How Pedestrian and Bicycle Accidents Happen in Maine's Coastal Tourist Towns

Why Summer Crowds Raise the Risk of Serious Injury

Pedestrian and bicycle accidents become a real risk in Maine's coastal tourist towns once the summer crowds arrive. Bar Harbor, Ogunquit, Kennebunkport, Camden, and Boothbay Harbor fill with visitors every season, and their narrow, historic streets were never built for that much foot and bicycle traffic.

Sidewalks give way to shoulders, crosswalks sit blocks apart, and walkers, cyclists, and unfamiliar drivers compete for the same few feet of pavement. A crash on a crowded coastal street raises different questions than a typical pedestrian accident, and the evidence can disappear faster than most people expect.

At Romanow Law Group, our Maine personal injury lawyers investigate these crashes with the season's short timeline in mind. We look at every party who may share responsibility, from the driver who caused the crash to the town that maintains the street.

Key Takeaways

- **Drivers Must Give Three Feet:** Maine law requires at least three feet of space when a driver passes a pedestrian or a cyclist on a public road.
- **Crosswalks Carry Strict Duties:** Drivers must yield to pedestrians crossing or showing visible intent to enter a marked crosswalk when traffic-control devices are not operating.
- **Claims Against Towns Have Strict Rules:** A claim against a municipality usually requires early written notice, often within 365 days, and road-defect claims can follow different rules.
- **Shared Fault Can Cut Recovery:** Under Maine law, an injured person found equally or more at fault than the other party recovers nothing at all.

Why Tourist Season Raises the Risk

Seasonal population spikes overwhelm roads that were never designed for this kind of volume. Many coastal roads have no shoulder at all, which forces pedestrians and cyclists to share the pavement directly with traffic. In the busiest weeks, a single stretch of road can carry walkers, cyclists, delivery trucks, and tour buses at the same time.

Rental cars and out-of-state visitors add another layer of risk. Drivers unfamiliar with a town's one-way streets, blind curves, and unmarked crossings are more likely to misjudge a turn or

miss a pedestrian stepping off a curb, especially while searching for parking or glancing at the harbor.

This pattern also shapes how these claims get investigated. A crash on a quiet November afternoon looks nothing like one on a packed July weekend, and gathering evidence has to account for that difference from the very start.

What Maine Law Requires of Drivers

Maine law sets specific standards for how drivers must treat pedestrians and cyclists, under 29-A M.R.S. § 2056 and 29-A M.R.S. § 2070. These rules apply with equal force whether a street is quiet or crowded with tourists, and the table below summarizes them.

Situation	What Maine Law Requires
Passing a pedestrian	Leave at least three feet of space
A pedestrian in a marked crosswalk	Yield to a pedestrian crossing or showing visible intent to enter the crosswalk when traffic-control devices are not operating.
Passing a cyclist	Leave at least three feet of space
Turning after passing a cyclist	Do not cut across in front of the cyclist with an unsafe right turn

These rules apply on every public way in the state, including the harbor-front streets that define Maine's coastal towns in summer. A driver who ignores them may be found negligent, which can open the door to a claim for the injured person's losses.

Maine's Vulnerable User Law

Maine's Vulnerable User statute recognizes pedestrians, cyclists, and certain other road users as particularly vulnerable to injury because they lack the protection of a motor vehicle. Separately, Maine law imposes additional penalties when a driver's traffic violation causes serious bodily injury or death.

These laws can also be relevant to a civil injury claim. Evidence that a driver broke a traffic safety law can support a negligence argument in the civil claim that follows, which can make proving fault more direct. A police report noting the violation can also help an insurance company see that the driver, not the victim, caused the crash.

Imagine a driver who fails to yield at a marked crosswalk in downtown Bar Harbor on a busy afternoon and strikes a pedestrian stepping off the curb. Proof that the driver broke the

crosswalk law gives the injured person a far stronger foundation than conflicting witness accounts alone.

When a Town or Municipality Shares Responsibility

Not every coastal accident traces back to a single driver's error. Poorly maintained sidewalks, missing crosswalk markings, and inadequate signage in high-traffic areas can shift some responsibility onto the town itself, particularly where foot traffic surges well beyond what the infrastructure can handle. Maine towns are generally immune from many injury claims, though, so holding one responsible depends on fitting the case into a specific legal exception.

Claims against municipalities that fall under the Maine Tort Claims Act generally require written notice within 365 days after the claim arises, subject to limited exceptions. Missing that deadline can bar the claim entirely, no matter how strong the underlying facts are. Claims involving a defect in a public road or way can fall under a separate statute with different requirements, so an attorney should confirm which rules apply right away.

That timeline runs on a different clock than an ordinary claim against a private driver, and it demands early attention. A victim who assumes there are years to sort out fault against a town can lose that option before realizing it was available.

Comparative Negligence in a Maine Injury Claim

Maine follows a modified comparative negligence rule. An injured person found equally or more at fault than the other party recovers nothing, and when a jury finds a smaller share of fault, it reduces the award to reflect the injured person's responsibility.

Insurance companies lean on this rule heavily in tourist-town cases. A pedestrian who crossed outside a marked crosswalk, or a cyclist who failed to obey a traffic signal, may face an argument that their actions contributed to the crash, even when the driver also acted negligently.

Establishing exactly what happened, and documenting it before memories fade or witnesses scatter, often determines whether that argument succeeds. Without a clear record built early, the argument can quietly erode the value of an otherwise strong claim.

Why Evidence Moves Fast in a Seasonal Town

Coastal tourist towns present evidence challenges that don't exist in year-round communities, and the short season makes acting quickly especially important. Several factors can make proof harder to find with every passing week:

- **Witnesses Are Often Visitors:** Tourists who saw the crash may live hundreds of miles away and become hard to locate once the season ends.
- **Surveillance Footage Is Limited:** Small seasonal businesses may not keep footage for long, and many stretches of coastal road have no cameras at all.

- **Physical Evidence Changes Quickly:** Road conditions, construction, and seasonal signage can change within weeks as a town moves out of peak season.
- **Out-of-State Drivers Complicate Follow-Up:** A rental car driver or visiting motorist can be difficult to track down once they return home after vacation.

Every one of these factors works against a delayed investigation. The gap between a July crash and a claim filed months later can mean the difference between solid proof and almost none, which is why early legal help matters so much.

What Injured Victims Can Recover With the Romanow Difference

Victims of pedestrian and bicycle accidents in Maine's coastal towns can pursue compensation for medical expenses, lost income, and pain and suffering. When a crash proves fatal, families can pursue a wrongful death claim covering funeral expenses, medical costs incurred before death, and the loss of the victim's financial support.

Recovering the full value of these losses depends on identifying every party who may share responsibility, whether that means a driver, a municipality, or both. It also means building the case before the evidence that supports it disappears with the season.

If you or a loved one was hurt in a pedestrian or bicycle accident in a Maine coastal town, Romanow Law Group can investigate what happened, identify every responsible party, and fight for the compensation you deserve. Every case is handled on a contingency fee basis, so there is no cost unless we recover for you, and you can contact us today for a free consultation.