

# Orchard Worker Driving Overloaded ATV Struck on Highway

## INCIDENT FACTS

**REPORT #:** 71-223-2022s

**REPORT DATE:** July 13, 2022

**INCIDENT DATE:** April 1, 2021

**WORKER:** 40 years old

**INDUSTRY:** Other Noncitrus Fruit Farming

**OCCUPATION:** Orchard Worker/Operator

**SCENE:** State Highway

**EVENT TYPE:** Struck by



A 40-year-old orchard worker was driving a four-wheel drive all-terrain vehicle (ATV) when he was struck by a vehicle on a state highway. The incident occurred around 1:35 p.m. The worker was using the ATV to bring PVC pipe to an orchard where an irrigation line had to be repaired.

# ***FATALITY NARRATIVE***



The worker had around six to twelve pieces of 12-foot long, half-inch wide pipe loaded evenly and in equal number on each side of him. The pipe was sticking out of the front and back of the ATV. He declined help from a co-worker driving another ATV to transport some of the overloaded pipe that made his vehicle unstable.

On the way to the orchard, the two workers drove on a gravel access road to an intersection with a paved state highway. The road had a slight decline where it met the highway. The worker with the pipe was in the lead. He tried turning right from the road onto the highway's southbound shoulder but lost balance and control from the momentum and pipe blocking his steering ability. He rolled across the centerline into the northbound lane where an oncoming passenger truck going the 60 mph speed limit struck the ATV with the left front side of a horse trailer it was towing. The worker was ejected from the ATV and died at the scene.

## Investigators found:

- The employer did not ensure that workers followed the ATV manufacturer's guidelines to not have any loads that were not secured to the vehicle's front and/or rear cargo racks.
- The employer did not provide helmets nor ensure that workers wore them per manufacturer's guidelines.

- The employer did not prohibit workers from driving ATV on highways and public roads, including shoulders, in accordance with state vehicle and traffic rules and vehicle manufacturer's guidelines.
- The employer did not ensure that workers were provided with proper hands-on ATV safety training.



**Photo 1.** All-Terrain Vehicle (ATV) with damage from a collision with a horse trailer.

# FATALITY NARRATIVE



**Photo 2.** Intersection of orchard access road and state highway where orchard worker lost control of overloaded ATV after attempting to turn onto the right southbound shoulder. Arrow shows path of ATV travel after losing control. X shows where horse trailer struck worker's ATV in northbound lane of state highway.

# FATALITY NARRATIVE



**Photo 3.** Manufacturer's warning label on ATV showing helmet requirement and public road use restriction.

## Requirements

Employers must:

- Maintain conditions within the workplace that will not endanger the health, safety or welfare of employees.

[WAC 296-800-11005](#)

## Recommendations

- Provide DOT-compliant helmets and develop APP requirements and training for ATV, UTV, and other off-road vehicle operators to wear them during vehicle operation.
- 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.

- Develop APP policy requirements and safety training for ATV, UTV, and other off-road vehicle operators to follow manufacturer's safety guidelines, including loading procedures, and state, county, and local vehicle and traffic laws and ordinances.

## Resources

- Authorized and prohibited uses for wheeled all-terrain vehicles. [RCW 49.09.455](#)
- [Guide to ATV and UTV Laws in Washington State](#)

*This narrative was developed to alert employers and workers of a tragic incident 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 the Washington State Fatality Assessment and Control Evaluation (FACE) Program and the Division of Occupational Safety and Health (DOSH), Washington 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# 5U60OH008487). 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).