

# Fatality Narrative

## Construction Engineer Killed When Struck by Car in Highway Work Zone\*

**Industry:** Highway, street, and bridge construction.

**Occupation:** Construction engineer.

**Task:** Spray painting survey marks on highway.

**Type of Incident:** Highway work zone/struck by motor vehicle.

**Release Date:** July 31, 2008.

**Case No.:** 07WA04401.

**SHARP Report No.:** 71-73-2008.

On June 22, 2007, a construction engineer was killed when he was struck by a motor vehicle that entered a highway work zone. The 30-year-old victim had worked several years for his employer, a highway construction company. The current project involving major reconstruction and lane additions on an interstate highway had been active for about a year. On this evening, three of five traffic lanes were closed for the night so that a contractor could perform saw cutting work to remove a portion of asphalt from the highway in preparation for resurfacing. The three closed highway lanes were separated from the two open traffic lanes with a line of orange traffic control barrels. There were signs indicating "Construction Ahead" and large directional arrow boards lit up indicating that traffic should move to the right. The work area was brightly lit with portable lights, as well as street lamps. As an added safety device there was a truck mounted attenuator (TMA) parked in the work zone "upstream" from the crew doing the asphalt cutting. At about 12:30 AM the victim and a coworker, wearing orange vests, went behind the TMA (in the direction of the oncoming traffic) to search for survey marks on the pavement and spray paint them so that they would not be lost during the pavement removal. An SUV went through the line of barrels and entered the work zone, struck the two workers, and then struck the TMA. As a result of the force of being struck the two workers were thrown into the traffic lane. Another worker pulled one of the victims, who received minor injuries, to safety. The other victim was run over and killed by a motor vehicle in the traffic lane. The SUV driver was found to be intoxicated and was convicted of vehicular homicide.

The incident scene the following day. The work zone temporary lane closures were the three lanes to the right of the Jersey barrier.

### Requirements/Recommendations

(! Indicates items required by code)

- Use traffic control devices such as concrete barriers and truck-mounted attenuators to physically separate workers from vehicular traffic.
- Use law enforcement vehicles and personnel to help alert vehicle traffic to highway work zones.
- Develop and utilize both "Traffic Control Plans" and "Internal Traffic Safety Plans" for each highway and road work zone project.
- ! Employers must set up and use temporary traffic controls according to the MUTCD guidelines.
- ! Employers also need to review or consult L&I and WSDOT for work zone requirements in Washington State.
- ! Employers need to assure that workers use proper PPE while working within a highway work zone both in daylight and evening hours.

**State Wide Statistics:** This was the 35<sup>th</sup> out of 77 work-related fatalities in Washington State during 2007, and was the 8<sup>th</sup> out of 16 construction-related fatalities.

*\*This bulletin was developed at the Washington State Department of Labor and Industries to alert employers and employees of a tragic loss of life of a worker in Washington State. The information in this notice 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.*

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<http://www.LNI.wa.gov/Safety/Research/FACE>.

