

Major Riggs,

I recently read in the Courier-Journal (<http://tinyurl.com/zsjfz>) of the crash on Thursday morning 4/13 in which a motorist traveling eastbound on Lexington Road struck and injured a crossing guard.

According to the Courier-Journal report, the driver was not cited in the crash, except for lack of insurance and failure to notify the drivers' license bureau of a change of address. According to word on the street, the officer on the scene did not cite the driver because the rising sun created poor visibility which led to the crash.

Traffic law requires vehicle operators not to exceed the speed that is safe under the conditions at hand. We all know not to drive at the posted speed limit during a blizzard or a thunderstorm. When ambient lighting or weather conditions impair sight distance, we need to drive more slowly or, in the extreme, pull over and wait for better visibility. This applies to sunrise and sunset conditions.

Anyone who has driven in Crescent Hill for more than a week knows that Lexington Road follows an east-west path that points drivers into the setting or rising sun. Similarly, we all know that the Ursuline Campus on Lexington Road has a well-used crosswalk serving one or more schools during the morning and afternoon school traffic hours. There is no excuse for a motorist to travel into the rising sun at a speed that does not allow her to notice and respond safely to the altogether predictable presence of a crossing guard. If the LMPD officer had a good reason for not citing the motorist for causing this injury crash, I urge LMPD to make that reason public to reduce the growing sense that motorists in Louisville Metro rarely face legal penalties for causing injury or death to pedestrians and bicyclists. If the officer's reasoning indeed rested on the lighting conditions, I urge the department to reconsider the situation and cite the driver with violating the applicable traffic law and causing injury to an innocent bystander (actually an LMPD employee in the line of duty).

Each time a motorist receives little or no penalty for causing the injury or death of a pedestrian or bicyclist, it reinforces a terrible attitude - that the convenience offered by motor vehicles outweighs any death and destruction that they may cause. We must convey a different attitude - that the minor inconvenience of obeying speed limits, crosswalks, and traffic control devices is a small price to pay to maintain both safety and mobility. Even if a crash victim or his or her family recovers damages in a civil action following such a crash, such a lawsuit generally receives little or no publicity and accordingly has essentially no effect on public behavior. We need the consistent and firm application by law enforcement agencies of the traffic law to help establish more cautious and responsible behavior among all road users, especially those whose vehicles cause such grievous damage when driven badly.

Sincerely,

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