Driver Safety: Fatality Report

INCIDENT

February 27, 2020 at 6:25 AM EST

IREDELL COUNTY, N.C. (WBTV) – A driver has been charged after three workers were killed following a crash at a work zone along an interstate in Iredell County Thursday morning, according to troopers.

“I just hate that that happened. I’m extra sorry that it happened, and I can see how it can happen because it’s always something going on the interstate,” said Paris Wilson. Wilson drove through the area after the accident occurred.

The wreck happened around 3:45 a.m. on Interstate 40 westbound near mile marker 157, closing the area. Troopers say a Freightliner box truck “failed to reduce speed and struck a stationary construction vehicle that was equipped with a crash cushion and arrow board.”

Investigators say the construction vehicle’s arrow board and flashing lights were activated at the time of the crash.

Troopers say the construction vehicle was then propelled forward, striking three members of the repair crew. All three workers, identified as 20-year-old Dustin Gelinas, 21-year-old Austin Melton and 22-year-old Noah Logan Hamilton, died at the scene.

The driver of the box truck, identified by troopers as 27-year-old Logan Lee Casey, was charged with three counts of misdemeanor death by vehicle.

The box truck was owned by Triangle Central Warehouse, listed as a shipping company in Durham.

Officials say all three victims were working for a contracted guardrail repair crew identified as DBI Services.

NEED TO KNOW

There are literally hundreds of potential hazards and potentially hazardous situations you face while driving. Some of them you have little to no control over, but others you can prepare for, respond to, or avoid altogether.

Road Hazards

Road hazards include work zones; potholes and other surface hazards; poor lighting and poor visibility from blind curves, hills, or vegetation; and narrow, winding

roads.

Environmental hazards

Rain, sleet, snow, and ice. Wind, dust, hail. Flooded roads, severe weather, and tornadoes. These are just a few examples of environmental hazards. Environmental hazards can be both predictable and unpredictable. But often you're aware of the danger before you drive and can make the decision to stay off the road; or turn around instead of driving through a flooded area.

hazardous behaviors

Here's the wild card of the bunch. It can be next to impossible to predict how your fellow drivers are going to act and react while driving or sitting in traffic. Are they distracted by their phone, kid, or a personal issue? Did they get enough sleep the night before? Are they under the influence of drugs or alcohol? Maybe they are in a hurry and driving aggressively, or angry about how slow traffic is moving or that driver who cut them off.

It's likely we've all been "that" driver at some point.

vehicle Hazards

Worn out brakes and threadbare tires. Burnt out lights and a blinker that doesn't work. A broken mirror or horn that doesn't work. Not keeping up with vehicle maintenance puts you, your passengers, and other drivers in danger.

BUSINESS/ REGULATIONS

Employers have duties under health and safety law for on-the-road work activities. **The Health and Safety at Work etc. Act 1974 (HSW Act)2** states you must ensure, so far as reasonably practicable, the health and safety of all employees while at work. You must also ensure that others are not put at risk by your work-related driving activities. The self-employed have similar responsibilities. 'So far as reasonably practicable' means balancing the level of risk against the measures needed to control the real risk in terms of money, time or trouble. However, you do not need to take action if it would be grossly disproportionate to the level of risk.

Health and Safety Executive Driving at Work:

You must carry out an assessment of the risks to the health and safety of your employees, while they are at work, and to other people who may be affected by your organization's work activities.

You must consult with your employees and, where applicable, their health and safety representatives, on health and safety issues, including:

- risks arising from their work;
- proposals to manage and/or control these risks;
- the best ways of providing information and training.

A brief guide to the law.

You also have duties under road traffic law, eg the **Road Traffic Act and the Road Vehicles (Construction and Use) Regulations, which are Administered by the Police, and other Agencies such as the Driver and Vehicle Standards Agency (DVSA).**

In most cases, the police will continue to take the lead on investigating road traffic incidents on public roads.

HSE will usually only take enforcement action where the police identify that serious management failures have been a significant contributory factor to the incident. If

one of your employees is killed, for example while driving for work, and there is evidence that serious management failures resulted in a 'gross breach of a relevant duty of care', your company or organization could be at risk of being prosecuted under the **Corporate Manslaughter and Corporate Homicide Act 2007.**

STATISTICS

When you think of work-related safety hazards, you probably think about what goes on inside the workplace. But one of the greatest threats to your employees' safety is not in the workplace, it's on the roadways. Even though miles driven, vehicles driven, and population death rates are down (according to the National Safety Council), motor vehicle accidents and deaths are up.

Did you know?

- Every 7 seconds, someone is injured in a car crash
- Over 2 million of those injuries turn out to be disabling
- Many crashes happen during the work day or the daily commute
- Every 15 minutes, someone is killed (about 90 people each day)
- Motor vehicle crashes are the most common cause of workplace deaths in the U.S.
- 1 in 4 fatal work injuries involves a vehicle accident
- Vehicle crashes have far-reaching physical, financial, and psychological effects on employees, their families, coworkers, and you – their employer.

These statistics are cause for concern. As an employer, you can play a substantial role on reducing vehicle accidents. You can have a written driver safety program in place.

Annual Global Road Crash Statistics

- Nearly 1.25 million people die in road crashes each year, on average 3,287 deaths a day.
- An additional 20-50 million are injured or disabled.
- More than half of all road traffic deaths occur among young adults ages 15-44.
- Road traffic crashes rank as the 9th leading cause of death and account for 2.2% of all deaths globally.
- Road crashes are the leading cause of death among young people ages 15-29, and the second leading cause of death worldwide among young people ages 5-14.
- Each year nearly 400,000 people under 25 die on the world's roads, on average over 1,000 a day.
- Over 90% of all road fatalities occur in low and middle-income countries, which have less than half of the world's vehicles.
- Road crashes cost USD $518 billion globally, costing individual countries from 1-2% of their annual GDP.
- Road crashes cost low and middle-income countries USD $65 billion annually, exceeding the total amount received in developmental assistance.
- Unless action is taken, road traffic injuries are predicted to become the fifth leading cause of death by 2030.

Annual United States Road Crash Statistics

- Over 37,000 people die in road crashes each year
- An additional 2.35 million are injured or disabled
- Over 1,600 children under 15 years of age die each year
- Nearly 8,000 people are killed in crashes involving drivers ages 16-20
- Road crashes cost the U.S. $230.6 billion per year, or an average of $820 per person

RECOMMENDATION

- Assess the risks from work-related road safety in your organization.

- Produce a health and safety policy covering, for example, organizing journeys, driver training and vehicle maintenance.
- Make sure there is top-level commitment to work-related road safety in your organization.
- Clearly set out everyone's roles and responsibilities for work-related road safety. Those responsible should have enough authority to exert influence and be able to communicate effectively to drivers and others. Health and Safety Executive Driving at work: Managing work-related road safety Page 3 of 10
- **Do** – Prioritize and control your risks, consult your employees and provide training and information
- In larger organizations, make sure departments with different responsibilities for work-related road safety co-operate with each other.
- Make sure you have adequate systems to allow you to manage work-related road safety effectively. For example, do you ensure your vehicles are regularly inspected and serviced according to manufacturers' recommendations?
- Make sure you involve your workers or their representatives in decisions. This is a good way of communicating with them about health and safety issues.
- You must provide training and instruction where necessary. **Check – Measure How you are Doing**
- Monitor performance to ensure your work-related road safety policy is effective and has been implemented.
- Encourage your employees to report all work-related road incidents or near misses. **Act** – Review your performance and learn from your experience
- Make sure you collect enough information to allow you to make informed decisions about the effectiveness of your existing policy and the need for changes, for example targeting those more exposed to risk.
- Regularly revisit your health and safety policy to see if it needs updating.

Assessing risks on the road – More Recommendations

As an employer or self-employed person, you are responsible for assessing the risks to health and safety in your business. **Risk assessment** for any work-related driving activity should follow the same principles as for any other work activity.

You can delegate the task, but you will need to make sure it is carried out by someone who:

- is competent to do so (has the right skills, knowledge and experience);
- involves your workers in the process;
- understands when specialist help may be needed.

Risk assessment is about identifying and taking sensible measures to control the risks in your workplace, not about creating huge amounts of paperwork. You may already be taking steps to protect your employees, but your risk assessment will help you decide whether you should be doing more. The aim is to make the risk of someone being injured or killed as low as possible.

A hazard is something in your business that can cause harm. A risk is the chance, however large or small, that a hazard could cause harm. Identify the hazards Look for hazards that may result in harm when driving on public roads. Remember to ask your employees, or their representatives, what they think as they will have first-hand experience of what happens in practice.

PREVENTION

Top 20 Safety Tips for Driving

Safety is something that drivers should keep in mind at all times. After all, when you are operating a motorized vehicle, you have a responsibility to do your part to keep the roadways safe for yourself, other drivers, passengers, and others who may be affected by traffic accidents.

1. **Stay Alert**– Actively pay attention to your actions and those of the drivers around you when you are driving.
2. **Avoid Assumptions**– Don't make the mistake of assuming that other drivers are going to do or what you think they should do.
3. **Use Turn Signals**– While you can't depend on others always signaling their intentions when driving, you can certainly control whether or not they have realistic expectations for your actions. Always use your turn signals in advance of making a lane change or turning.
4. **Buckle Up**– Wearing your seat belt is an essential safety tip for drivers. Not only are you more likely to get injured in an accident if you aren't wearing a seat belt, you can also be fined for failing to do so.
5. **Follow Traffic Signals**– Pay close attention to and obey stop signs and traffic lights.
6. **Respect Yellow Lights**– Remember that the intent of a yellow light is to notify drivers to slow down and prepare to stop. A yellow traffic signal should not be viewed as a sign to step on the gas to rush through an intersection before the light turns red.
7. **Come to a Complete Stop**– When you see a stop sign or a red light, it's important to bring your vehicle to a complete stop, even if you think no other vehicles are coming.
8. **Do Not Text and Drive**– It is never acceptable to send text messages when operating a motor vehicle.
9. **Obey Speed Limits**– When driving, it's important to stick to the posted speed limit at all times. The restrictions placed on vehicle speed are not established arbitrarily. Rather, they are carefully selected to maximize safety for drivers and for individuals in the homes, businesses, and other organizations in the areas where roadways are located.
10. **Make Adjustments for Weather**-When the weather is less than perfect, such as rainy, snowy, or foggy conditions, use extra precautions when driving and follow guidelines for staying safe in the particular situation you are facing.
11. **Exercise Patience**– Many accidents are caused by impatient drivers who are rushing to get from point A to point B. While time is certainly a valid consideration when traveling, safety is even more important. After all, if you are involved in an accident you'll certainly experience more of a challenge arriving at your destination on time than if you simply exhibit patience while driving.
12. **Be Predictable**– Don't make sudden stops or lane changes. Instead, take care to ensure that other drivers are likely to be able to predict your actions to maximize safety.
13. **Never Drive Under the Influence**– It's essential to avoid operating a vehicle if you have been drinking, taking certain types of prescription or non-prescription drugs, or are otherwise impaired.
14. **Yield Right of Way**– When other drivers has the right of way, be sure to yield to them. Also, don't make the mistake of assuming that everyone else will yield to you when they should. Regardless of who has the right to go, yield if it seems that the other driver may not be observing standard practices for yielding.
15. **Know Where You Are Going**– Plan your travel route ahead of time so that you aren't struggling to figure out where to go while you are operating a motorized vehicle.
16. **Respect Stopped Vehicles**– When passing vehicles that are stopped on the side of the road, move over to get out of the way if the way is clear for you to change lanes. If changing lanes is not possible, slow down while passing stopped vehicles.
17. **Avoid Distractions**– Sending text messages isn't the only dangerous distraction that drivers need to avoid while operating a vehicle. Changing CDs, using cell phones, eating, and interacting with passengers are just a few examples of the types of distractions that you should take care to avoid when driving.
18. **Use Headlights When Needed**– Headlights aren't just necessary at night. When you are driving in the rain or fog, turning on your headlights can play an important role in keeping you – and those around you – safe on the road.

19. **Share the Road**– Remember that you are not the only driver on the road. An important safety trip that everyone needs to follow is the need to share the road with others graciously, recognizing that all drivers deserve to be treated with respect.
20. **Proper Vehicle Maintenance**– Take care to ensure that your automobile stays in good working condition. This includes keeping fluids topped off, performing schedule engine maintenance, making certain tires have plenty of air, and ensuring that the vehicle's exterior lights are functional at all times.

Five Tips for Employee Driving Safety

1. Stay Focused

Anytime you're behind the wheel, it's important to keep your attention focused on the road. If you're driving heavy equipment, this is even more important. A lapse in attention, whether to adjust the radio or eat a snack, can cause an accident and injure you and other people on the road.

2. Stay Alert

According to a study by the National Sleep Foundation, 60% of American drivers report that they've driven when they are drowsy, and 37% say they have actually fallen asleep while driving. Drowsy driving is a major hazard, especially for long-distance truckers, delivery people, and others who drive regularly for their work. If you're tired, pull over to take a nap. If you regularly experience this problem, consider speaking to your employer about taking a different shift.

3. Stay Off Your Cell Phone

It's tempting to multi-task when you're behind the wheel, but cell phones can cause accidents. In fact, according to the CDC, cell phones are a factor in about 1,000 deaths and 24,000 injuries each year. Mobile phone usage while driving has been outlawed in many states, and a 2010 law says that commercial drivers can't text when they're behind the wheel.

4. Ask Your Employer for a GPS Device

GPS devices allow the driver to keep his or her eyes on the road instead of a map. The GPS is programmed with the destination prior to the trip and gives the driver verbal directions on how to get where he wants to go. This can be especially helpful for delivery drivers who must make multiple stops.

5. Identify Impaired Drivers

Impaired drivers are a huge road hazard. Learn how to identify a driver that may be under the influence of alcohol or simply drowsy. These drivers often weave and swerve, and they may change speeds frequently. If you see a driver acting this way, you should stay a safe distance away. If it's safe to do so, pull over and call the police from inside your car. You might not want to get involved, but alerting the police to a potentially impaired driver may just save a life.

Five Driving Safety Improvement Tips for Employers

1. Educate Your Employees

Employers can reduce work-related auto accidents by educating their employees about driving safety. Consider hiring a driver educator to give your workers a refresher course.

2. Make Sure Work Vehicles Are Properly Maintained

Employers should perform a monthly comprehensive workplace vehicle inspection on each company vehicle. This helps ensure the vehicle won’t have any potentially dangerous malfunctions while it’s on the road.

3. Consider Staffing Changes

Make sure that your workplace is adequately staffed. Overworked drivers are often unsafe drivers, and some workers may have trouble staying awake during late night shifts. Smart staffing helps you prevent accidents.

4. Implement an Incentive Program

Although no one wants to get in a car accident, you can help employees stay aware of automobile safety if you offer an incentive program. Give out a monthly gift card to the employee with the best driving record or least number of work-related accidents.

5. Discipline Unsafe Drivers

In addition to offering an incentive, you should also consider a discipline system for drivers who have accidents. There should be a thorough report about all incidents, and drivers who are at fault should be disciplined.