

\$700,000 Settlement; Traffic Signal Timing Errors Contribute to Pedestrian Fatality

High adventures will quite often put risk-takers in dramatic peril. And, on occasion, the most ordinary activities we perform every day can suddenly place us in similar danger. In the middle of the afternoon on December 31, 2004, Beverly Murphy simply walked across a highway and, unknowingly, into a fatal trap.

That day, Beverly left a shopping mall in Miramar Beach, Florida, and approached the nearby intersection of U. S. Highway 98 and State Road 30. Traffic in the intersection was regulated by traffic lights and walk/don't walk signs. Beverly dutifully waited for the light to direct her to enter the crosswalk. Following the direction of the pedestrian signals, she then began crossing the 112 feet of U. S. Highway 98. Beverly made it safely past the first four lanes and just past the median strip when she was struck by a pickup truck turning from the intersecting road into the pedestrian crosswalk on U. S. 98. The truck's driver, Patricia Perryman, had initiated her vehicle's turn in response to the traffic signal on her side of the intersection. The collision knocked Beverly to the ground, causing multiple rib fractures. She was taken to



While it is readily apparent that driver Perryman, and the vehicle's owner, Larry Perryman, are at fault and liable, an accident investigation revealed that they were not the only ones at fault for this fatal accident. In 2004, Griffin Traffic Signal, Inc. was contracted to regulate, operate, and maintain the phasing and timing of these traffic signals. The intended purpose of the traffic signals was to provide crosswalk and traffic guidance that was timed and phased to allow pedestrians safe passage across

the highway. The investigation revealed that a person walking at a normal pace could not have crossed this intersection in sufficient time to reach the safety of the opposite side of the highway before the traffic signals phased to lights that permitted vehicles to start turning into the pedestrian crosswalk.

Griffin, however, vigorously defended the case, arguing that the signal timing was not the cause of the accident as Beverly Murphy had been struck by the turning vehicle shortly after entering the crosswalk. With difficult

arguments looming in front of both parties, they began mediation and eventually reached settlement on the eve of trial for a total of \$700,000 in damages. The driver, Perryman, paid \$250,000, and Griffin paid \$450,000. ■

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Sacred Heart Hospital where she died two days later from an embolism directly resulting from her fractures. Some months later, Beverly's husband, David Murphy, sought representation from SDSBS attorneys **Chris Searcy** and **Bill Norton**. A complaint was filed in Escambia County on behalf of Beverly's estate.

On December 31, 2004, Beverly Murphy attempted to cross an intersection on busy U. S. Highway 98 in Miramar Beach, Florida. Using traffic signals that were supposed to be timed and phased to ensure pedestrians safe passage across the highway, Beverly managed to make it safely across the first several lanes and past the median strip, but was struck and killed by a pickup truck that turned from the intersecting road into the crosswalk. While the driver of the truck was clearly at fault and liable, attorneys for Beverly's estate successfully argued that the traffic signal timing had contributed to the fatal accident.