

## INCIDENT FACTS

### REPORT #:

71-222-2022

### REPORT DATE:

June 27, 2022

### INCIDENT DATE:

July 26, 2021

### WORKER:

55 years old

### INDUSTRY:

Apple Orchards

### OCCUPATION:

Orchard Worker/Operator

### SCENE:

County Road

### EVENT TYPE:

Struck by



Red X shows where passenger car struck worker's UTV on paved county road.

[For a slideshow version, click here.](#)



This narrative was developed to alert employers and workers of a tragic incident and is based on preliminary data ONLY and does not represent final determinations regarding the nature of the incident or the cause of the injury. Developed by WA State Fatality Assessment and Control Evaluation (FACE) Program 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 grant# 5U600H008487). For more information visit [www.lni.wa.gov/safety-health/safety-research/ongoing-projects/work-related-fatalities-face](http://www.lni.wa.gov/safety-health/safety-research/ongoing-projects/work-related-fatalities-face).

## Orchard Worker Driving UTV Struck By Car

### SUMMARY

A 55-year-old orchard worker was driving a four-wheel drive utility task vehicle (UTV) when he was struck by a car. The incident occurred around 4:30 a.m. It was dim outside and an hour before sunrise. The worker had just begun his shift for the day.

He was driving the UTV from a shop building to pick up blueberries at an orchard. He had to travel 3.5 miles on paved county roads to the orchard. A passenger car was approaching him from behind in the same eastbound lane. The car driver was 16-years-old and had just received his driver's license.

The speed limit was 55 mph, but there were no traffic signs or street lights in the area. It is unknown if the vehicles had their lights on. As the car caught up to the UTV, it struck it from the rear and pushed it 310 feet, nearly the length of a football field, before coming to a stop in an orchard adjacent to the road. First responders pronounced the worker dead at the scene.

Following the incident, investigators found:

- The employer's accident prevention program (APP) had a motorized vehicle policy that did not mention the UTV manufacturer's safety guidelines to prohibit driving the vehicle on public roadways.
- The employer's motorized vehicle policy did not specify county traffic and vehicle ordinances that restricted off-road motorized vehicles, including UTVs, from driving upon county roads. [RCW 49.09.455](#)
- While it is unknown if the UTV's lights were on when the predawn collision occurred, state law requires vehicle lights to be on a half hour after sunset to a half hour before sunrise. The employer's motorized vehicle policy did not include these lighting requirements. [RCW 46.37.020](#)

### REQUIREMENTS

- Employers must maintain conditions within the workplace that will not endanger the health, safety or welfare of employees. [WAC 296-800-11005](#)

### RECOMMENDATIONS

**FACE investigators concluded that to help prevent similar occurrences employers should:**

- Use a utility trailer or road safe/legal vehicle to transport UTV, ATV, and other off-road vehicles to worksites to have them avoid using public roads when such use is deemed unsafe by vehicle manufacturers and/or restricted by local ordinances.
- As part of their APP, do a job hazard analysis (JHA) of tasks involving farm vehicles and equipment that may pose risks. Workers should be involved in creating the JHA.
- Make sure APP policies and safety training instruct UTV, ATV, and other off-road vehicle operators to follow manufacturer's safety guidelines and local vehicle and traffic rules.
- Develop APP policies that require UTV, ATV, and other off-road vehicle operators to turn on lights and wear DOT-compliant helmets and reflective, high visibility clothing in poor visibility conditions.

### RESOURCES

Authorized and prohibited uses for wheeled all-terrain vehicles. [RCW 49.09.455](#)



**Utility Task Vehicle (UTV) with collision damage caused by passenger car.**