

INCIDENT FACTS

REPORT #:

22MI066

REPORT DATE:

May 18, 2024

INCIDENT DATE:

July 27, 2022

WORKER:

18-year-old

INDUSTRY:

Local Government

OCCUPATION:

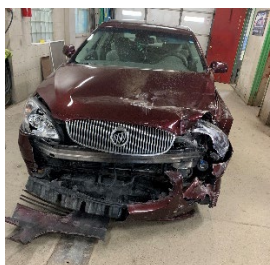
Seasonal Crew Member

EVENT TYPE:

Struck by



The Off-Road Vehicle (ORV), operated by the employee.



The motor vehicle involved in the collision.

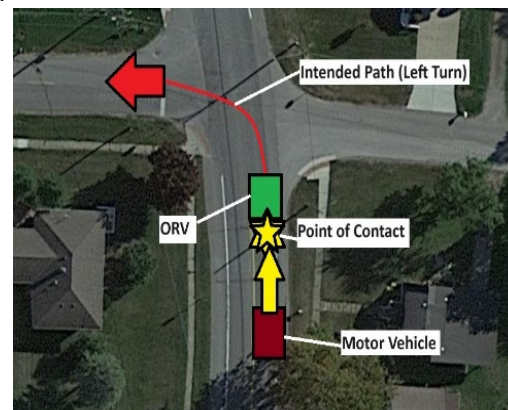
Department of Public Works Employee Struck by Car

SUMMARY

An 18-year-old seasonal employee was fatally struck by a motor vehicle while operating an Off-Road Vehicle (ORV) on a public road. He worked as a Seasonal (Summer) Crew Member for his employer, a Department of Public Works, for one month prior to the incident.

On the day of the incident, he drove the ORV to the job site with his equipment from the Public Works Department less than a mile away. He was assigned the task of clearing out vegetation from a drainage ditch on the south-side of the road and to hand dig holes so that the gas main in the area could be properly marked by Miss Dig (Utility Notification Center). The manager left him alone at the site to complete the task after providing instructions. It is believed after the manager left; the employee left the site in the ORV to retrieve a walk behind weed-whacker. He was struck on his return trip to the drainage ditch, less than a mile from the Public Works Department. The ORV he was using to travel and transport equipment back and forth was a John Deere XUV 625i Gator™ Utility Vehicle, purchased in 2015. This ORV was equipped with turn signals, seat belts, a strobe light, a horn, a roll-over protective structure (ROPS), and headlights.

The fatal crash occurred when the employee was struck from behind by a motor vehicle driven by a member of the public. He was stopped at an intersection facing southbound, waiting to make a left-hand turn when the driver of the passenger car failed to stop, striking the victim. He was thrown from the ORV upon impact. He was using the turn signal but was not wearing the seatbelt. The speed limit on the road was 35 mph. A witness to the crash administered first aid immediately following the collision. He was pronounced deceased at the scene by EMS.



Aerial view of the intersection where the collision occurred.

REQUIREMENTS

Employers must:

- Provide employees with employment and a place of employment that is free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to the employee. See [408.1011](#).

RECOMMENDATIONS

MIFACE investigators concluded that, to help prevent similar occurrences, employers should:

- Always require the use of seat belts when operating a vehicle, including OVRs and heavy equipment, as well as conduct a hazard evaluation to determine if PPE is required for usage ([Michigan ORV regulations handbook](#)).
- Prohibit the use of ORVs on Public Roads/State Trunkline Highways (as per [Michigan ORV Law](#)).
- Provide alternate modes of transportation for personnel and equipment.
- Train operators in safe driving practices and the proper use of vehicle safety features.

CITATIONS

Two serious citations were issued by the MIOSHA General Industry Safety and Health Division.

Citations were issued under [408.1011\(a\): ACT 154, MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT](#), as the employer failed to provide employment and a place of employment that is free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to the employee by allowing ORV operation on a State Trunkline Highway and without use of seat belts.

[MIFACE](#) (Michigan Fatality Assessment and Control Evaluation), Michigan State University (MSU) Occupational & Environmental Medicine, 909 Fee Road, 117 West Fee Hall, East Lansing, Michigan 48824-1315.

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