

Properly Securing Equipment on Vehicles is Serious Business

By Lee Marchessault, CUSA, CUSP

Incident Prevention Magazine January 2016

Utility workers have been highly trained for years. They are required to have electrical safety training including switching and tagging, proper de-energizing and grounding, in some cases live line work, poletop and other rescue techniques, and how to conduct effective job briefings. This is often repeated on an annual basis to be sure that everyone has the information they need to keep them going home. There are other training topics that are equally important that are sometimes overlooked. When we first passed our Commercial Driver's License (CDL) test, we had to get training on proper inspection of our commercial vehicle, physical limitations, record-keeping, and proper driving techniques. This was often a day or 2 of training around 25 years ago when we first got our CDL. There was discussion, but little emphasis about securing the load on a Commercial Vehicle. Not properly securing the cargo is serious business and not following the rules may result in death and jail time.

On July 8, 2009, Adam L. Steinmann, 27, was hauling a load in St. Charles Missouri when it shifted and fell off of the truck as Steinmann took a curve. The load bounced and landed on a large vehicle killing both the driver and the passenger.

In August, a jury found guilty of two counts of involuntary manslaughter. On Tuesday, October 30, 2012, the Circuit Judge sentenced Steinmann to the maximum sentence of eight years of prison— four years for each count of involuntary manslaughter. A civil suit filed by relatives of the deceased against Steinmann and his company was settled for \$345,000.

At sentencing, Steinmann addressed the court and the family. "Not a day goes by that I don't think about these ladies," he said. "It was never my intention to hurt anybody. I really didn't think it was dangerous at the time. I was wrong."

This is only one example of many fatalities cause by not properly securing cargo, trailers, or other equipment. A state police officer in Maryland was quoted as saying, "an overwhelming percentage of victims who are killed in trucking-related highway accidents are those people riding in family sedans, minivans, economy cars and even large sport utility vehicles" .

How many of us have thrown pole butts, broken cutouts, insulators, and crossarms in the back of the truck with the assumption that there will stay there because we have a tail plate or net across the back end of the load area in case they shift. This would be considered hauling unsecured cargo.

The legal team of Lebowitz & Mzhen understands and thrives on the variety of hazards and outright dangers that can be encountered on a daily basis on our roadways. "Almost every seasoned driver, at some time in his or her life, has either narrowly missed being in an accident due to falling debris, or has witnessed the aftermath of such an event", they stated.

Securing Cargo

If you are driving a vehicle that is carrying a load, or towing a trailer that is carrying a load, or hauling a pole, you have to make sure that the load is restrained properly. Load restraint is not just about making sure that the load does not come off —it is also about making sure that the load does not shift in a way that makes the vehicle unstable or unsafe.

If you don't restrain a load properly you might cause an accident, injury or death and be legally liable if:

- objects fall from your vehicle on to other traffic or pedestrians
- other drivers swerve to dodge items that are falling or have fallen from your vehicle
- loads that have spilled onto the road cause other vehicles to skid and lose control
- unsecured loads crash into your vehicle cabin during emergency braking
- loads that shifts and contributes to your car becoming unstable or unsafe.

Also, loads must not cover number plates, lights and reflectors. If a load projects behind a motor vehicle or a trailer such as hauling a pole, or if the load projects in a way such that it would not be readily visible to a person following immediately behind a vehicle or trailer. A

§ 393.106 General requirements for securing cargo

Below is a summary outline of the general rules required by the Federal Motor Carrier Safety Administration updated in September 27th, 2002.

1. Cargo must be firmly immobilized or secured on or within a vehicle by structures of adequate strength, dunnage or dunnage bags, shoring bars, tiedowns or a combination of these.
2. Articles of cargo that are likely to roll must be restrained by chocks, wedges, a cradle or other equivalent means to prevent rolling. The means of preventing rolling must not be capable of becoming unintentionally unfastened or loose while the vehicle is in transit.
3. Articles or cargo placed beside each other and secured by transverse tiedowns must either:
 - a. Be placed in direct contact with each other, or
 - b. Be prevented from shifting towards each other while in transit.
4. The aggregate working load limit of tiedowns used to secure an article or group of articles against movement must be at least one-half times the weight of the article or group of articles. The aggregate working load limit is the sum of:
 - a. One-half the working load limit of each tiedown that goes from an anchor point on the vehicle to an anchor point on an article of cargo;
 - b. One-half the working load limit of each tiedown that is attached to an anchor point on the vehicle, passes through, over, or around the article of cargo, and is then attached to an anchor point on the same side of the vehicle.

- c. The working load limit for each tiedown that goes from an anchor point on the vehicle, through, over, or around the article of cargo, and then attaches to another anchor point on the other side of the vehicle.

Ensuring that our cargo and loads are properly secured is not technically difficult. It takes a little time but its time very well spent. Don't become a statistic or part of the evening news because of a shortcut. Be sure to always secure all cargo no matter what size it is and what vehicle type is used to haul it.



Lee Marchessault is the President of Workplace Safety Solutions, Inc. He has worked in the electric utility industry in various capacities since 1978. He obtained a CDL when it was first required and has written numerous articles related to vehicle safety. For questions, he may be contacted at lee@workplacesafetysolutions.com