

Wednesday, April 15, 2009

Trip to California: 21809(a)

This entry is both: Telling about an experience in the US and as a note for myself in the case i need it in the future. The contacts with the authorities in the US were pleasant: The people at TSA or at Immigration were really friendly. This contact with the authorities between Barstow and Las Vegas one wasn't so pleasant.

At first ... it was easy to see, that we were tourists and to be more exact, it was easy to see that we were german tourists. We waited at every red pedestrian traffic light, we didn't speeded (okay, we drove more than 55 where 55 was allowed, 65 where 65 was allowed, but just by the margin we knew that the speed meter is incorrect as we drove through several "Your speed is" signs. We were on vacation, not on escape ... and the trips were part of the vacation. And we are guests in a country, so it's a good idea to follow the rules of the country. By the way ... i have the impression that the speed limit is just a behavior suggestion for many people in the US. At least from looking at the traffic at all the Interstates.

Well ... back to the unpleasant contact. Driving a car is largely something you really learn with driving experience. It's like drill. And in complex traffic situation you use your learned knowledge.

We got aware of several different rules in US and German Traffic. At first ... i strongly opinionated that the traffic is overregulated in the US. What's left to the driver in germany is controlled by signs in the US ... i don't really think that you need a speed limit in front of each curve as on some of the US roads.

There is one thing German Autobahns (something like the Interstates in US) are famous for: No speed limit. If your car delivers 300 kilometres per hour and the street, traffic and weather conditions allow it ... well ... then you are allowed to drive this way. As there are large speed differences between the right lane and the left lane you don't swap lanes without really being safe, that there isn't a car that comes down the left lane. You look at best twice to be sure that there isn't a big BMW nearing with 250 kilometres per hour from the rear.

When a police vehicle tries to stop a car, in Germany it overtakes the car, most of them have a scrolling text bar (at least at the highways) saying "Please follow" ... and then you follow the car to the next exit or rest area, but you aren't stopped " on the highway just because of speeding. Or in case of older signaling equipment or a civil police car you get the signaling disk with a "Polizei. Bitte Folgen".

Well ... In the US the police car seems to stop the car from behind. I was aware of this fact as i saw enough movies but in stress situations you fall back to your drilled knowledge. When a police car lights it's lights in front of you, you think you've made an error or the police wants to check you. And you do not overtake the police car, you stay behind it. But this initial thought is problematic in the US and led to the following chain of events.

There is a law in California (and throughout the US) that made things difficult a few days ago. We've got a ticket in the US. It's a ticket because of 21809(a) of the California Vehicle Code. When a police vehicles lights its warning lights you have to move left.a) A person driving a vehicle on a freeway approaching a stationary authorized emergency vehicle that is displaying emergency lights, or a stationary tow truck that is displaying flashing amber warning lights, shall approach with due caution and, before passing in a lane immediately adjacent to the authorized emergency vehicle or tow truck, absent any other direction by a peace officer, proceed to do one of the following:

(1) Make a lane change into an available lane not immediately adjacent to the authorized emergency vehicle or tow truck with due regard for safety and traffic conditions, if practicable and not prohibited by law.

I perfectly understand the sense of this law but overall the situation was a little bit strange. There is this law and we didn't acted like mandated by the law in the eyes of the offices. I have a strong opinion about the situation in the way it happend, but i wont write it here, because i want to reenter the US .

What happened: We drove between Barstow and Las Vegas short of the border to Nevada. We drove on the right lane of the Interstate 15 with exactly the speed designated by the sign. Another car drove a little bit faster and a police car drove behind him and activated his lights. We used the german mode in this case: We thought "What the heck?" and "Does he want's to stop us?" and decelerated the car to be ready to stop the car. We didn't started an attempt to overtake the police car. A few seconds later we saw that the car in front of the police vehicle decelerated as well. German mode again: When such an situation happens, you stay on the same lane and driving slower and drive with

caution (and the foot on the brake ready for a rapid stop past the situation and continue your drive as well. Of course you change the line, when you have enough time to assess the situation of the other line but you can't do it safely when something like that is directly in front of your nose and you are not totally sure what the CHP officer wants. Interestingly we would have overtaken the police car and thus we would have changed the lines if we were sure about the intentions of the officer and didn't thought that he wants to stop us. This would have lead to the correct behaviour.

And here something strange happened: The police car swerved a little bit in direction of the driving lanes just to return to the breakdown lane. In favour to the CHP officer i assume that he wanted to avoid debris or something like that albeit i saw nothing like that.

End of the story ... the speeding car wasn't stopped anymore, now we were stopped by the CHP. It ended with a ticket "21809(a)" with the remark that we have nearly collided with the police car. WFT? All three cars were still rolling and if we would have collided with it, it would have been because of the the police cars swerving.

Then we've got an instruction by the officer that such behavior like ours would kill officers. We didn't want to argue with a CHP officer so i didn't said what i thought: "No ... the bad habit of stopping cars directly at the highway at the emergency lane in conjunction of not observing the traffic behind while stepping on the highway is killing officers. Classic form of a fake correlation". Stopping a car for speeding isn't an emergency. This is the reason why we use cameras with a nice yellow-orange flash in our German radar traps. You know that they caught you because of the flash and they have a nice photo to send to you for the fine because of the flash even at night.

By the way .. a much better solution for the situation would be cars with their driving wheel on the right side. The milk tank cars in germany have sometimes such a configuration as the drivers don't have to step on the street when they drive to the large milk cans at the curb side in the east frisian prairie to transport it to the central dairy. Likewise the cars of the street cleaning have often right hand driving. But i assume this solution is too obvious.

Okay ... now we have the ticket and i will wait for the stuff the rental car company will sending to me. I don't think that any paperwork will arrive by the address on the ticket: There are just the two forenames of the driver and the issuing authority's address on the ticket ... but that we just saw 10 miles later as we were too upset about the situation when we parked at the emergency lane.

At the end the paragraph of the Vehicle Code states: (2) If the maneuver described in paragraph (1) would be unsafe or impracticable, slow to a reasonable and prudent speed that is safe for existing weather, road, and vehicular or pedestrian traffic conditions."

What's safe and what's not is a highly subjective thing. The perception of "safe" is based on someones driving experience. And as you have to decide in under a second the perception is based on drill as well. We slowed down to roundabout 25 miles ... this this a reasonable speed on a Highway, you can't stop on a highway as this would provoke rear-end collisions ... on german Autobahns you would be a traffic obstacle at this speed.

After reading about this i'm sure that we have reacted correctly in this situation. Hope we can explain that to the court in Barstow as well.

What's interesting, too: We observed such situations later on at our travel. This law seems to be seldomly enforced, we saw several situation where the many cars didn't changed the lanes when the officers were still in their car and had the possibility to stop the car.

A tip for US portals: Add this law to your overview. I've read some of them in preparation of the journey (We are guests, we should know the rules) but none of them wrote about this law (just about the law not to pass a school bus with blinking lights. And sorry that i didn't found the time to read the complete Californian Vehicle Code)

At the end something funny: You are angry about 30 seconds red light periods at the traffic lights? Well ... look at this traffic light at a street at the Merced River.

Posted by Joerg Moellenkamp in English, Travel at 10:28

Regelungen in Deutschland

Die Benutzung der Warnblinkanlage ist vorgeschrieben bei:

[...]

* bei Schul- und Linienbussen. Der Fahrer eines Linienbusses oder eines gekennzeichneten Schulbusses muss das Warnblinklicht bereits einschalten, wenn er sich einer Haltestelle nähert, an der die Straßenverkehrsbehörde ein solches Verhalten extra angeordnet hat und anschließend noch so lange eingeschaltet lassen, bis die Fahrgäste ein- und/oder ausgestiegen sind (§ 16 StVO).

§ 20 StVO schreibt dann vor: solange der Bus mit eingeschalteten Warnblinkern an die Haltestelle herankommt, darf er nicht überholt werden, erst wenn er angehalten hat darf in beiden Fahrtrichtungen (also auch der Gegenverkehr) mit Schrittgeschwindigkeit an diesem vorbeigefahren werden. Bei Straßen mit einem Mittelstreifen entfällt letzteres für den Gegenverkehr.

Wissen wohl die Meisten auch nicht...
Anonymous on Apr 15 2009, 14:06

Ja das ist "relativ" neu, 10 Jahre oder so.

@Jörg:
Les mal nochmal den langen Text durch, sind ein paar Tippfehler drin
(tempo limit, thin"g", fron).
Aber irgendwie machen die den Text auch authentisch

ciao

Alex
Anonymous on Apr 15 2009, 15:49

Es hat dauernd irgendwelche Rechtschreibfehler hier.
Aber es ist ja letztlich auch kein Rechtschreibe-Blog.
Mir langt es, wenn in den Scripten und Kommandos keine logischen Fehler drin sind
Anonymous on Apr 16 2009, 00:25

wann gibts das Mugshot Foto dazu? :-p

PS: ich hoffe deins ist genauso stylisch geworden wie das von Bill Gates <http://www.mugshots.org/misc/bill-gates.html>
Anonymous on Apr 16 2009, 10:45

Noe ... nen Mugshot gibts nicht
Anonymous on Apr 16 2009, 10:49

im juni gehts bei uns erst nochmal nach houston dann auch mit southwest nach LA .. (freuich glaube der 4. uslaub in folge ...)
...wegen den ticket nochma kein problem, interessanterweise kam bei uns aber sogar was nach deutschland (parken ticket an defekten uhren , in DE darf man ja da stehen)hat niemand danach mehr gestört aber 1 jahr kein auto bei dollar gehabt trotz tausender schreibfehler auf dem ticket ..man weiß ja nie
Anonymous on Apr 16 2009, 16:34