

34 Struck by ---Inspection #1348312

A **75 year old male** was fatally injured when he was **struck by** another vehicle while driving a zero turn mower on roadway. The victim had completed mowing for the day and was traveling approximately 1 mile back to the shop. The decedent was wearing a reflective safety vest and the mower had an orange triangle indicating that it was a slow moving vehicle. The ongoing job for the company is to mow the right of ways for the city of Oak Ridge, TN. As part of this job employees must occasionally cross public roads and drive along the shoulder of these roads to traverse the area. It was commonplace for employees to occasionally drive in the road for short periods of time due to the locations that they would have to be mowing. The truck which struck the victim's mower was traveling at approximately 55 miles per hour at the time of impact which was 10 miles per hour faster than the posted speed limit on that road. Just prior to the accident the driver of the pickup truck "cut" into the far right hand lane from the center lane of the three northbound lanes. The point of impact occurred in this process as the pickup truck driver was making the lane change.

A citation relating to the accident was not recommended due to the slow moving vehicle sign affixed to the lawn mower and the employee was wearing a reflective vest in an attempt to raise his visibility while operating on and near the roadway.

Citation(s) as Originally Issued

A complete inspection was conducted at the accident scene. Some of the items cited may not directly relate to the fatality.

Citation 1 Item 1

Type of Violation: **Serious**

\$200

TDLWD Rule 0800-01-03-.05(1): Within eight (8) hours after the death of any employee as a result of a work related incident, the employer did not report the fatality to the TOSHA Division of the Tennessee Department of Labor and Workforce Development:

In that the employer did not notify TOSHA of a work related incident resulting in a fatality within 8 hrs.

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