

## Purpose

The purpose of this Cooper Jones Active Transportation Safety Council (CJATSC) Study Team is to review and discuss observations made from detailed case materials of fatal crashes involving bicyclists, walkers or people using other forms of active transportation to identify modifiable risks and protective factors that if present or absent could prevent future fatalities.

Review and discussion of case materials are organized around modifiable risk factors within the Safe System Approach. **The observations reported by the Fatal Case Review Study Team are not the official recommendations of the CJATSC or the Washington Traffic Safety Commission (WTSC).** The Study Team submits a summary of their observations to CJATSC for consideration when developing actionable recommendations. The official recommendations of the CJATSC are published in their Annual Report and are found at <https://wtsc.wa.gov/programs-priorities/active-transportation-safety-council/>.

## Scope of Review

Meeting Date:	Monday, Feb. 24, 2025
Case Selection Topic for Review:	2023 Pedestrian fatalities that occurred in City of Spokane and Spokane Valley.
Case Selection Criteria:	There were 15 crashes that met the scope criteria, eight were selected for review. Seven crashes were removed: four that occurred on N Division in downtown Spokane, one involving a parked vehicle in a driveway, and two that occurred near Maple St.

## Data Source

Data for the 10-year data summary was extracted from the Active Transportation User Fatalities dashboard, located on the WTSC website at <https://wtsc.wa.gov/dashboards/active-transportation-user-fatalities/>.

- Dashboard filters include the following: Year=2014- 2023; County=Spokane; City=Spokane and Spokane Valley; ATU Person Type=Pedestrian and Person on Personal Conveyance.

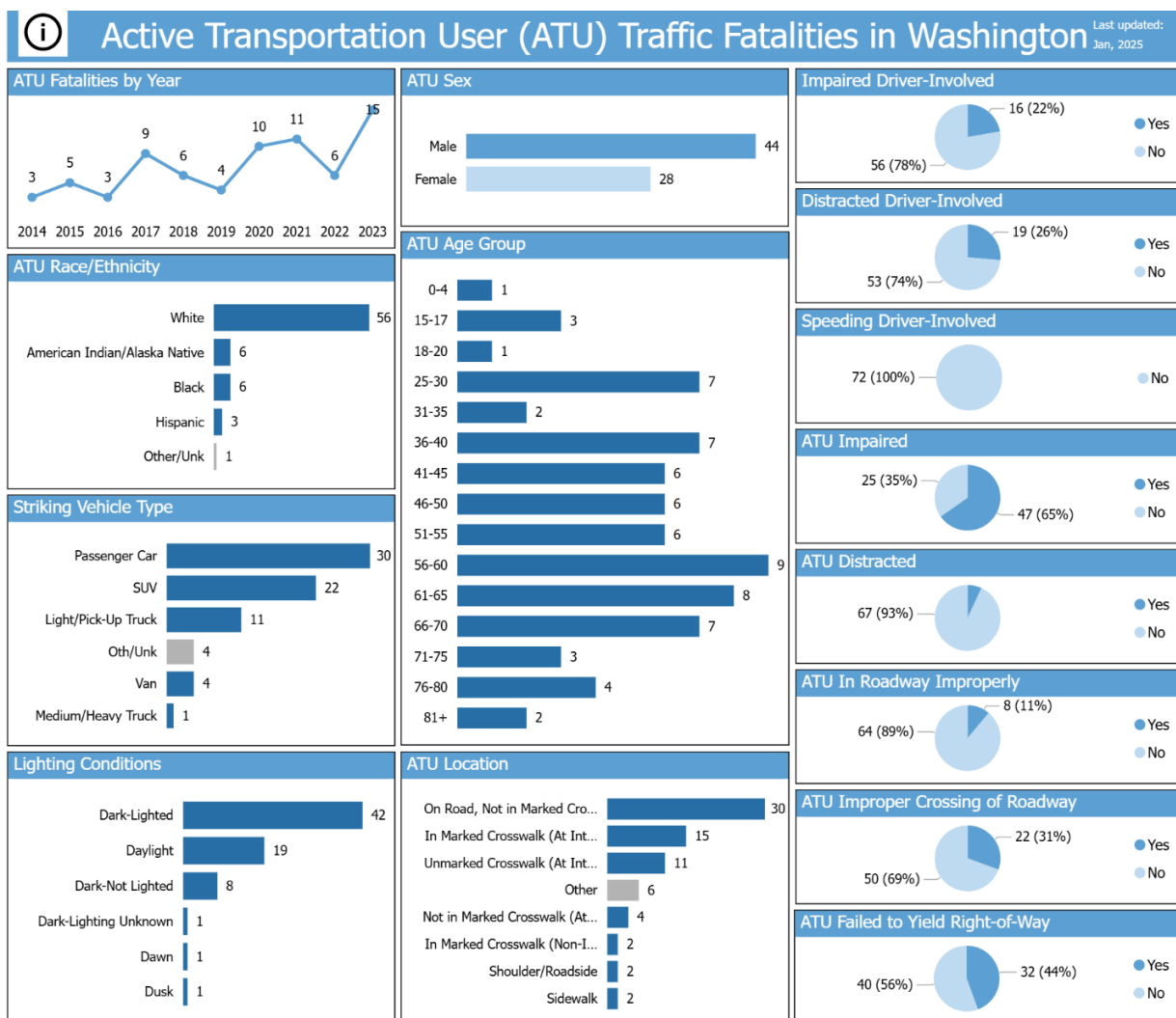
## Data Summary

Of the pedestrian fatalities that occurred in the Cities of Spokane and Spokane Valley between 2014-2023:

- There were 72 pedestrian fatalities in the cities of Spokane and Spokane Valley.
- Nearly two-thirds (n=44, 61%) were male.



- One in three were ages 56-70 (n=24, 33%).
- Four out of ten (n=30, 42%) the striking vehicle was a passenger car.
- More than half (n=42, 58%) occurred in dark but lighted conditions.
- Four out of ten (n=30, 42%) occurred on the road, not in a marked crosswalk, not at an intersection. About one in three (n=26, 36%) occurred in a crosswalk either marked or unmarked.
- One in five (n=16, 22%) involved an impaired driver. Two-thirds (n=47, 65%) involved an impaired pedestrian.
- One if four (n=19, 26%) involved a distracted driver. Five (7%) involved a distracted pedestrian.
- Nearly half (n=32, 44%) the pedestrian was noted as failing to yield right of way.
- One in three (n=22, 31%) were noted as pedestrian improperly crossing the roadway.
- One in ten (n=7, 10%) were hit and runs.
- One in three (n=24, 34%) occurred between 6pm and 9pm.
- One if four (n=17, 24%) occurred on a Friday.



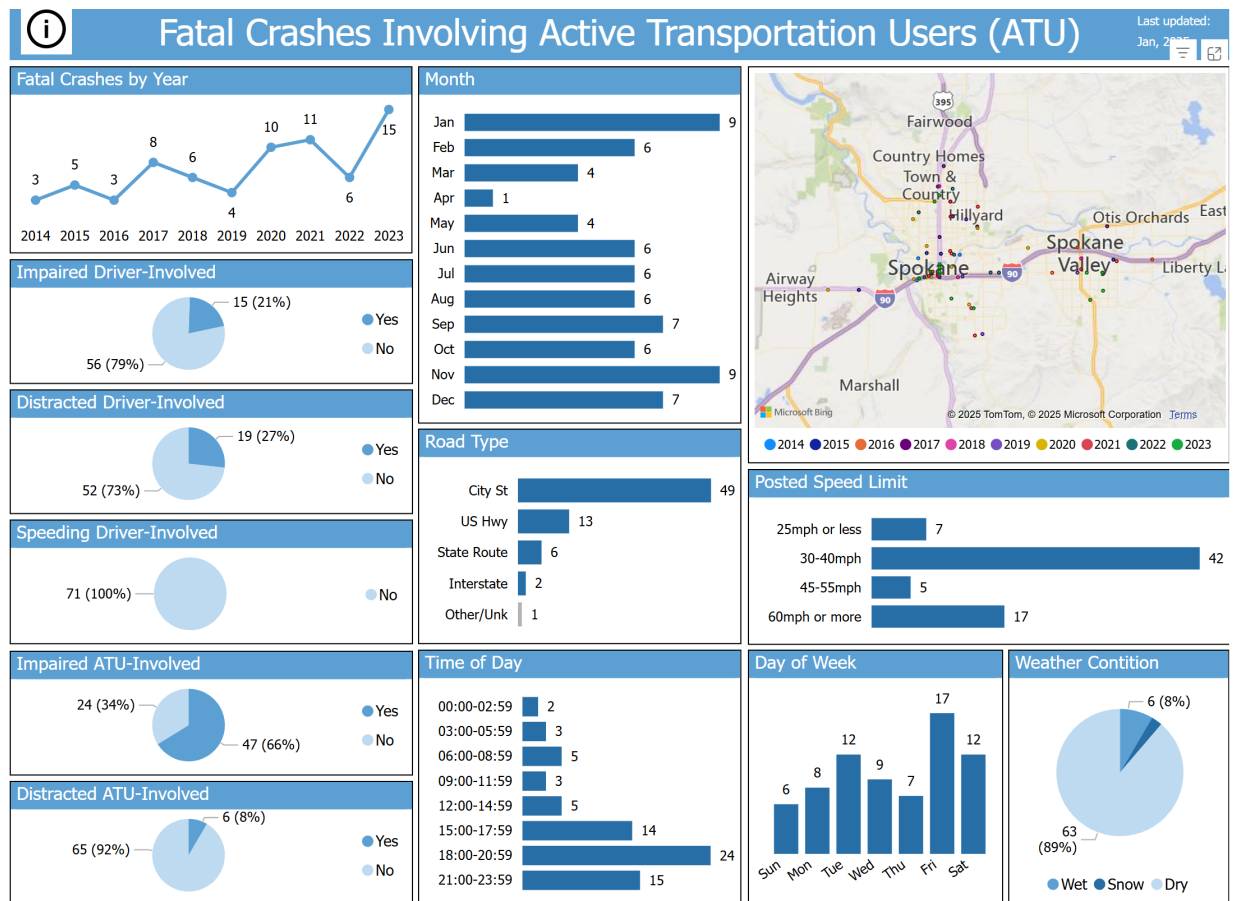
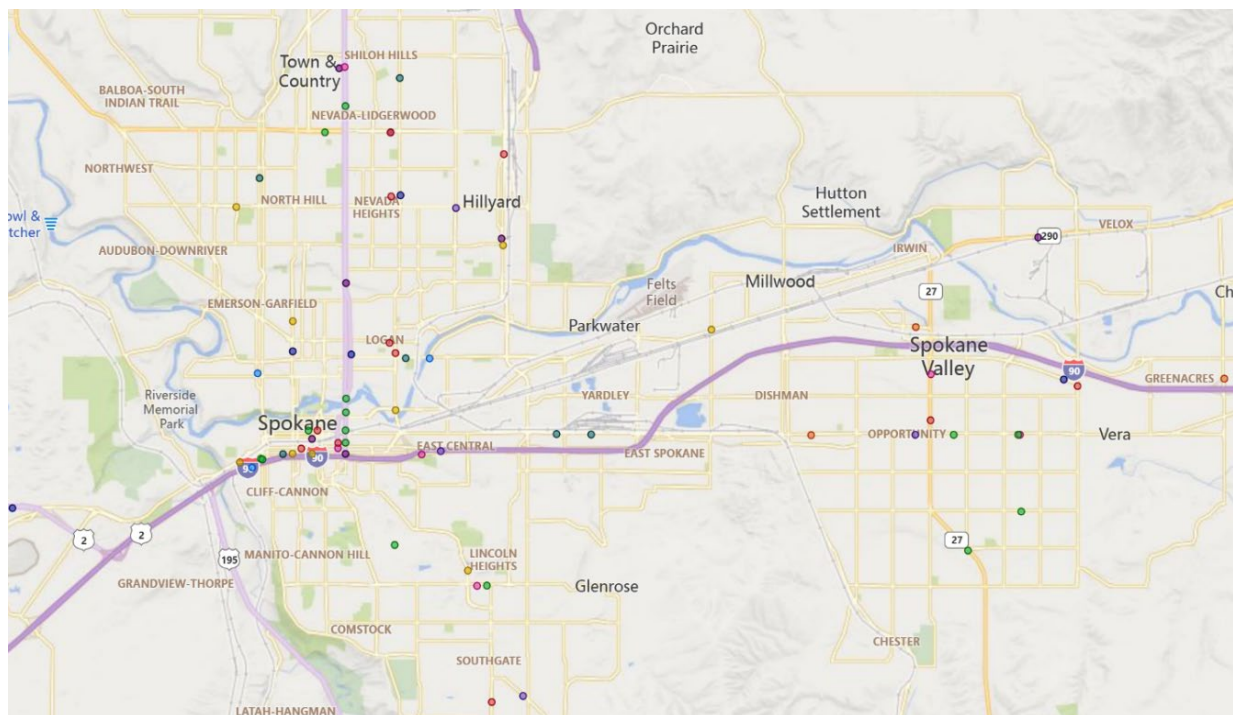


Figure 1: Map visualizing the locations of fatal crashes involving a pedestrian in Spokane and Spokane Valley between 2014-2023



## **OBSERVATIONS AND FINDINGS**

The following includes observations and findings based on discussion of the factors involved in the individual cases selected for review. Each section ends with observations and findings that expand upon the individual cases selected for this fatal case review and are based on patterns observed over time from multiple fatal case reviews with similar factors.

### **Safer Land Use**

1. All eight crashes occurred on arterial roadways where businesses and housing have been built around the arterials over time: N Division St (US-2), W Riverside Ave, W Francis Ave (SR-291), E 29th Ave in Spokane and E Sprague Ave, E 16th Ave, and SR-27 in Spokane Valley.
  - a. Two crash locations were minor arterials and six were principal, ranging from three to seven lanes and most had long block spacing.
  - b. Seven out of eight crashes were located 50 to 500 ft from a transit stop. The review team could not establish whether any of the ATUs were utilizing or planning to utilize transit services prior to the crash.
  - c. Four of the eight crashes occurred within a few blocks of the ATU's residence.

### **Safer Road Users**

1. Six crashes involved a pedestrian under the influence of drugs and alcohol. Based on investigation and toxicology reports, impairment was a contributing factor in four of those six fatalities.
  - a. One person, with a BAC of 0.185 and positive for a drug, crossed at an intersection, in a controlled crosswalk, but went against the light and did not yield the right-of-way to the oncoming vehicle.
  - b. A person under the age of 18, with a BAC of 0.052 and positive for a drug, was crossing midblock within 70ft of a crosswalk, with their back to oncoming traffic.
  - c. Two people, under the influence of multiple substances (no alcohol), crossed midblock on roads with four to seven lanes, in the dark, not in a crosswalk.
2. Six of the eight crashes occurred in the dark with streetlights on, and the driver reported not seeing the person in the roadway in enough time to avoid a crash.
  - a. In these cases, the person was crossing midblock, not in a marked crosswalk, while wearing mixed or dark clothing.
  - b. One crash involved a person using a black motorized wheelchair crossing midblock, not in a crosswalk, in the dark while wearing dark clothing.
3. One crash involved a person crossing near an intersection with "no pedestrian crossing allowed" signs posted at all four corners.
4. Two crashes involved a person crossing midblock, within 70-80 ft of a crosswalk, and the driver passed through the crosswalk prior to the crash.
5. One crash involved an impaired driver striking an impaired pedestrian.



6. Two crashes involved pedestrians that listed a homeless shelter on W Pacific Ave as their address, and one pedestrian listed a local Oxford House as their residence.
7. Three of the four crashes in Spokane Valley involved young drivers with intermediate licenses; two of which were speeding, and one was distracted. None received a citation.

Considerations for safer road users:

1. Support funding for a dedicated traffic enforcement unit in the City of Spokane and Spokane Valley; alternatively consider pooling resources and creating a multi-agency response unit.
2. Develop outreach and education plans that address drivers not seeing people crossing midblock in the dark.
3. Support programs that provide substance use disorder services, partner with them to develop and distribute active transportation safety messaging.
4. Develop outreach and education plans specifically for community members that are houseless and partner with shelters to distribute active transportation safety messaging.
5. Continue to support programs and policies that expand driver education opportunities for drivers – especially young drivers.

## Safer Vehicles

1. Seven of the eight crashes involved a driver that reported they did not see the pedestrian in enough time to avoid a collision. Vehicles designed with detection and warning systems could alert a driver sooner and reduce crash severity
2. Three of the eight crashes involved speeding. Vehicles designed with either passive speed or active speed control could have reduced crash severity.

## Safer Speeds

1. Three cases involved drivers traveling faster than the posted 35 mph speed limit, but they were not cited for speeding. Investigation reports noted that one was traveling at 41 mph on E Sprague Ave; one at 58 mph on E Sprague Ave; and one between 47-50 mph on SR-291 / W Francis Ave. One investigation report noted the average speed on SR-291 was often 10 mph above the posted speed limit. As such, the driver wasn't intentionally driving heedlessly or recklessly, which is why the driver wasn't cited. The team discussed their perceptions of our "culture of speeding", where driving 10 mph over the posted speed limit is acceptable behavior.
2. In five cases the driver wasn't speeding, yet the posted speed limit was too fast for the person to survive the impact of a vehicle.
3. In one case, a young driver was speeding and charged with hit and run. The charges were pled down, and no speeding citation was issued. Was the judge aware of the option to require the driver to install an intelligent speed assistance device on their vehicle, even with the plea down?

#### Considerations for safer speeds:

1. Provide judges and prosecutors with information about the option to install intelligent speed assistance devices in vehicles.
2. Develop strategies to address the social norm of accepting speeding up to 10 mph above the posted speed limit.
3. Prioritizing installing automated speed enforcement cameras on state routes.

#### Safer Roads

1. In three cases, investigation reports noted poor visibility due to lack of lighting and the driver reported not seeing the person walking or rolling in the roadway in enough time to avoid the crash.
2. All eight crashes occurred on arterial roadways. Six of the eight crashes occurred on principal arterials: three state routes and three city streets. Three arterials were seven lanes, two were five lanes, and one was four lanes. Most were wide with long block spacing and few road diets or midblock crossings.
  - a. Four crashes involved midblock crossing, in which the closest crosswalk ranged approximately from 450 ft to 1400 ft away - three of the four were 1,000 ft or more away.
  - b. One crash occurred midblock on N Division St (US-2), a few hundred feet south of the intersection of E Wedgewood Ave. This intersection has “no pedestrian crossing allowed” signs posted at all four corners. The closest marked crosswalks are approximately 600ft south or 775ft north of E Wedgewood Ave (at E Lyons Ave or E Weile Ave) - making the designated crossing locations 1,300-1,400 apart with no midblock crossing options.
  - c. One crash occurred at an intersection on SR-27 in Spokane Valley. This roadway cuts through a suburban residential neighborhood with no marked crossing walks, sidewalks, or other active transportation safety features.

#### Considerations for safer roads:

1. Prioritize active transportation user safety and remediate arterial roadway design by adding road diets to slow the flow of traffic, increasing lighting, and installing more traffic signals and midblock crosswalks to create protected crossings on multi-lane arterials.
2. Consider reducing the speed on E 16<sup>th</sup> Ave in Spokane Valley, by the middle school, from 35 to 25 mph.

#### Post-Crash Care

1. Four of the eight cases included notes about lighting on the investigation report. The review team wants to acknowledge how helpful it is when law enforcement includes this information when assessing modifiable factors involved in fatal crashes.

2. Four of the eight cases involved drivers that did not complete a reexamination to maintain their driver's license after being involved in a fatal crash. This may be because it wasn't ordered by the investigating law enforcement agency. A member of the Department of Licensing participated in the fatal case review and has taken this information to DOL for further research. They will report their findings at a future meeting.
3. Seven out of eight cases included an abstract driving record (ADR) for the driver of the striking vehicle. Two ADRs showed the collision as injury-only when it was a fatality.
4. Seven out of eight cases included either an ADR or State ID record for the decedent and all seven accurately listed the person as deceased. This is an improvement from observations of DOL records included in previous fatal case reviews.

## **OBSERVATIONS ACROSS ATU FATAL CASE REVIEWS**

The following observations and findings expand upon the individual cases selected for this fatal case review and are based on patterns observed over time from multiple fatal case reviews with similar factors.

### **Safer Land Use**

1. The review team continues to observe active transportation user (ATU) fatalities on arterial roadways where businesses and residential housing have been built up over time. The review team would like to know the regulations for developers when applying for a land use permit – are they required to address or improve ATU safety? Are land use waivers allowed when active transportation safety issues are present? How are traffic studies, crash history, and ATU activities incorporated into the permitting processes?

### **Safer Road Users**

1. Staffing shortages continue to impact local police and prosecuting agencies' ability to implement enforcement-related countermeasures. Consider supporting funding to improve recruitment and retention of law enforcement and court positions, specifically focused on traffic safety.
2. Drivers reporting they did not see a person crossing midblock, not in a crosswalk, is a reoccurring observation across reviews regardless of the scope of review. Consider prioritizing education and outreach messaging targeted at drivers and pedestrians about shared responsibility.
3. Pedestrian impairment as a factor is observed across ATU fatal case reviews regardless of the scope of the review. Research how best to support public health programs that



provide substance use disorder services and partner with providers to codevelop countermeasures that work.

4. This review and previous fatal case reviews involved people operating motorized personal conveyance equipment, such as a skateboard or wheelchair. The review team discussed how bicycle laws require visibility equipment and whether it makes sense to apply this law to all motorized personal conveyance equipment when traveling in the dark. It was also noted there are equity barriers to consider when passing this type of law, and the need for balance between requiring manufacturers to install reflective equipment and funding public health programs to distribute this equipment for free.
5. Any driver involved in a fatal crash (Cooper Jones retest) is required to retest to maintain their driver's license. The review team discussed whether this practice really accomplished reeducating people on specific driving behaviors and risks – such as someone speeding at the time of the crash may benefit from targeted education about speed reduction.

### **Safer Vehicles**

1. New vehicles include safety features and technology, but there are barriers to affording these vehicles. Consider continuing to monitor and support [HB 1512](#) which establishes a grant program to provide solution-oriented responses to nonmoving violations for low-income road users, including fix-it tickets and repair vouchers. This grant program is administered by WSDOT, and they submit summary report annually to the legislature December 1 of each year.
2. Drivers reporting they did not see a person crossing the road is a reoccurring observation across reviews regardless of the scope of review. Consider supporting funding for early detection technologies that alert a driver of a person in the roadway.

### **Safer Speeds**

1. The review team continues to observe speeding as a factor, especially on arterial roadways. Considering the following:
  - a. Prioritizing installing automated speed enforcement cameras on state routes. Share and promote the WTSC's *Speed Safety Camera Readiness Guide*.
  - b. Educate judges and prosecutors about requiring intelligent speed assistance devices as an intervention tool for drivers speeding and involved in a fatal crash.
  - c. Monitor and support the progress of [HB 1596](#), which allows drivers charged with multiple speeding violations to maintain a driver's license as long as they agree to install and use an intelligent speed assistance device.





- d. Monitor and support the progress of [SB 5238](#), which expands the legal definition of reckless driving to include intentionally speeding more than 30 mph above the posted speed limit.

### **Safer Roads**

1. How do we design roads to consider the safety of active transportation users that may choose to cross in unexpected places?
2. Fatal crashes involving poor visibility as a factor due to lack of lighting are observed across fatal case reviews. Continue monitoring the progress of the legislature in addressing this issue. Most recently, a report on street lighting was submitted in response to the proviso in HB 1125, Sec. 201, Subsection 2. This report is available on the WTSC website at <https://wtsc.wa.gov/download/19469/?tmstv=1735830953>.
3. The data extracted for fatal case reviews identifies the “road class” of the crash location. Examples of those classifications included but are not limited to state route, city street, U.S. highway, etc. However, according to [RCW 47.24.020](#), a managed access highway within a City is considered a city street and the city has responsibility to operate the highway - see further guidance and clarification [here](#). This is important to note because the ATSC fatal case review study team develops summary reports that identifies patterns, themes, and actions for consideration. Consider developing a process that identifies whether a crash location is on a state route operated by a city to ensure specific and actionable reporting.

### **Post-Crash Care**

1. The review team continues to observe gaps in data collection due to lack of supplemental reporting after the original police traffic collision report (PTCR) is submitted. The information collected on the PTCR may change through an investigation process, new information is discovered, and a more complete picture of the factors involved is captured. Consider identifying opportunities to address supplemental reporting requirements and processes.