

# FATALITY NARRATIVE

## 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



Photo of incident scene where a shepherd died when he was operating an ATV on a highway at night and was struck from behind by a passenger vehicle. It was reported that the ATV's tail and brake lights were not working.



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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.

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## **Requirements – Agricultural employers must:**

- 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).



Incident scene.

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## Requirements

- 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).





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## Requirements

- 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.



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## **Recommendations - Agricultural employers and ATV operators should:**

- Follow manufacturer's instructions and warnings for safe operation of ATVs.
- 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.
- 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.



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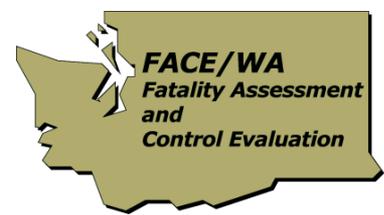
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## Research insight

- 62% of all ATV-related fatalities in the U.S. resulted from roadway crashes.<sup>1</sup>
- 68% of occupational-related deaths involving all types of ATV incidents were of workers in the agricultural production industry.<sup>2</sup>

1. Denning GM, Harland KK, Ellis DG, Jennissen CA. More fatal all-terrain vehicle crashes occur on the roadway than off: increased risk –taking characterizes roadway fatalities. Injury Prevention 2013;19:250-256 .Available at: <http://injuryprevention.bmj.com/content/19/4/250.abstract>

2. Helmkamp JC, Marsh SM, Aitken ME. Occupational all-terrain vehicle deaths among workers 18 years and older in the United States, 1992-2007. Journal of Agricultural Safety and Health 2011: 17:147-155. Available at: [www.ncbi.nlm.nih.gov/pubmed/21675284](http://www.ncbi.nlm.nih.gov/pubmed/21675284)



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**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.*