

**321.329 Duty of driver — pedestrians crossing or working on highways.**

1. Notwithstanding the provisions of [section 321.328](#) every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise due care upon observing any child or any confused or incapacitated person upon a roadway.

2. Every driver of a vehicle shall yield the right-of-way to pedestrian workers engaged in maintenance or construction work on a highway whenever the driver is notified of the presence of such workers by a flagman or a warning sign.

[C39, §5027.05; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §321.329]

Referred to in [§321.325](#), [321.482A](#), [805.8A\(7\)\(j\)](#)

For applicable scheduled fine, see §805.8A, subsection 7

Additional penalties for violations causing serious injury or death, see §321.482A