

FACE INVESTIGATION

SUBJECT: Youth Newspaper Carrier Dies after Being Struck by an Automobile While Delivering Newspapers on a Bicycle

SUMMARY

On March 25, 2003, a 12-year-old youth died when he was delivering newspapers on his bicycle and was hit by a car. The victim was crossing a highway after coming out of a driveway to cross a busy street. The incident occurred across the street from a day-care center. One of the day-care workers was outside and saw the youth fly off the bike after being hit by the car. The day-care supervisor called EMS. The emergency responders arrived within one minute and the boy was transported to the hospital. He died late the following morning.

In order to prevent future similar occurrences, the FACE Program recommends that employers should:

- **Require all carriers delivering from a bicycle to wear an approved bicycle helmet.**
- **Require participation at initial and periodic (monthly or quarterly) safety meeting for news carriers and encourage parents to attend.**
- **Emphasize safe bicycling to carriers and families by focusing on bicycling safety at least 1-2 times a year in the monthly newsletter for carriers.**

INTRODUCTION

On March 25, 2003, a 12-year-old youth died when he was delivering newspapers on his bicycle and was hit by a car. The FACE Program learned about the death of the youth from the death certificate on April 1, 2003. The police and coroner reports were reviewed and the FACE Investigator met with two representatives of the employer on December 4, 2003. They were unfamiliar with the details of the incident and had not seen the victim the day the incident occurred. The FACE Investigator interviewed the supervisor at the day-care via telephone in March 2004.

The employer delivers 6500-6700 newspapers daily. The newspaper employs about 100 employees and conducts 37 city routes and 4-5 motor routes. About 25 carriers are between the ages of 12-18. The average age is 14.

The victim worked for the newspaper about 1½ months before the incident. He had 25-30 delivery sites and worked 6 days a week, which was an average of 3 hours per week. The victim was out of school about 2-2:30 PM and was usually done with his route between 3:30-3:45 P.M.

Prior to beginning work, the youth had obtained the state-required work permit. The school, the employer, the employee and the state retained copies of that permit. As

company policy, all youth and their parents met with the employer and the parents would also sign the permit.

The employer held orientation with the parents and the youth so that both would be fully aware of the responsibilities expected by the employer and also have an opportunity to give their input. When youth are first hired, rules about safety are stressed with them. Wearing a helmet is suggested, but because they are considered independent contractors, the employer states they have not required the use of helmets. The employer also stresses wearing reflective clothing, watching for traffic whether on foot or on a bicycle, and how to handle deliveries where a dog is present, or where the driveways are icy and not cleared. A monthly newsletter that always includes safety tips is sent to the carriers.

The day of the incident was described as sunny and bright with dry conditions.

INVESTIGATION

The day of the incident the victim was on his usual route and had worked about ½ hour. A usual route took about 30-45 minutes. He started late the day of the incident and had a few papers left to deliver. The incident occurred at 4:07 P.M. The employer did not believe that he was hurrying and described the victim as conscientious, bubbly and easy to supervise.

The victim was a couple blocks from his home and was traveling south on his bicycle from a driveway on the north side of an east-west street. It is unknown which direction he intended to travel when he reached the street. At the time he entered the street, a westbound vehicle struck his bicycle and the victim was thrown into the air. He landed in front of the auto. The driver of the car was facing the sun, but was unable to recall if it was blinding. The victim was wearing a tee shirt and no jacket, pants and tennis shoes. He was not wearing a bicycle helmet. While it was determined that the victim was traveling between ten to fifteen miles per hour and the driver was traveling between 27-36 miles per hour, the victim was thrown approximately 100 feet upon impact. The driver stopped. (Figure 1.)

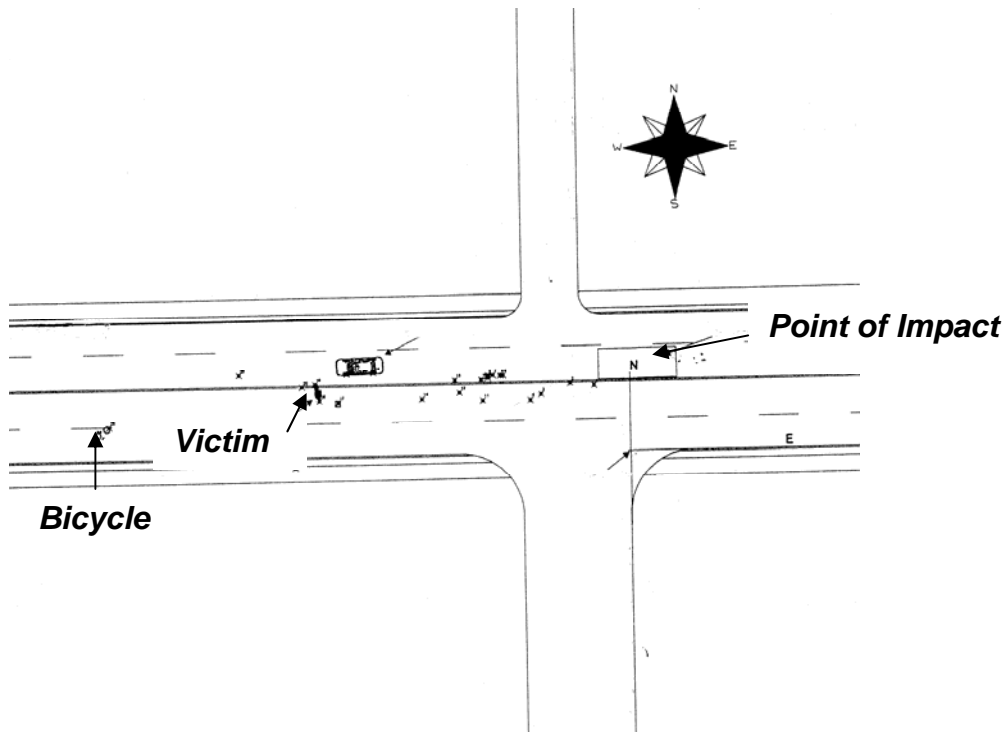


Figure 1. Diagram of Incident Location

The day-care worker was outside on the playground across the street and saw the victim fly through the air. She ran inside and told her supervisor what she had witnessed. The supervisor dialed EMS, and told the worker to talk with the EMS contact. The day-care center supervisor ran to the scene while the worker talked with EMS and gave step-by-step instructions from EMS to the day-care supervisor. The day-care supervisor began CPR. The responders were on the scene within a minute and transported the victim to the hospital.

Following the care of the victim, the day care center supervisor went to check on the driver. Because the driver was not responding well to the supervisor, the supervisor feared she was going into shock and reported it immediately to one of the police officers. The officer contacted a rescue unit. The unit arrived to assist the driver.

One of the police officers took the bicycle to a bike shop to be checked. While the bike was quite damaged, the bike shop owner was able to establish that the brakes were working fine at the time of the incident.

CAUSE OF DEATH

The official cause of death was traumatic head injuries due to a bicycle and automobile crash.

RECOMMENDATIONS/DISCUSSION

Recommendation #1: Require all carriers delivering from a bicycle to wear an approved bicycle helmet.

Discussion: According to the Wisconsin Department of Transportation, seventy-five percent of all bicycle fatalities involve head injuries. While the helmet cannot prevent an incident, it can save a life. Although in this case the employer felt they could not require carriers to wear a helmet because they are considered independent contractors. Those helmet requirements could be written into the contract with each contracted employee.

Recommendation #2: Require participation at initial and periodic (monthly or quarterly) safety meeting for news carriers and if they are minors, encourage parents to attend.

Discussion: Scheduling the safety meetings within the communities where the carriers live will make participation more feasible. Include, but do not limit the safety training to bicycle safety. Topics such as the traffic laws, signs and signals that must be obeyed, and what it means to be predictable, be visible and how to ride defensively should be included in the training. In this case, the victim entered a busy street from a driveway located several feet away from a side street and a crosswalk.

Recommendation #3: Emphasize safe bicycling to carriers and families by including tips at least 1-2 times a year in the monthly newsletter for carriers.

Discussion: Bicycle safety and safety measures discussed during the initial orientation and subsequent periodic meetings should be reiterated. The Wisconsin Department of Transportation recommends the following:

Bicycle and Traffic Safety

- (Know) and Obey all traffic laws, signs and signals just as you would if you were driving a car.
- Wear a bike helmet every time you ride your bicycle. Wearing a bike helmet can literally save your life. That is why it is important to always wear one.
- Make sure your bike is the proper height for you. If you can straddle the top tube of your frame while comfortably touching the ground with your feet, your bike should be a good fit. If you are not sure if your bike “fits”, ask your local bike shop for help.
 - Be Predictable: Signal turns, stop as required by law, use the correct lane; communicate with other road users so they will know what you are doing and where you are going.
 - Be Visible: Wear bright colors in the daytime; use reflective materials such as reflective clothing or light-colored clothing with reflective tape. Use a white front light at night and a red rear reflector (required by law).
 - Ride in the direction of the traffic only: Motorists in intersections and driveways do not expect you to be coming the wrong way on the road. In addition, you have less time to maneuver in traffic and your chances of having a head on crash are much greater. Wrong-way riding is also illegal, even in bike lanes.

- **Follow the three-foot rule:** By law, drivers must give you three feet clearance, and you must give them the same distance. Don't ride between the lines of cars. Ride at least three feet from parked cars to avoid being hit by a suddenly opened car door.
- **Cross railroad tracks, storm grates or pavement cracks as close to the right angle as possible:** the bike wheel can get caught causing a fall. Check behind you, then swing out slightly into the lane if you need to cross at a better angle.
- **Ride defensively:** Scan traffic at all times. Become adept at checking over your shoulder for traffic, especially before turns. Be aware of other traffic when approaching intersections and when making left turns.
- **Bicycling on sidewalks is permitted in some cities and not in others.** Where it is permitted, it is not acceptable where buildings abut the sidewalk: Pedestrians always have the right of way on sidewalks and in crosswalks. Give an audible warning before passing pedestrians and pass with care. Ride slowly on sidewalks or walk your bike if there are many pedestrians.
 - **If you ride on the sidewalk, slow down at crosswalks.** Pedestrians travel much slower than a bike and drivers expect people in crosswalks to act like pedestrians.
- **Do not use alcohol or drugs before riding.**
- **Be courteous.**