

# Pedestrian Accidents Caused by Distracted Drivers in Georgia

## Why Distracted Driving Is One of the Biggest Threats to Pedestrian Safety

Every day, Georgia pedestrians step onto [crosswalks](#), sidewalks, and intersections expecting that drivers will be paying attention. But too often, they're not. A quick glance at a phone or a moment spent adjusting a navigation app can be all it takes for a driver to miss someone crossing the street. When that happens, the results can be devastating.

At the [Law Offices of Gary Martin Hays & Associates, P.C.](#), our Georgia pedestrian accident lawyers have seen how distracted driving destroys lives. Victims face catastrophic injuries, months of medical recovery, and the emotional toll of an accident that could have been prevented. Holding distracted drivers accountable isn't just about compensation — it's about justice and public safety.

## How Distracted Driving Leads to Pedestrian Accidents

[Distraction behind the wheel](#) happens when a driver's attention is diverted from the road. While smartphones are often blamed (and for good reason), distraction takes many forms. The three primary types of distraction are:

- **Visual:** Looking away from the road, even for a few seconds.
- **Manual:** Taking hands off the wheel to handle something else.
- **Cognitive:** Thinking about something other than driving.

When any of these occur, reaction times drop sharply. A few seconds of distraction might not seem like much, but at 40 miles per hour, that's enough time for a driver to travel half a city block, which is plenty of distance for tragedy to unfold before they even look up.

Think of it this way: In the time it takes to glance at a text, a driver could coast past an entire intersection on Peachtree Street without ever seeing the people trying to cross it.

## Common Scenarios Where Distracted Drivers Hit Pedestrians

Pedestrian crashes caused by distraction often happen in familiar, everyday places. Among the most common situations are:

- **Crosswalks With Traffic Signals:** Drivers scrolling through their phones may fail to yield to pedestrians who have the right of way.
- **School Zones and Neighborhoods:** Distracted drivers can easily miss children crossing the street or stepping off curbs.
- **[Parking Lots](#):** A driver backing out while checking a text or adjusting music may not see someone walking behind the vehicle.
- **Busy Intersections:** When drivers are focused on GPS directions or incoming calls, they may turn without checking for pedestrians in the crosswalk.

These incidents are particularly tragic because they're avoidable. A single decision to look away from the road can cause lifelong harm to someone doing nothing more than walking.

## **Georgia's Distracted Driving Laws and Pedestrian Protections**

Holding a phone or using it while driving is illegal in Georgia. Under the state's [Hands-Free Georgia Act](#), drivers cannot hold or support a phone with their body, read or send texts, or use social media while driving. Voice commands and hands-free devices are permitted, but any physical interaction with the device is prohibited.

For pedestrians, the law also provides protection. Georgia's right-of-way statutes require drivers to:

- Stop and remain stopped for pedestrians in crosswalks when the pedestrian is on the same half of the roadway as the vehicle.
- Exercise due care to avoid colliding with any pedestrian, especially children or individuals with disabilities.

When drivers break these rules due to distraction, they can be held liable for the harm they cause. Civil claims for damages can include medical costs, lost wages, pain and suffering, and, in tragic cases, [wrongful death damages](#) for families.

## **The Devastating Impact of Distracted Driving on Pedestrian Victims**

Pedestrian collisions are among the most severe traffic incidents because there's no barrier between the person and the vehicle. The injuries often include:

- [Traumatic brain injuries \(TBIs\)](#) from impact with the vehicle or pavement.
- Spinal cord damage leading to paralysis or lifelong pain.
- Fractures and orthopedic injuries requiring surgery and rehabilitation.
- Internal bleeding or organ damage from blunt-force trauma.
- Psychological trauma, including post-traumatic stress and anxiety around traffic.

Even at lower speeds, the force of a vehicle can cause serious harm. Many victims face months of recovery, long-term physical limitations, and mounting financial strain.

## **How to Prove a Driver Was Distracted**

In a Georgia pedestrian accident case, proving driver distraction can be complex, but a skilled attorney knows how to uncover the evidence that matters. The legal team at Gary Martin Hays & Associates may use several investigative tools to establish distraction, including:

- **Cell Phone Records:** Logs can show calls, texts, or app use at the time of the crash.
- **Vehicle Data:** Many newer cars store data on speed, braking, and steering inputs.
- **Surveillance Footage:** Cameras from nearby businesses or intersections can capture the moment of impact.

- **Witness Statements:** Eyewitnesses often recall seeing the driver looking down or holding a device.
- **[Police Reports](#):** Officers may note evidence of distraction at the scene.

Each piece of evidence helps build a clearer picture of what happened and why. When a driver's inattention is the cause of a crash involving someone on foot, that proof is critical to achieving justice for the injured pedestrian.

## The Role of Negligence in Distracted Driving Claims

In Georgia, personal injury cases are built on the concept of negligence, which is the failure to use reasonable care. A distracted driver violates that duty the moment they take their attention off the road. To recover compensation, an injured pedestrian must show that:

- The driver had a duty to operate their vehicle safely.
- The driver breached that duty through distraction.
- The breach directly caused the pedestrian's injuries.
- The injuries resulted in measurable damages.

Georgia follows a modified comparative negligence rule, meaning a victim can still recover compensation as long as they are less than 50 percent at fault. In pedestrian cases involving distracted drivers, it's often clear that the driver's conduct was the primary cause of the crash.

## Why Distracted Driving Is Getting Worse in Georgia

Despite public awareness campaigns and stricter laws, distracted driving remains a leading cause of serious pedestrian crashes in Georgia. Several factors have made the problem worse:

- **Smartphone Addiction:** Constant notifications and social media use tempt drivers to look away from the road.
- **Navigation Reliance:** GPS apps encourage drivers to interact with screens while driving.
- **In-Vehicle Technology:** Touchscreen dashboards and entertainment systems demand more attention than ever.
- **Complacency on Familiar Routes:** Many drivers let their guard down when driving roads they know well

According to data from the [Georgia Governor's Office of Highway Safety](#), distraction continues to play a role in hundreds of serious and fatal crashes statewide. Pedestrians are particularly vulnerable because they have no protection when a distracted driver makes a mistake.

## Holding Distracted Drivers Accountable

When a pedestrian is injured by a distracted driver, accountability extends beyond the driver alone. An experienced attorney may identify other responsible parties, such as:

- Employers, if the driver was working at the time of the crash.

- Rideshare companies like Uber or Lyft, if the driver was using the app.
- Vehicle owners, if they knowingly allowed an unsafe driver to use their car.

By investigating every angle, our legal team can pursue the maximum possible recovery for medical expenses, lost income, and pain and suffering. At Gary Martin Hays & Associates, our attorneys don't stop at proving fault. We work to expose the full scope of negligence behind every crash.

## Steps to Take After a Distracted Driving Pedestrian Accident

What you do after being hit by a distracted driver can make a major difference in your recovery and your potential legal claim. If you are physically able, or if someone can help you, it's important to:

1. **Call 911 immediately.** Report the crash and request medical help.
2. **Get the driver's information.** Include name, contact details, license plate, and insurance.
3. **Take photos and videos.** Capture the scene, your injuries, and any evidence of distraction (like a phone on the seat).
4. **Ask witnesses for statements.** Their accounts can support your version of events.
5. **Seek medical attention.** Even if injuries seem minor, get checked by a doctor.
6. **Contact a Georgia pedestrian accident lawyer.** An attorney can begin preserving evidence before it disappears.

Without prompt action, crucial evidence such as phone data or surveillance footage may be lost. That's why contacting an attorney right away is so critical.

## Why Legal Representation Matters After a Pedestrian Accident

Insurance companies often try to [downplay or deny claims](#), even when a driver was clearly distracted. They may argue that the pedestrian "came out of nowhere" or was partially at fault. Without strong legal representation, injured victims risk being taken advantage of during their most vulnerable time. Without a lawyer on your side, it's like sitting down at a poker table where the deck is already stacked against you. The insurance company has the advantage, and they're playing to win.

The pedestrian accident attorneys at Gary Martin Hays & Associates know how to fight these tactics. With [over \\$1 billion recovered](#) for Georgia families, our law firm has the resources and experience to stand up to major insurers and corporations. Our deep understanding of Georgia law and commitment to our clients result in every case being handled with care, precision, and determination.

## Get Justice After a Distracted Driving Pedestrian Crash in Georgia

When a driver chooses to text, scroll, or multitask behind the wheel, they put every pedestrian in danger. If you were injured or lost a loved one because of a distracted driver, you have the right to demand justice and accountability.

The Law Offices of Gary Martin Hays & Associates, P.C. can help you pursue full compensation for your medical costs, lost income, and pain and suffering. Our legal team fights tirelessly for the injured across Atlanta and throughout Georgia.

To see how we can help with your potential legal case, [contact us today](#) for a free case evaluation. There are no up-front costs, and we offer legal representation to injured pedestrians on a contingency fee basis. That means you pay nothing unless we win your case.