

When A Vehicle Strikes A Pedestrian At A Georgia Bus Stop

Why Transit Stops Are Among The Most Dangerous Places A Pedestrian Stands In Georgia

A commuter waiting for the morning MARTA bus at a busy Atlanta corner is doing what hundreds of thousands of Georgians do every day. The shelter is a few feet from the curb. The traffic is moving fast. The street lights are bright but the headlights are brighter. The driver coming up the right lane is looking at a phone, looking at a navigation system, or looking at the bus the commuter is waiting for, and not looking at the human being standing at the edge of the sidewalk. By the time the driver registers what is in front of the vehicle, the pedestrian is on the ground.

Bus stops and transit shelters are some of the most dangerous places a pedestrian can stand in Georgia. They sit by design at the meeting point of foot traffic and fast-moving vehicles, often with limited shelter, narrow sidewalks, and sight-line obstructions that should never have been built. At the [Law Offices of Gary Martin Hays & Associates, P.C.](#), our [Georgia pedestrian accident lawyers](#) have handled bus-stop crashes across Atlanta, the suburbs, and rural transit corridors. The fact patterns repeat. The injuries are catastrophic. The legal framework is more complicated than most families expect.

Bus Stops Concentrate Pedestrian Risk

A bus stop isn't just a place a pedestrian waits. It's a magnet that draws people, vehicles, and movement into a small area where a single mistake can be lethal.

Several recurring features push the risk upward:

- **Proximity To Travel Lanes:** Many Georgia bus stops sit directly at the curb of a high-volume street, with no buffer space between the waiting area and live traffic.
- **Sight-Line Obstructions:** Shelters, advertising panels, parked cars, mailboxes, utility poles, and landscaping can all block a driver's view of waiting pedestrians or block a pedestrian's view of approaching traffic.
- **Crowded Boarding And Alighting Movement:** A stop served by multiple routes can have pedestrians stepping in and out of the curb area constantly, moving in patterns that drivers do not always anticipate.
- **Driver Attention On The Bus, Not The Pedestrians:** A driver focused on whether the bus is going to stop, pull out, or block the lane often loses awareness of the pedestrians around the bus.
- **Mid-Block Stops With No Crosswalk:** Many transit stops sit between intersections, where pedestrians may need to cross multiple lanes outside a marked crosswalk to access the shelter.

- **Limited Lighting At Night:** Bus stops in residential corridors often have minimal overhead lighting, putting pedestrians in low-visibility conditions during early-morning and evening commutes.

For example, a commuter waiting at a stop on Peachtree Road during morning rush hour may be invisible to a driver coming around a parked delivery truck blocking the rightmost lane. The crash that follows is not a freak event. It is a foreseeable result of the way the stop was placed and the way the lane was being used.

Driver Duties Under Georgia Law Near Bus Stops

Several Georgia statutes shape liability in bus-stop pedestrian crashes.

- **O.C.G.A. § 40-6-93:** Requires drivers to exercise due care to avoid colliding with pedestrians and to give warning by sounding the horn when necessary.
- **O.C.G.A. § 40-6-91:** Requires drivers to yield to pedestrians in crosswalks at unsignalized intersections, with related yield duties at marked crossings.
- **O.C.G.A. § 40-6-163:** Establishes the duty to stop for school buses with extended stop arms and flashing lights, with strict penalties for violations that produce devastating consequences for school-aged passengers boarding or alighting.
- **O.C.G.A. § 40-6-241:** Georgia's Hands-Free Law, which prohibits handheld phone use while driving and supports negligence per se when a violation contributes to a crash.
- **O.C.G.A. § 40-6-181:** Establishes maximum speed limits, with reductions in business and residential districts where transit stops typically sit.
- **O.C.G.A. § 40-6-180:** Imposes a basic duty to drive at a speed reasonable and prudent under the conditions, regardless of the posted limit.

A driver approaching a bus stop has a stacking set of duties: speed appropriate for the area, attention to vulnerable road users, and a heightened obligation to look for pedestrians who may be moving toward, around, or away from the stop.

How These Crashes Tend To Happen

The recurring fact patterns in Georgia bus-stop pedestrian crashes include:

- **Driver Strikes A Pedestrian Walking Toward The Stop:** A pedestrian crossing a side street or driveway to reach the shelter is hit by a turning or speeding vehicle.
- **Driver Strikes A Pedestrian Crossing To The Stop:** A pedestrian crossing mid-block to reach a stop on the opposite side is struck by a driver who never slows down.
- **Driver Strikes A Pedestrian Disembarking From A Bus:** A pedestrian stepping off a bus into the path of a passing vehicle is struck by a driver who failed to stop or yield.
- **Driver Loses Control And Leaves The Roadway:** A vehicle veering off the road strikes the bus shelter itself, killing or injuring everyone inside.
- **Driver Strikes A Pedestrian At A School Bus Stop:** A driver passing a stopped school bus with extended stop arm strikes a child crossing to or from the bus, often with fatal consequences.

- **Hit-And-Run Driver Strikes A Pedestrian At A Stop:** A driver who hits a pedestrian at a transit stop and flees the scene leaves the family with [hit-and-run pedestrian claims](#) and limited identification of the at-fault driver.

Each pattern produces its own evidence trail. Each carries its own combination of statutes that may apply.

Who Can Be Held Liable In A Bus-Stop Pedestrian Crash

Bus-stop pedestrian cases tend to involve more potential defendants than a typical pedestrian wreck because the location itself implicates multiple parties.

- **The At-Fault Driver:** The driver who struck the pedestrian is the primary defendant. Liability is shaped by the specific statutes the driver violated and the injuries that followed.
- **The Driver's Employer:** A delivery driver, rideshare driver, fleet driver, or commercial operator may produce vicarious liability against the employer under the doctrine of respondeat superior.
- **The Transit Authority:** MARTA, Cobb LinkTransit, Gwinnett County Transit, GRTA Xpress, or another transit operator may have responsibilities for stop placement, shelter design, and pedestrian access. Claims against governmental transit entities are subject to specific notice and timing requirements.
- **The Local Or State Government Body Responsible For The Roadway:** Sight-line obstructions, missing pedestrian signals, faded crosswalk markings, or inadequate lighting may give rise to roadway-design claims. The Georgia Tort Claims Act, O.C.G.A. § 50-21-26, requires written ante litem notice within 12 months for claims against state defendants. O.C.G.A. § 36-33-5 requires written notice to a municipality within 6 months for claims against city governments. Missing those deadlines forfeits the claim entirely.
- **The Property Owner Or Adjacent Business:** Landscaping or signage that obstructs sight lines may produce premises-related claims against the adjacent owner.
- **The School District Or School Bus Operator:** In a school bus stop crash, the bus operator's training, supervision, and stop placement may be relevant.

The investigation has to follow each thread, because settlement value can change dramatically when more than one defendant is on the hook.

The Catastrophic Injuries These Crashes Produce

Pedestrian struck-by-vehicle injuries follow the same brutal mechanism wherever they occur. The bumper strikes the lower body, the hood strikes the torso, and the windshield or pavement absorbs the head. At a bus stop, the energy is often higher because vehicles are moving at posted urban speeds rather than slowing for an intersection.

The injury patterns include:

- **Traumatic Brain Injuries:** [Head trauma](#) is the leading cause of pedestrian fatalities and a major cause of long-term disability among survivors.
- **Pelvic And Hip Fractures:** [Broken pelvis injuries](#) often involve internal bleeding and require multi-stage surgical repair.
- **Lower-Extremity Trauma:** Femur, tibia, and fibula fractures from the bumper strike are common and often require external fixators and multiple operations.
- **Spinal Cord Damage:** [Long-term spinal injuries](#) from secondary impacts can produce paralysis and lifetime care needs.
- **Internal Organ Damage:** Liver, spleen, and kidney injuries from blunt-force trauma frequently require emergency exploratory surgery.
- **Severe Soft-Tissue And Skin Trauma:** Including degloving injuries when a pedestrian is dragged across pavement.

The medical course often runs years. The economic cost regularly exceeds available liability limits, which is why the structure of the claim and the identification of every potentially responsible party matters so much.

Comparative Fault Is The Battleground

Georgia's modified comparative fault rule under O.C.G.A. § 51-12-33 reduces a pedestrian's recovery by the percentage of fault attributed to them and bars it entirely above 50 percent. Insurance carriers in bus-stop cases work hard to attach fault to the pedestrian.

The recurring defense arguments include:

- **The Pedestrian Was Outside A Crosswalk:** Even when the pedestrian was using the only available access to the stop and the driver was speeding through a residential corridor.
- **The Pedestrian Was Wearing Dark Clothing:** A bias-driven argument that ignores the driver's affirmative duty under O.C.G.A. § 40-6-93.
- **The Pedestrian Stepped Off The Curb Suddenly:** A characterization that ignores how transit stops actually function and how pedestrians actually move.
- **The Pedestrian Was Distracted By A Phone:** A reversal of duty that ignores the driver's hands-free obligations.
- **The Pedestrian Was Outside The Designated Waiting Area:** A technicality argument used to push the fault percentage upward.

Each of these arguments deserves a clear answer. Each is best answered with evidence rather than rhetoric.

The Evidence That Wins A Bus-Stop Pedestrian Case

Evidence in a bus-stop pedestrian case has the same short shelf life as in any pedestrian wreck. Quick action determines what the case will look like at settlement.

- **Surveillance Or Traffic Camera Footage:** Many Georgia transit corridors have cameras that may capture the moment of impact. Footage typically gets overwritten on rolling 7-day to 30-day cycles.
- **Bus-Mounted Camera Footage:** Most modern transit buses carry interior and exterior cameras. The transit authority should be requested to preserve the relevant footage immediately.
- **Dashcam Footage:** [Increasingly common as Georgia drivers adopt dashcams](#), including from passing vehicles and the at-fault driver.
- **Photographs Of The Stop, Sight Lines, And Roadway:** The position of the shelter, the lane configuration, the lighting, the signage, and any physical evidence of the impact.
- **Witness Statements:** Other transit users, the bus operator, drivers in adjacent lanes, and pedestrians on the opposite sidewalk.
- **Driver's Phone Records:** A subpoena to the wireless carrier can establish whether the driver was distracted at the moment of impact.
- **Vehicle Damage Pattern Analysis:** Contact points on the vehicle establish exactly where the impact occurred.

For example, a pedestrian struck while crossing to a Buford Highway transit stop may have the entire crash recorded on a passing bus's exterior camera. Without quick preservation, that footage can be gone in days.

When A Bus-Stop Crash Becomes A Wrongful Death Case

The deadliest bus-stop crashes leave families to navigate the aftermath without their loved one. Georgia's wrongful death statute, O.C.G.A. § 51-4-1 and following, allows surviving family to pursue the full value of the life lost.

[Wrongful death and punitive damages](#) may be available where the driver's conduct rises to the level required by O.C.G.A. § 51-12-5.1, which captures willful misconduct or that entire want of care which would raise the presumption of conscious indifference to consequences. A driver who passed a stopped school bus with the stop arm extended, a driver who was actively typing on a phone, or a driver with a documented history of similar violations may face punitive exposure that goes well beyond ordinary negligence.

A wrongful death claim against a transit authority or local government for stop-design or sight-line failures is bound by the strict ante litem notice rules described above. Missing those deadlines can foreclose otherwise strong claims.

High-Value Pedestrian Claims Need Careful Preparation

Pedestrian crashes against vehicles tend to produce some of the [highest-value injury claims](#) in personal injury practice. Catastrophic injuries, lengthy recoveries, lost-earning-capacity calculations, and potential punitive exposure all push value upward. That same fact pushes carriers to defend hard. They demand recorded statements early. They argue comparative fault aggressively. They wait out the family's financial pressure in the hope of a discounted resolution.

The right response is preparation that signals trial readiness. A case that the carrier can see is being built for verdict, not for quick settlement, is a case that the carrier values differently from the start.

First Steps For Injured Pedestrians And Their Families

Most preservation work falls to lawyers and investigators after they are retained. The injured pedestrian and family can take a few high-value steps right away.

1. **Request The Police Report:** It is the foundation of the case even when it is incomplete or wrong. Errors can be addressed through supplemental investigation.
2. **Identify The Transit Authority And Notify In Writing:** A claim against a governmental transit operator is bound by ante litem notice requirements that begin running on the date of the loss.
3. **Photograph Everything That Has Not Already Been Cleaned Up:** The stop, the shelter, the curb, the lane, the sight lines, the injuries themselves.
4. **Identify Witnesses Quickly:** Other commuters, bus operators, and adjacent business employees can all be hard to find within weeks.
5. **Save Every Medical Document:** Discharge papers, imaging reports, surgical notes, and any insurance correspondence.
6. **Do Not Talk To The At-Fault Driver's Insurer Without Counsel:** Recorded statements are used to limit or deny claims, regardless of how friendly the adjuster sounds.

These steps preserve the foundation that the rest of the case will rest on.

The Pattern Matters In Every Bus-Stop Case

Bus-stop pedestrian crashes aren't random events. They concentrate at the same kinds of stops, follow the same kinds of fact patterns, and produce the same kinds of arguments from the same kinds of insurers. Pedestrians and families deserve counsel that has handled these claims before and knows how to work them through to a fair recovery.

Since 1993, our firm has been fighting for Georgia's injured. With over [\\$1 billion recovered for Georgia families](#), our team has handled pedestrian cases of every size and complexity. We know how to lock down camera footage before it disappears, how to navigate the ante litem rules that govern claims against governmental transit authorities, and how to push past the carrier's first denial to the value the case actually deserves.

If you or someone you love was struck by a vehicle at a Georgia bus stop or transit shelter, [contact us today](#) for a free case evaluation. Our work on injury cases is on a contingency basis, which means there is no upfront cost to your family and our fee comes only from the recovery we obtain on your behalf.