

Shepherd Dies When ATV Struck by Motor Vehicle*

Industry: Sheep farming

Task: Returning to camp at end of work day

Occupation: Shepherd

Type of Incident: Motor vehicle collision

Release Date: November 5, 2013

Incident Date: January 11, 2013

Case No.: 13WA002

SHARP Report No.: 71-125-2013

On January 11, 2013, a 32-year-old shepherd was operating an all-terrain vehicle (ATV) on a roadway when he was struck from behind by a motor vehicle. The victim was an experienced shepherd with a work visa allowing him to work temporarily in the U.S. He had been in the U.S. for 10 months and spoke only Spanish. Shortly after 5 pm he was traveling on a rural state highway for about 1½ miles from a sheep grazing site to a temporary camp where he lived. It was dark, the weather was fair, and the road was bare and dry. The speed limit was 55 mph on the straight, two-lane state highway. A passenger motor vehicle approached the ATV from behind and struck it, ejecting the victim. He was not wearing a seat belt or a helmet. The victim was taken to a hospital, where he died a short time later. The driver of the passenger vehicle reported to the State Patrol that he did not see tail or brake lights operating on the ATV. The driver was not cited for any traffic violation. The ATV's operator manual stated "never operate this ATV on any public street, road, or highway." Neither drugs nor alcohol were incident factors.



Requirements

- Develop a written accident prevention program tailored to the needs of your agricultural operation and the types of hazards involved. See WAC 296-307-030(2).
- Conduct an on-the-job review of the practices necessary to perform job assignments in a safe and healthful manner. See WAC 296-307-030(3)(f).
- Furnish to each employee a place of employment free from recognized controllable hazards likely to cause injury or death. See WAC 296-307-045(1).
- Ensure that employees are protected from injury. Whenever appropriate, you must ensure that employees use protective clothing; respiratory devices; shields; barriers; and adequate protective equipment for eyes, face, head, and extremities. See WAC 296-307-10005(1).
- Ensure that employees do not use defective or unsafe tools and equipment. See WAC 296-307-018(2).
- For laws governing off-road and nonhighway vehicles in Washington State, see RCW 46.09.

Recommendations

- Ensure that employees do not operate all-terrain vehicles on public roadways where they are exposed to the hazard of being struck by another vehicle. The victim was operating the ATV on a state highway with the posted speed limit of 55 mph, which is not permitted in Washington.
- Follow manufacturer's instructions and warnings for safe operation of ATVs.
- Employees should report damaged or inoperative vehicle lights so that they can be repaired.
- Always wear a DOT-compliant helmet, goggles, boots, long pants, long-sleeved shirt, and gloves.

Statewide Statistics: This was number 3 out of 30 work-related fatalities in Washington State during 2013, and was number 1 out of 4 agriculture-related fatalities.

**This bulletin was developed to alert employers and employees of a tragic loss of life of a worker in Washington State and is based on preliminary data ONLY and does not represent final determinations regarding the nature of the incident or conclusions regarding the cause of the fatality.*

Developed by Washington State Fatality Assessment and Control Evaluation (FACE) and the Division of Occupational Safety and Health (DOSH), WA State Dept. of Labor & Industries. The FACE Program is supported in part by a grant from the National Institute for Occupational Safety and Health (NIOSH). For more information, contact the Safety and Health Assessment and Research for Prevention (SHARP) Program, 1-888-667-4277.

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