



National Transportation Safety Board
Washington, DC 20594

Highway Accident Brief

Fatal Pedestrian Collision with Car
Washington, DC, August 18, 2016

Accident Number:	HWY16SH023
Accident Type:	Fatal pedestrian collision with car
Location:	9th Street and P Street NW, Washington, DC
Date and Time:	August 18, 2016, about 2:20 a.m. eastern daylight time
Vehicle:	2000 Mercedes-Benz CLK 320
Driver:	31-year-old female
Pedestrian:	44-year-old male
Fatalities:	1

Crash Description

On Thursday, August 18, 2016, about 2:20 a.m., a 2000 Mercedes-Benz CLK 320 coupe was traveling south on 9th Street NW in Washington, DC. As the 31-year-old driver approached the intersection of 9th and P streets, the traffic signal for southbound vehicular traffic was green. A 44-year-old male, walking with a female companion, attempted to cross 9th Street from the southeast corner of the intersection (figure 1). Neither pedestrian was in the crosswalk.

The driver reported that she saw the pedestrians in the roadway and attempted to steer left to avoid them. The car struck the male pedestrian at the right-side bumper area, causing him to ride up onto the hood and propelling him into the windshield on the passenger side. The pedestrian rolled off the right side of the car and came to rest in the roadway. He was transported to MedStar Washington Hospital Center, where he died of his injuries. The female pedestrian was not injured.

It was dark at the time of the crash, and the sky was overcast. The temperature at the time was 75°F, and the wind was from the west-southwest at 3 mph.¹

¹ Weather data from <https://www.wunderground.com/history/>.

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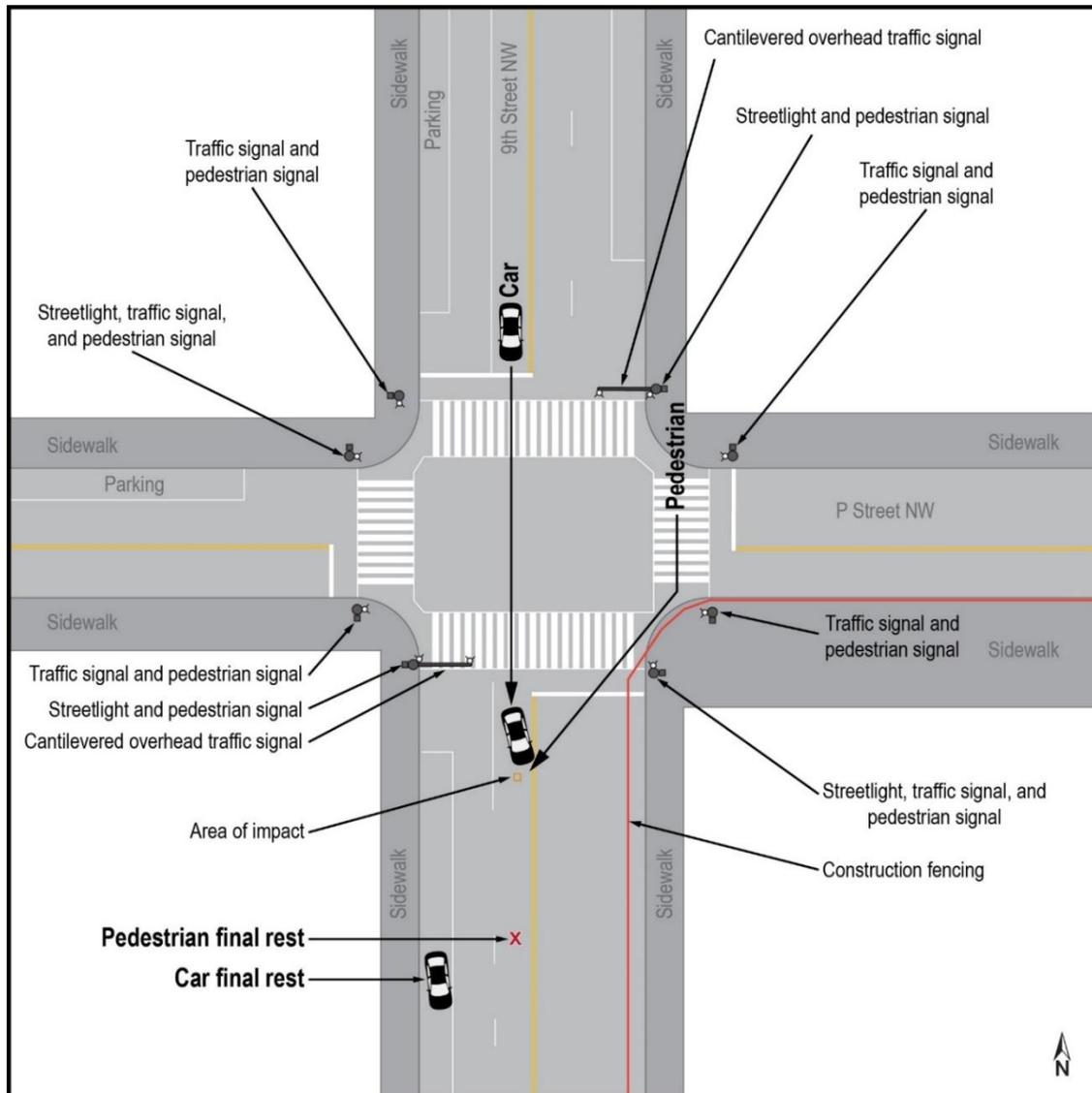


Figure 1. Diagram of crash scene showing path of vehicle, path of pedestrian, location of traffic control signals and construction fencing on sidewalk and street, location where pedestrian collided with car, and pedestrian's and car's final rest positions.

Crash Location

Ninth Street is an urban collector roadway that connects residential and commercial areas to major arterial roadways and provides access to downtown Washington, DC, as well as to Interstate 395. The six-lane asphalt roadway has a double yellow line dividing the northbound and southbound lanes, with two travel lanes in each direction and a dedicated parking lane on each side. The posted speed limit is 25 mph.

The area around the intersection is both commercial and residential (figure 2). At the time of the crash, a large multistory building was under construction on the southeast corner of the

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intersection, and fencing blocked the sidewalk and the parking lane on the east side of 9th Street. The other sidewalks around the intersection were unobstructed.



Figure 2. Aerial view of crash location showing crosswalks at intersection and building under construction on southeast corner. (Base photo from District of Columbia geographic information system)

Traffic signals control the movement of pedestrians and vehicles through the intersection, with pedestrian phases built into the signals. According to the records of the District of Columbia Department of Transportation, the traffic signals had last undergone routine maintenance in February 2016. The last problem reported for the signals was in July 2016, when they were found to be “in flash.”² The signals were repaired by the time of the crash. Pedestrian crosswalks at the intersection are well-marked. High-intensity streetlights on each corner were operational at the time of the crash. The west side of the street has no streetlights, which results in slightly less illumination on that side.

² When traffic signals malfunction, they either flash red-red in all directions to create a four-way stop, as at this intersection, or they flash red-yellow for the main direction of travel and red-red for secondary roads.

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Pedestrian

The male pedestrian was the proprietor of an establishment on the northeast corner of the intersection. The female pedestrian told the Metropolitan Police Department, District of Columbia, that the male pedestrian had left the establishment to walk her to her vehicle, which was parked on the west side of 9th Street, just south of the intersection. He was wearing dark clothes. The female pedestrian told police that the male pedestrian was not using a cell phone at the time of the crash, and no cell phone was recovered at the scene.

According to his family, the pedestrian was in good health and not under a doctor's care. The District of Columbia Office of the Chief Medical Examiner performed an autopsy and toxicological tests. Information gathered as part of the autopsy indicated that the pedestrian had no significant medical history and did not take medication. His height was recorded as 5 feet 11 inches and his weight as 333 pounds.³ The impact with the car caused multiple blunt force trauma to his body, including a lacerated liver, a compound fracture of the lower right leg, a deep laceration to the abdomen, and abrasions, lacerations, and contusions to the right side of the body, consistent with sliding along the pavement. The autopsy report stated that the cause of death was massive blunt-impact injuries. According to the toxicological tests, at the time of the crash, the pedestrian had a blood alcohol concentration (BAC) of 0.10.⁴ Results were negative for other drugs.

Driver

The driver of the crash car held a standard driver's license issued by Virginia.⁵ She had no restrictions on her driving privilege. However, she had an extensive driving record that included multiple violations: failure to pay full time and attention, speeding, disobeying a highway sign, and a conviction for operating a vehicle while impaired that was adjudicated in the District of Columbia in April 2014.⁶

When questioned by police about her movements before the collision, the driver said that she had just left a nightclub/bar about a mile from the crash scene. She stated that she arrived at the establishment about 9:30 p.m. and stayed until it closed at 2:00 a.m. She reported that during that period, she ingested a beer and several glasses of whiskey. She stated that before the collision, she was traveling home and was using her cell phone to obtain directions back to Reston, Virginia. She said that a light rain was falling and that her windshield had fogged up. When she turned on her windshield wipers, she saw the two pedestrians in the roadway. She said that the traffic signal was green for southbound vehicular traffic on 9th Street when she collided with the pedestrian.

³ Pedestrian characteristics, such as height and weight, were documented to aid crash reconstruction and evaluate pedestrian injuries.

⁴ Research has shown that even low levels of alcohol can affect cognitive performance. At BACs above 0.10, individuals suffer impaired motor coordination, vision, hearing, and balance. Their reaction times are slower, and judgment and perception are impaired (Linda Dultz and Spiros Frangos, "The Impact of Alcohol in Pedestrian Trauma," *Journal of Injury, Infection, Trauma and Critical Care* [2012]: 1252–1257).

⁵ Standard (noncommercial) driver's licenses in Virginia issued before July 1, 2016, did not carry a class designation.

⁶ "Failure to pay full time and attention" is a citation that generally covers distracted driving.

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In a postcrash breath test, the driver's BAC measured 0.09 grams per deciliter. The driver's urine tested positive for alcohol, benzoylecgonine (a metabolite of cocaine), MDMA (also known as Ecstasy or Molly), and MDA (a metabolite of MDMA; also known as Sally). MDMA and MDA are synthetic stimulants and psychedelic drugs. Their effects on the human body include euphoria, a heightened sense of well-being, and overconfidence, as well as rapid heart rate, confusion, anxiety, dizziness, and blurred vision. The effects typically last a few hours, but evidence of drug use can be found in urine for several days thereafter.

No blood sample was taken to establish which drugs were affecting the driver at the time of the collision, and the driver was not evaluated for potential drug-related impairment at the time. The available evidence was therefore insufficient to determine whether the driver was impaired by drugs other than alcohol.

Vehicle

The 2000 Mercedes-Benz CLK 320 coupe was equipped with frontal air bags for both the driver and the front-seat passenger. The air bags did not deploy in the collision. The vehicle's air bag control module was downloaded after the crash but did not capture any crash-related data.

The car's left front head lamp was out and had been out before the crash. Damage to the vehicle included scratch marks on the right front bumper and right side of the hood and a smashed right windshield (figure 3). No mechanical defects were discovered after the crash.



Figure 3. Crash car parked on 9th Street NW after collision. Note damage to windshield. (Source: Metropolitan Police Department, District of Columbia)

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Applicable Traffic Laws

Title 18, chapter 23 of the District of Columbia municipal regulations regulates the movements of pedestrians on the roadway and establishes the right-of-way between pedestrians and vehicles:

2303.2 No pedestrian shall suddenly leave a curb, safety zone, loading platform or other designated place of safety and walk or turn into the path of a vehicle which is so close as to make it impossible for the driver to yield.

2304.1 Between adjacent intersections controlled by traffic control signal devices or by police officers, pedestrians shall not cross the roadway at any place except in a crosswalk.

2304.2 Each 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.

2304.3 No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb, except in a crosswalk.

Title 50, section 2201.28 requires drivers to yield the right-of-way to pedestrians in “any marked crosswalk, or unmarked crosswalk at an intersection.” Under Title 50, section 2206.11, drivers are prohibited from driving under the influence of alcohol or other drugs.

Title 18, section 704.1 requires that “each motor vehicle other than a motorcycle shall be equipped with at least two (2) head lamps which shall comply with the requirements and limitations set forth in this chapter.” At least one head lamp is required on each side of the front of a vehicle, at a specified distance from the ground.

Probable Cause

The National Transportation Safety Board determines that the probable cause of the crash in Washington, DC, was the pedestrian’s decision to cross the street outside the crosswalk and against the traffic signal. Contributing to his poor decision-making was alcohol impairment. Further contributing to the crash was the driver’s impairment from alcohol, which most likely diminished her ability to detect and avoid the pedestrian.

BY THE NATIONAL TRANSPORTATION SAFETY BOARD

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Adopted: September 24, 2018

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For more details about this accident, visit the [NTSB public docket](#) and search for NTSB accident ID HWY16SH023. The accident dockets include such information as police reports, photographs, driver and witness statements, data on previous crashes, highway engineering reports, and timing of traffic signals.

The NTSB does not assign fault or blame for an accident or incident; rather, as specified by NTSB regulation, “accident/incident investigations are fact-finding proceedings with no formal issues and no adverse parties . . . and are not conducted for the purpose of determining the rights or liabilities of any person.” 49 *Code of Federal Regulations*, Section 831.4. Assignment of fault or legal liability is not relevant to the NTSB’s statutory mission to improve transportation safety by investigating accidents and incidents and issuing safety recommendations. In addition, statutory language prohibits the admission into evidence or use of any part of an NTSB report related to an accident in a civil action for damages resulting from a matter mentioned in the report. 49 *United States Code*, Section 1154(b).
