

A **72 year old male** employee was **struck by a dump truck** while working as a flagger directing traffic on a construction site.

The victim was assigned as a sub-contractor to work with Bell Construction Company as a traffic control flagger. Bell Construction Company had replaced underground utilities in the vicinity of Jerry Newson Way/ 710 South 5th Street in Nashville. On the day of the accident, they had finished replacing the utilities and were going to replace the asphalt on Jerry Newson Way. Two Traffic controllers and one police officer set up cones to shutdown Jerry Newson Way from South 5th Street at the start of the intersection.

Jerry Newsome Way is a 432 foot long, 2-lane road which can be entered from the west side of the I-24 ramp. From the East, Jerry Newsome Way can be entered from South 5th Street and then Jerry Newsome Way splits off into South 4th Street. According to interviews, it was determined that traffic control flaggers set-up orange traffic cones along the intersection of Jerry Newson Way/ 710 South 5th Street to block off traffic. At the I24 ramp intersection and Jerry Newsome Way, an arrow board was placed that directed traffic away from Jerry Newsome Way. The road was planned to be shut down from 9am to 3pm per a Metro Davidson County Ordinance.

At the time of the accident, asphalt was being paved at the beginning of Jerry Newsome Way and the I-24 ramp. Asphalt dump trucks were staged at the corner of 710 South 5th Street to enter Jerry Newsome Way.

According to interviews, the traffic control flaggers moved the cones and started directing traffic on 5th Street. Before the Asphalt dump truck started to back down Jerry Newsome Way, the driver allowed another vehicle to move at the intersection and one flagger stopped traffic along 5th Street. As the asphalt dump truck driver started backing down Jerry Newsome Way, he noticed, in his driver's side mirror, a trailer bed and backhoe parked on the right side of the road approximately 60 feet from 5th Street. The driver backed the truck up at an angle to miss them. The driver was on the milled part of the asphalt which he stated made a rumble and he continued to back down Jerry Newsom Way until he reached the paver. When he got to the paver, the driver signaled with his hands to unlock the dump truck tail gate. The paver then looked up and saw the victim laying in the road. The dump truck driver stated that he only saw one flagger and he was on the road directing traffic. He stated that the 2nd flagger (victim) was not seen.

The dump truck's backup alarm and safety lights were working at the time of the accident; however, was not equipped with mechanical backing assistive devices such as collision avoidance or proximity warning systems (radar) or monitoring technologies (e.g., cameras), which may increase the likelihood that operators will detect workers on foot. A spotter was not used either.

**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**

**\$4,000**

**TCA 50-3-105(1):** The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees:

In that an employee was struck-by a backing dump truck. The employer failed to implement and communicate to all dump truck operators and all other workers an Internal Traffic Control Plan (ITCP).



Struck by vehicle--Insp # 1521184 Safe Zone, LLC

