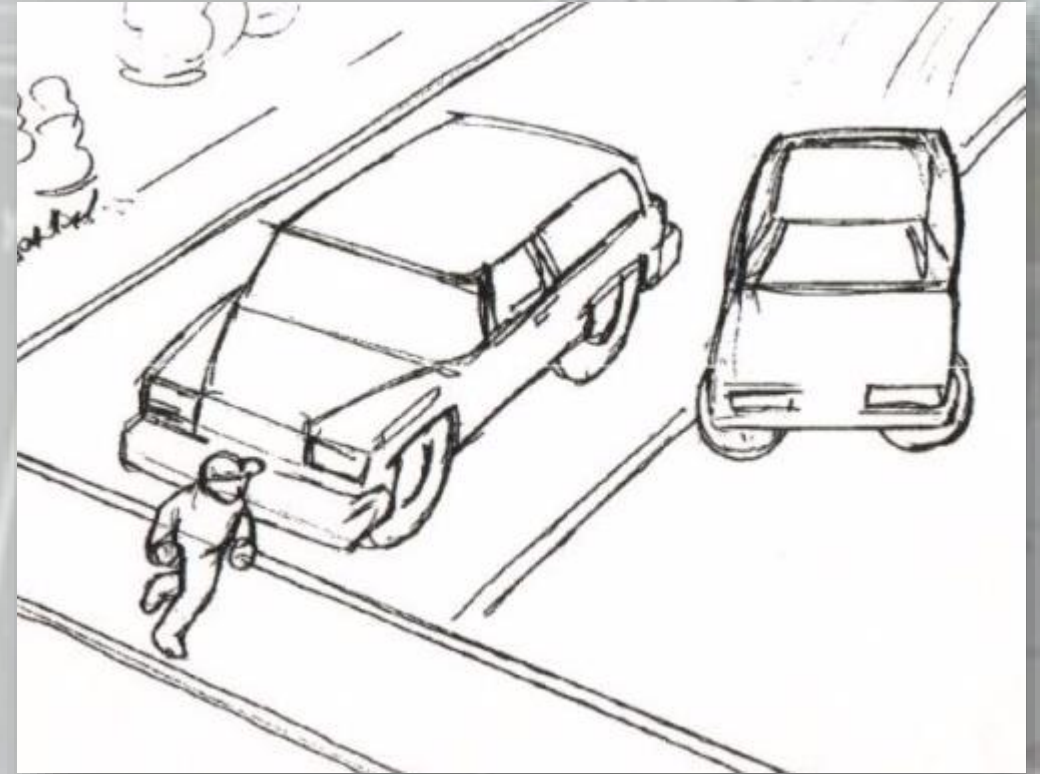
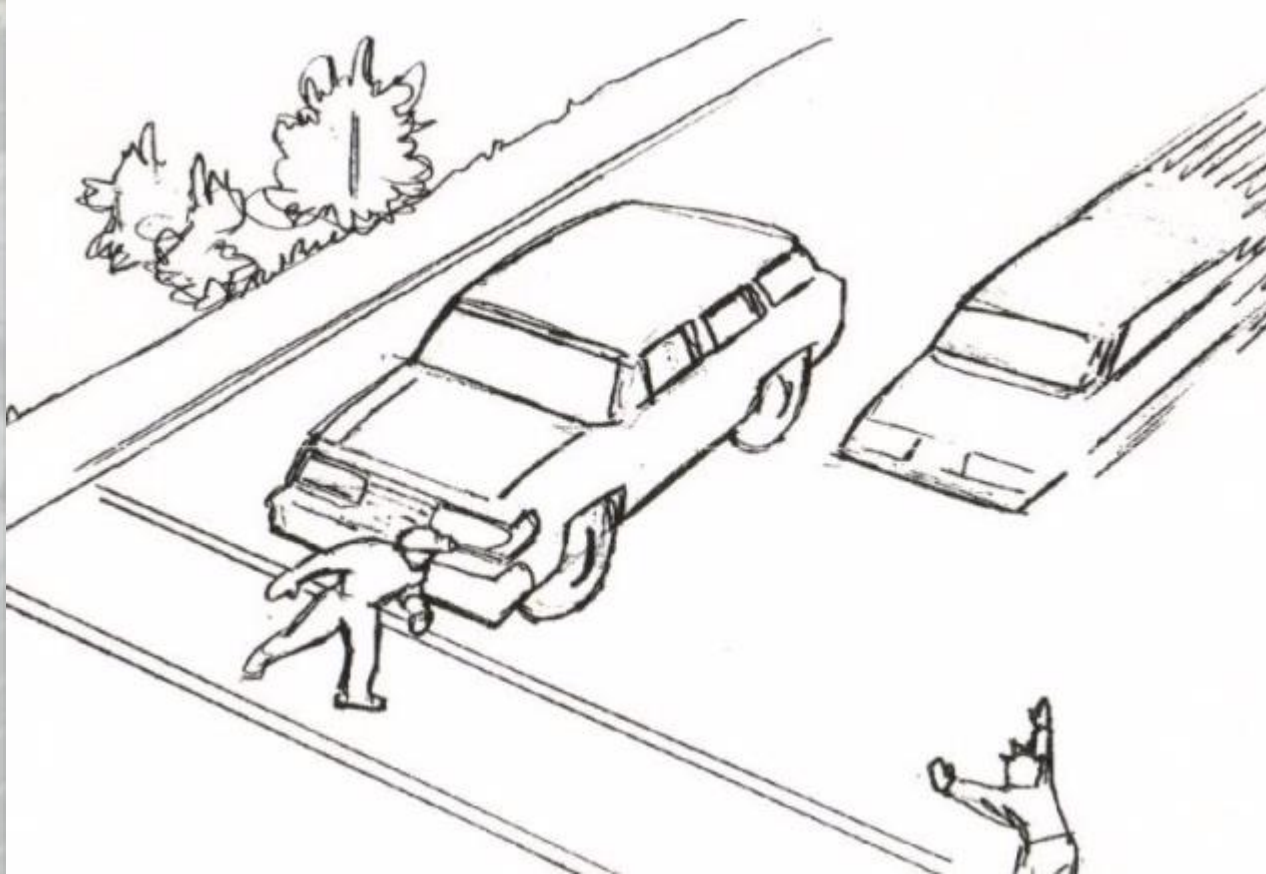


# Advance Yield Markings





# Problems associated with stopping too close



# In-Pavement Flashing Crosswalk



[http://www.pedbikeimages.org/Dan\\_Burden](http://www.pedbikeimages.org/Dan_Burden)



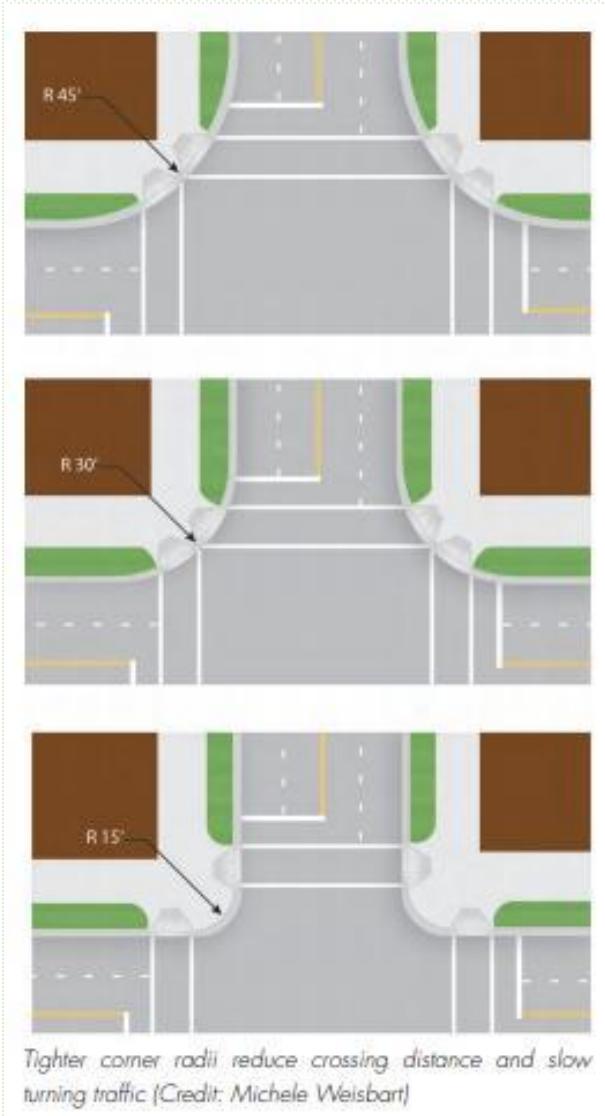
# Advance Stop Bars



<http://www.pedbikeimages.org/NYCDOT>



# Reduce Turning Radius



[pedbikesafe.org](http://pedbikesafe.org)



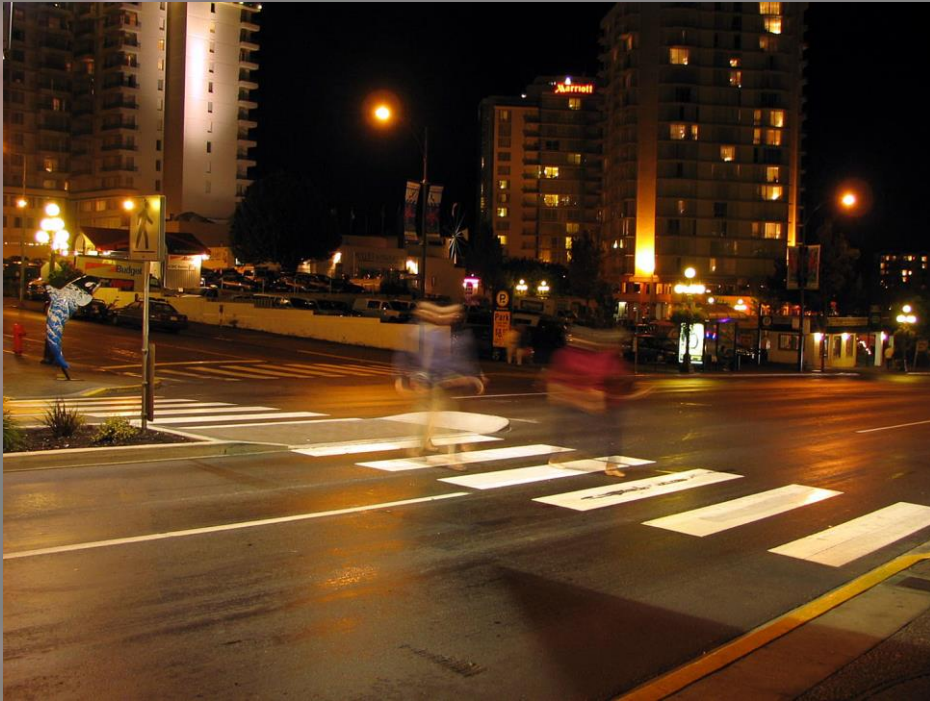
[pedbikesafe.org](http://pedbikesafe.org)/Michael Hintze



# Countdown Signals



# Night Crashes



Increase lighting quality and amount





# Education



# Print and Electronic Media





# Education

Signs advertising increased enforcement at crosswalks





# Educational Signs

## Roadway Signs



## Feedback Signs



## Sandwich Board Signs



# Warning Flyers



You have just failed to yield to a pedestrian at a crosswalk in  
MONTCLAIR

Drivers **MUST** yield to pedestrians at crosswalks.

*It's the law!*

New Jersey has one of the highest rates of pedestrian injuries in the Nation.  
Each year more than 5,500 pedestrians are injured and almost 150 are killed.

The cost to the State is estimated at approximately \$150,000,000 annually.  
In Essex County an average of 1110 pedestrians are injured and 15 are killed each year.

In Montclair an average of 50 pedestrians  
are injured each year.

The law is clear:

Drivers must yield to pedestrians in crosswalks.

Pavement markings are not required for crosswalks at intersections.  
Drivers may not overtake other drivers stopped at a marked or unmarked crosswalk.  
Turning vehicles must yield to pedestrians crossing during the WALK signal.

We are trying to make our streets safer for  
everyone. Help us by cooperating and by  
encouraging others to do the same.

A safety message from the  
following agencies;





# Enforcement

# The Need for Enforcement



Rules not enforced are often ignored



Enforcement gives credibility to engineering and education efforts



Enforcement increases compliance and awareness



Following the rules increases safety

# The Pedestrian Safety Solution



## PSEE training

Structured and defensible

Easy to carry out

Focuses on enforcing laws that give pedestrians right-of-way in crosswalks



# Scheduling Enforcement



Always begin with several weeks of consistent enforcement

Gradually thin the amount of enforcement over time



Choose multiple credible locations in the community



Rotate through sites

Don't be predictable concerning time and location

Being unpredictable "generalizes" the benefit of the enforcement

# Why Focus on Drivers?



Pedestrians include children, youth, persons with disabilities, and seniors who can not drive. Drivers are expected to meet a higher standard.



Pedestrians are the vulnerable road user; they are most at risk.



Pedestrians can't be expected to use crosswalks if drivers do not yield at crosswalks.

# Dealing with Pedestrians



That cross against traffic signal

That cross when drivers have protected left turn arrow

That cross midblock and disrupt traffic

Solutions...



Enforce crosswalk law first...show there is an advantage to crossing there

Educate pedestrians on traffic safety

Structure pedestrian safety campaign in community....3Es



A background photograph showing a police officer in a dark uniform and cap standing on a city street. The officer is facing a person on a bicycle, who is wearing a grey hoodie and a dark cap. They appear to be in conversation. In the background, there are trees with autumn foliage, a building with a steeple, and a green street sign that reads "Madison St".

# PSEE Operations Operational Details

# PSEE Operation



Utilize a “decoy” (undercover officer) as a pedestrian to cross the roadway at a clearly marked crosswalk. Then, work with an enforcement team to identify, stop and educate violators of New Jersey’s Pedestrians Laws



Our Primary Focus:

- Vehicles that do not stop for the pedestrian already in the crosswalk
- Vehicles that overtake and pass stopped vehicles that are allowing pedestrians to cross ~and~
- Vehicles that deliberately go around the pedestrian already in the crosswalk and crossing the roadway



# Detail Objectives

## Primary Objective: Education



Stop only those who actually violate the pedestrian laws of the State of New Jersey so that the operation is clear, and statistics generated are true.



Tell the violators why you are stopping them and properly educate them on the law.



Have department approved literature to handout to all drivers that are stopped. The literature may include statistics on pedestrian crashes in your area or around the state, facts about NJ Pedestrian Laws, facts about your Pedestrian Safety Operation, etc...



# Detail Objectives

## Secondary Objective: Enforcement



A ticket for the primary violation (39:4-36) will be issued if the Contact officer believes that education is not sufficient enough to correct the driver's actions ~or~



If the driver's actions were so reckless in nature that a summons must be issued for the actual violation of the pedestrian law



The enforcement team should issue citations mainly for secondary offenses such as: talking on a cell phone while driving, not wearing a seatbelt, not having the proper credentials, Driving while suspended, Unregistered / Uninsured, etc...

# Program Briefing



Brief all officers involved in the detail at the same time



Educate them on the overall problem, the violators that you are focusing on & the statute you are enforcing



Be sure they are clear on the primary and secondary objectives of the detail

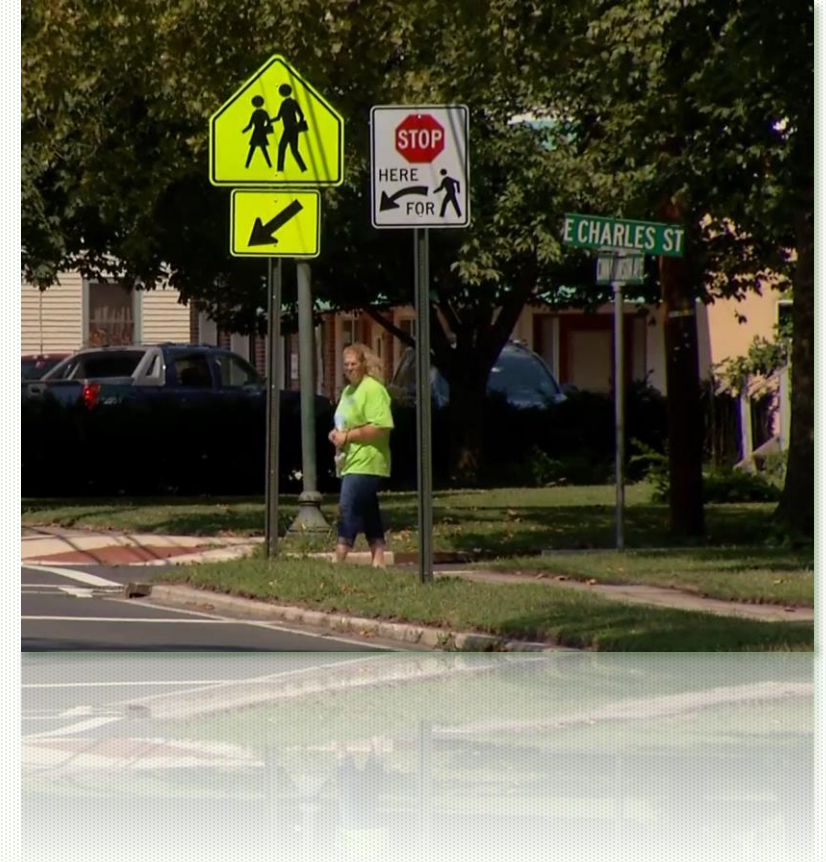


Violators stopped should be given the same message no matter which officer speaks with them



# Choosing the Best Location

Areas that have clearly marked crosswalks so that violators of the pedestrian laws can be clearly identified





# Choosing the Best Location

Areas that have high pedestrian crashes/fatalities



Areas that have a high rate of pedestrian traffic



# Choosing the Best Location

## School Zones





# Choosing the Best Location

“Credible” locations that are supported with engineering enhancements (e.g. yield to ped signs, high visibility striping, bulb-outs and other traffic calming)



[http://www.pedbikeimages.org/Dan\\_Burden](http://www.pedbikeimages.org/Dan_Burden)

For Officer Safety – Areas with a speed limit greater than 40 mph are ***NOT*** recommended



# Target Location & Setup



# Cone Placement

Speed Limit (mph)	15	20	25	30	35	40
Distance	46	73	102	140	183	234

Speed Limit (mph)	15	20	25	30	35	40
Distance*	102	131	162	193	229	266

Distances measured from nearest crosswalk line to where cone is to be placed.

These distances hold for dry pavement and daylight

Assuming no significant grade, table shows cone placement distance based on vehicle speeds.

\* These are recommended distances as cited from the NHTSA 2014 "Pedestrian Safety Enforcement Operations: A How-To Guide"



# Operational Definition of Not Yielding



We use the signal timing formula used to time yellow duration to calculate the dilemma zone.



If a driver can avoid running a light they can yield.

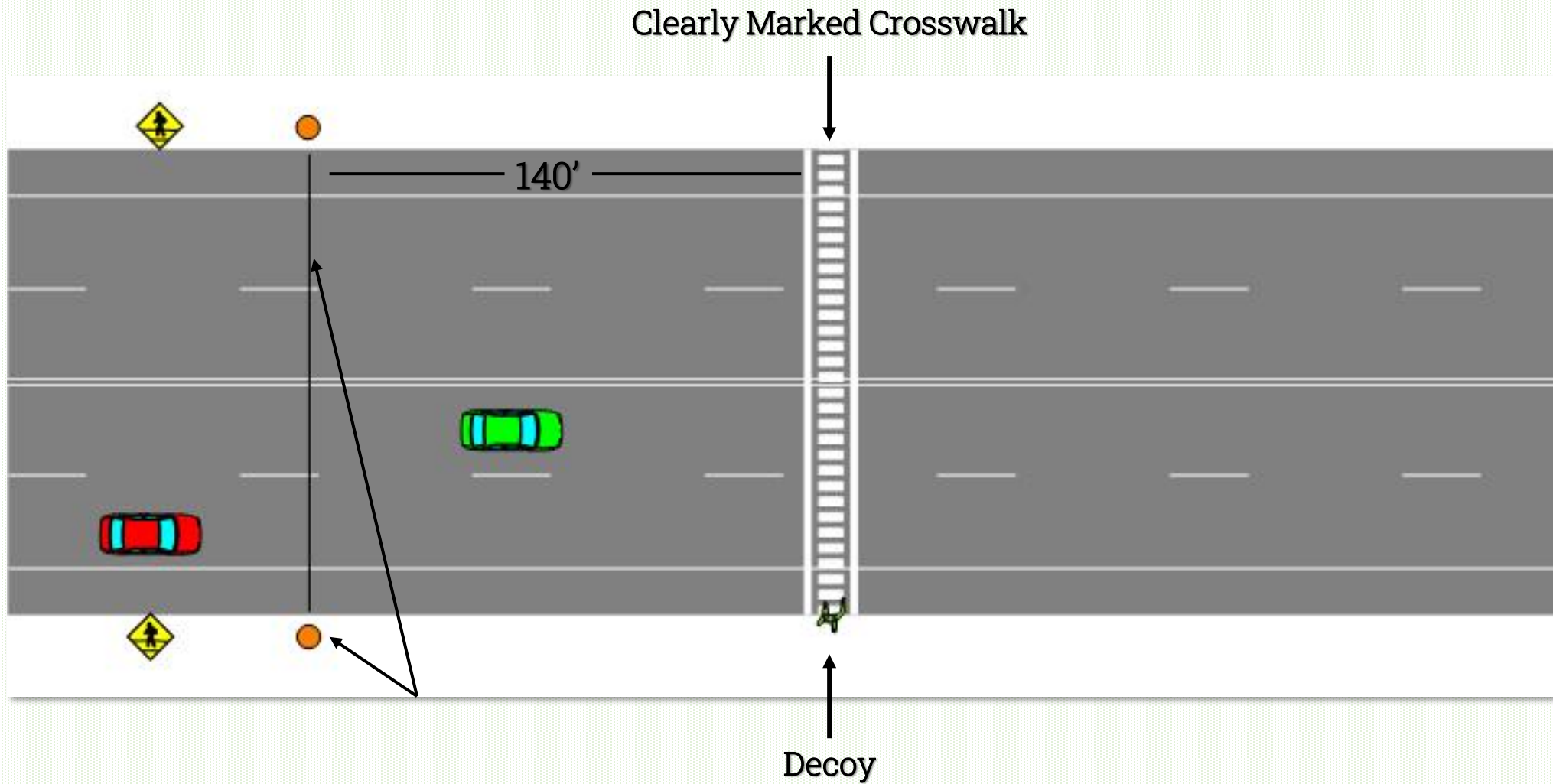


We place a cone at the dilemma zone limit.





# Cone Placement



# The Decoy/Undercover Officer



Safety 1st : Wear Bright Colors



This is not an attempt to trick motorists



Have good site line to target violators



Have a reliable 2-way radio for notification to the enforcement team





# Standard Crossing Protocol



Start to cross only when vehicle is close to but has not yet reached the cone.



Begin by placing one foot off curb between crosswalk lines.



Signal to driver with a wave and make eye contact.



Do not begin to cross in front of vehicle unless driver is clearly slowing to yield for you.



If a gap appears, finish crossing.





# Multilane Roads



If a vehicle yields close to crosswalk do STOP  
AND LOOK AT LANE LINE before proceeding



[http://www.pedbikeimages.org/Dan\\_Burden](http://www.pedbikeimages.org/Dan_Burden)



Passing a stopped vehicle at a crosswalk  
is an infraction. Cite people who do this.



# Flagman/Recorder



Safety first – wear a Reflective Safety Vest



Have a safe place to stop violators



Have good site distance between the decoy and yourself



Have a reliable 2-way radio so you can hear the violator's vehicle description given by the decoy



Flag all violators into the safe area



Record all vehicles that were stopped



# Contact Officers



Always be Courteous & Professional



Your driver truly may not know why they are being stopped



Educate always and Enforce when necessary





# Toms River PD Standard Operation



Duration: 2 – 2 ½ hours (including Setup & Briefing)



Officers involved (6): 1 Decoy, 1 Flagman, 3 contact officers & 1 Supervisor



Approximate Stops: 52 violators per detail



Approximate Tickets Issued: 20-25 tickets per detail



Additional Pedestrian Contacts\*: 20 - 30

# The Solution at Signal Controlled Crosswalks



Violations



Free flow right turns during green phase



Drivers making permissive left that don't yield to pedestrians



Free flow right on red that do not look for pedestrians



# Free flowing right turn (Flashing hand started during walk)





# Permissive left violation



# How to Conduct an Efficient Operation at a Traffic Signal



Select busy intersection with lots of pedestrian crashes



Have a decoy on both sides of the leg with the most violations



Stop drivers that make free flow right on red turns when your leg is not active



# Selling the program to community and command staff



Information on seriousness of problem



Information on objectivity is built into the operation

It is not entrapment and is completely defensible



Information on why greater focus is on the driver



Support your case with videos



# Advance preparation checklist



Support from command staff



Briefing traffic magistrates




Support from government




Briefing the public through press release


# Materials checklist




Four cones, card with placement distances and violation statute numbers



Measuring wheel or laser radar



Enforcement flyers



Radios and predetermined frequency selected



Reflective vests



Clipboards, log sheets



# Program Evaluation



Conduct your operations at the same locations several times throughout the year and record your statistics



Compare your statistics annually with the statistics from previous years to see if the violators have been reduced and if so, you have made an impact.



Review pedestrian crash statistics to see if there has been any reduction

# Best Practices



Details should be done during daylight hours for officer safety

Details should be conducted on dry days; formula assumes dry conditions

On the morning of your detail, publicize your efforts with your local media outlets

Utilize a Signboard, placed beyond your enforcement team, to notify non-violators that they just passed through a pedestrian safety zone

Increase your awareness campaign when you know your pedestrian traffic will increase (i.e. Beginning of school year, Halloween, beginning of Summer, etc.)

Educate your fellow officers on the merits of the program



# Lessons Learned



## Site Selection

- Signalized vs. Unsignalized
- "Credible" locations

## Media

- Publicize
- Invite the media to operations

## Warning vs. Citation

- Building the record of public opinion

  - [Star Ledger - beginning of South Orange enforcement program](#)

  - [Baristanet - announcement of Montclair enforcement program](#)

  - [Baristanet - after Montclair enforcement program](#)

- Number of violators you can process

- Opportunity to educate

## Data Collection

- Monitoring "Yield to Pedestrian" rate

- Data collection can be time consuming

# Lessons Learned



Coordination can be time consuming

There are many agencies and stakeholders you ideally want to involve

Engineering takes time, coordination and funding

Operations

PD manpower varies according to community

Can be challenging to set up and rotate operations for structured operations

Make sure all involved know what is expected of them

Get a greater and longer lasting change in behavior if you can rotate operations throughout sites

Involve superior officers

Community Outreach

Brief the local prosecutor

1,944 out of 1,946 citations upheld in court (South Orange operations; 2008)

Publicize your effort

Get your mayor's support

Coordinate with advocates and schools

Be prepared for both positive and negative comments from community



# Summary



The law enforcement community in New Jersey needs to look at Pedestrian Safety with a different perspective that encompasses both education & enforcement.



A proactive approach toward behavior modification of driver's, will hopefully reduce pedestrian injuries & fatalities that occur because of motor vehicle/pedestrian collisions



# NJ Star Ledger: Undercover cops take steps to cut pedestrian deaths. By William Kleinknecht – June 14, 2008

Posted by lilmami on 06/13/08 at 9:31PM

As a Patrol Officer in the Essex County, I too agree that the law isn't being enforced against motorist nor pedestrians. No matter how many warnings you give, most offenders will continue to disobey the law. If they have a D.L they should already be aware of the motorist laws. Pedestrians should be aware of crossing appropriately. That's why there are signs as well as cross walks. Therefore Officers should just carry on and issue the appropriate summon(s). When you inconvenience someone and they are forced to explain their actions and/or pay a fine it is then and only then that they truly learn that the reason we are enforcing the law is for the protection of us ALL.

Posted by Kavork on 06/13/08 at 10:43PM

Cross at the green and not in between. The moronic pedestrians get what they deserve if they get run over.

Posted by 7gables on 06/13/08 at 9:00PM

This is a good idea but it is time to retrain and ticket pedestrians too. I cannot believe the number of adult pedestrians in NJ who will just walk into the street without stopping or looking. They completely ignore the fact that the cars have a green light and just walk into traffic. There is just a lot of ignorance and rudeness on both sides.

Posted by miasmom06 on 06/14/08 at 8:01AM

As a resident of South Orange and a mother I have experienced frustration and fear at the way drivers refuse to yield to me and my daughter in the crosswalk. It is amazing to see how close a driver will get their car to us to force us along and the driver thinks its okay. I live on one of the busiest streets where I have seen numerous pedestrians hit while in the crosswalk. South Orange is a wonderful community to walk around and enjoy except for when you want to cross the street. Its time drivers in this area get a wake up call!



# Baristanet: Warning: The Pedestrian You Don't Yield To Could Be A Cop

## June 13, 2008

The law states: A motorist must Yield to pedestrians in crosswalks. (Per N.J.S.A 39:4-36, failure to yield carries a \$100 fine, up to 15 days in jail and a 2-point license penalty.

Yet the law is silent on the pedestrian's responsibility to NOT try to cross an intersection (other than to look "all ways before crossing") until clear of traffic.

Imagine driving along about 30' from a crosswalk. If a pedestrian steps out- do you SLAM on the breaks to yield?

Better yet, let's say the pedestrian just RUNS out without warning.

Here's an idea: If he town really wants to make some money, just have the cops stand on a curb of a crosswalk and as cars approach, they can just touch the crosswalk with their toes---- GOTCHA!!!

Posted by profwilliams | June 13, 2008 9:38 AM

I dare any of you to try to cross Grove Street at Oxford on foot. If it wasn't for the rail crossing, one could easily have to wait 10 minutes to get across. I don't dare attempt to drive left onto Grove or straight through on Oxford as there are ALWAYS cars parked illegally (right up to the corner) blocking the drivers view. What I need is a periscope.

I am in full support of enforcement of the current traffic laws.

Posted by 13%annualtaxhike | June 13, 2008 9:56 AM

An aerial photograph of a street intersection. In the upper left, there is a single-story building with a tan facade and orange awnings. To its right is a gas station with a tall sign that includes the word "EXON". A person is walking across the intersection. Several cars are visible: a dark sedan, a silver car, and a red car. The foreground shows a grassy area with a sidewalk and a small planter box with yellow flowers. The text "Q & A" is overlaid on the left side of the image.

Q & A



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# Debrief

