

New Hampshire State Laws Pertaining To Walking. Current as of Oct 30, 2020; most but not all laws mentioning walking or pedestrians are included below. For current laws, <http://www.gencourt.state.nh.us/rsa/html/nhtoc/nhtoc-xxi-265.htm> and <http://www.gencourt.state.nh.us/rsa/html/nhtoc/nhtoc-xxi-266.htm> Compiled by Jennie Chamberlain in Oct 30, 2020 for Hanover Bike Walk.

TITLE XX TRANSPORTATION

CHAPTER 230 STATE HIGHWAYS

Pedestrians' Rights and Duties

Section 265:34

265:34 Pedestrians Subject to Traffic Signs and Regulations. – A pedestrian shall obey the instructions of any traffic sign or regulation specifically applicable to him, unless otherwise directed by a police officer. Pedestrians shall be subject to traffic and pedestrian control signals as provided in RSA 265:9 unless required by local ordinance to comply strictly with such signals. At all other places, pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this chapter.

Source. RSA 262-A:32. 1963, 330:1. 1981, 146:1; 479:33, eff. Jan. 1, 1982 at 12:01 a.m.

Section 265:35

265:35 Pedestrian's Right of Way in Crosswalks. –

- I. When traffic control signals are not in place or not in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- II. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard.
- III. Paragraph I shall not apply under the conditions stated in RSA 265:36.
- IV. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection 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.

Source. 1949, 212:1. RSA 263:45. 1963, 330:1. RSA 262-A:33. 1981, 146:1; 479:34, 35, eff. Jan. 1, 1982 at 12:01 a.m.

Section 265:36

265:36 Crossing at Other Than Crosswalks. –

- I. Every pedestrian crossing 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.
- II. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.
- III. Between adjacent intersections at which traffic control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk.
- IV. No pedestrian shall cross a roadway intersection diagonally unless authorized by traffic control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movements.

Source. RSA 262-A:34. 1963, 330:1. 1981, 146:1, eff. Jan. 1, 1982.

Section 265:37

265:37 Drivers to Exercise Due Care. – Notwithstanding the foregoing provisions of this chapter or the provisions of any local ordinance, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian or any person propelling a human-powered vehicle and shall give an audible signal when necessary and shall exercise proper precaution upon observing any child or any obviously confused, incapacitated or intoxicated person.

Source. 1915, 129:6. 1921, 119:11. PL 103:13. RL 119:22. RSA 263:44. 1963, 330:1. RSA 262-A:35. 1981, 146:1; 479:36, eff. Jan. 1, 1982 at 12:01 a.m.

Section 265:38

265:38 Pedestrians to Use Right Half of Crosswalks. – Pedestrians shall move, whenever practicable upon the right half of crosswalks.

Source. RSA 262-A:36. 1963, 330:1. 1981, 146:1, eff. Jan. 1, 1982.

Section 265:39

265:39 Pedestrians on Roadway. –

- I. Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.
- II. Where a sidewalk is not available, any pedestrian walking along and upon a way shall walk only on a shoulder, as far as practicable from the edge of the roadway. Where neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a way shall walk as near as practicable to an outside edge of the roadway, and if on a two-way roadway, shall walk only on the left side of the roadway.

III. Except as otherwise provided in this chapter, any pedestrian upon a roadway shall yield the right of way to all vehicles upon the roadway.

Source. 1955, 295:1. RSA 263:45-a. 1963, 330:1. RSA 262-A:37. 1981, 146:1; 479:37, eff. Jan. 1, 1982 at 12:01 a.m.

Section 265:40

265:40 Pedestrians Soliciting Rides or Business. –

I. No person shall stand on the travelled portion of a roadway for the purpose of soliciting a ride, employment, business or contributions from the occupant of any vehicle.

II. No person shall stand on or in proximity to the traveled portion of a street or way for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or way.

III. It shall be lawful for any person to hitchhike or solicit a ride from the occupant of any vehicle upon any road or way, or limited access road and highway provided that the individual is not, when so doing, standing on the paved portion of the road or way.

IV. No person shall signal a moving vehicle or stop a vehicle on any public way in order to solicit or sell a ticket of admission to an entertainment or sports event.

Source. RSA 262-A:38. 1963, 330:1. 1971, 532:1. 1974, 31:1. 1981, 146:1; 479:8, 38. 1999, 243:1, eff. July 9, 1999.

Section 265:41

265:41 Care Required. – Whenever a totally or partially blind pedestrian, guided by a dog trained for the purpose or carrying in a raised or extended position a cane or walking stick which is white in color or white tipped with red, crosses or attempts to cross a way, the driver of every vehicle approaching the place where such pedestrian is crossing or attempting to cross shall bring his vehicle to a full stop, and before proceeding shall take such precautions as may be necessary to avoid injuring such pedestrian. Nothing contained in this section shall be construed to deprive any totally or partially blind person, not carrying such a cane or walking stick or not being guided by a dog trained for the purpose, of the rights and privileges conferred by law upon pedestrians crossing ways.

Source. 1939, 65:1. RL 119:34. RSA 263:58. 1957, 184:1. 1959, 240:1. 1963, 61:1. 1981, 146:1, eff. Jan. 1, 1982.

Section 265:41-a

265:41-a Approaching a Service Animal. – The driver of a vehicle approaching a person using a service animal shall take all necessary precautions to avoid injury to that person, and any driver who fails to take such precautions shall be liable in damages for any injury caused to that person.

Source. 1983, 275:3. 2011, 170:5, eff. Jan. 1, 2012.

Special Rules for Bicycles and Mopeds

Section 265:148

265:148 Sidewalks Outside Compact Area. – Upon petition of 5 or more legal voters, the selectmen of a town or the mayor of a city, upon notice and hearing, shall have the power to include within the foregoing provisions, sidewalks outside the compact part of the town or city that are built or improved by said town or city or by the abutters; but in such case, notices to that effect shall be posted near said walks at least one week before they shall be so included.

Source. 1897, 93:2. PL 90:14. RL 106:14. 1945, 188:1, part 20:14. RSA 250:14. 1981, 146:1; 422:12, eff. Jan. 1, 1982 at 12:01 a.m.