

**Case 320. 61-year-old co-owner of a concrete company died when he was struck by a vehicle backing out of a garage at a high rate of speed and dragged approximately 100 feet.**

A 61-year-old male co-owner of a concrete company died when he was struck by a vehicle backing out of a garage at a high rate of speed and dragged approximately 100 feet. The decedent and his 4-person work crew were performing concrete flat work that consisted of sidewalk, approaches and driveway replacement in a condominium subdivision. A series of boulders lined the roadway across the street from the condominiums to protect the grass and to keep vehicles from going down an embankment to a retention pond. The incident site was a condominium driveway. One area of the driveway had been removed and work was being performed on the driveway's sidewalk area. The homeowner wanted to back his vehicle out of the garage and the decedent indicated he would guide the driver out of the garage. The decedent walked over to a coworker operating a skid steer loader to tell him to move the skid steer out of the driveway so the vehicle could exit. The decedent turned his back to the vehicle and driver. Without warning, the vehicle driver backed the vehicle out of the garage at a high rate of speed. The decedent was unable to get out of the way of the backing vehicle. He was caught by the vehicle and dragged down the driveway and across the street, approximately 100 feet. He was dislodged from under the vehicle when the vehicle struck one of the roadway boulders, which caused the vehicle to become airborne. The vehicle traveled another 50 feet down the embankment before coming to rest in the pond. Emergency response was called and the decedent was declared dead at the scene.

MIOSHA Construction Safety and Health Division issued the following Serious and Regulatory citations at the conclusion of its investigation.

**SERIOUS: GENERAL RULES, PART 1, Rule 114(1):**

An accident prevention program was not developed, maintained, and coordinated with employees

Employee engaged in concrete sidewalk and driveway repair and replacement.

**REGULATORY: RECORDING AND REPORTING OF OCCUPATIONAL INJURIES AND ILLNESSES, PART II, 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 Licensing and Regulatory Affairs, Michigan Occupational Safety and Health Administration, State Secondary Complex, 7150 Harris Drive, P.O. Box 30644, Lansing, MI 48909, phone 1-800-858-0397.

A workplace fatality was not reported to MIOSHA within eight hours of occurrence.