

**Case 192. 60-year-old laborer was killed on a public roadway after being struck by a vehicle while driving a forklift that was transporting a cherry tank from the farm to a field located approximately one mile away.**

A 60-year-old male laborer was killed on a public roadway after being struck by a vehicle while driving a forklift that was transporting a cherry tank from the farm to a field located approximately one mile away. The roadway was a dry, blacktop two-lane road, with a un-posted speed limit of 55 mph. The decedent was operating an International Harvester Model 1-240PI. The forklift was traveling westbound with the outside tires of the forklift in the area of the fog line on the roadway. The decedent was traveling in reverse, trailing his load. The forklift had four white lights, two that pointed over the top of the cherry tank, one turned down lower and the other almost directly straight behind. There were two white lights on top of the forklift cage, which pointed to the rear of the vehicle, one which was out and one which was functioning. The rear of the forklift (facing eastward) had a slow moving vehicle sign. The decedent had just traveled down a small hill when the vehicle which struck him, also traveling westbound, crested the hill. Responding police estimated the vehicle which struck the forklift was traveling approximately 50 to 60 mph. The point of impact was approximately 550 feet from the crest of the hill. The decedent was ejected from forklift upon impact by the vehicle.

MIOSHA General Industry Safety and Health Division issued the following alleged Serious and Other-than-Serious citations and Recommendation:

**SERIOUS:**

**POWERED INDUSTRIAL TRUCKS, PART 21, RULE 2154(1):**

The employee was not provided with a valid operator permit to operate powered industrial trucks:

(Failure to train and issue powered industrial truck (PIT) permits as required. Firm had numerous powered industrial trucks which employees operate and they had not received training in safe operation as required – Facility Wide)

**OTHER-THAN-SERIOUS:**

**RECORDING AND REPORTING OF OCCUPATIONAL INJURIES AND ILLNESSES, PART OSH 11, RULE 1139(1):**

An oral report of a work-related incident resulting in a fatality or the inpatient hospitalization of three or more employees was not made within eight hours after the occurrence to the Michigan Department of Labor and Economic Growth, Michigan Occupational Safety and Health Administration, State Secondary Complex, 7150 Harris Drive, P.O. Box 30644, Lansing, Mi 48909, phone 1-800-858-0397.

**RECOMMENDATION:** not allow PIT to travel on the public roadway when other options are available such as farm fields access roads.