



CANADA
Province of Alberta

Report to the Minister of Justice and Attorney General Public Fatality Inquiry

Fatality Inquiries Act

WHEREAS a Public Inquiry was held at the _____ Provincial Court of Alberta

in the _____ Town _____ of _____ Killam _____, in the Province of Alberta,
(City, Town or Village) (Name of City, Town, Village)

on the _____ 8th _____ day of _____ April _____, _____ 2009 _____, (and by adjournment
year

on the _____ day of _____, _____),
year

before _____ His Honor Judge K. Rostad _____, a Provincial Court Judge,

into the death of _____ STEPHANIE MARIE TITUS _____ 21 _____
(Name in Full) (Age)

of _____ Box 31, Lougheed, AB T0B 2V0 _____ and the following findings were made:
(Residence)

Date and Time of Death: _____ December 7, 2006 _____

Place: _____ 3.3 Km East of I869 on H 13, Sedgewick, AB, Canada _____

Medical Cause of Death:

("cause of death" means the medical cause of death according to the International Statistical Classification of Diseases, Injuries and Causes of Death as last revised by the International Conference assembled for that purpose and published by the World Health Organization – The Fatality Inquiries Act, Section 1(d)).

Blunt Cranial Trauma

Manner of Death:

("manner of death" means the mode or method of death whether natural, homicidal, suicidal, accidental, unclassifiable or undeterminable – The Fatality Inquiries Act, Section 1(h)).

Accidental

Circumstances under which Death occurred:

The deceased was driving westbound on Highway 13 to Killam, Alberta, heading to work. A semi-truck hauling pipe on a flatbed was heading eastbound on Highway 13 toward the deceased when some pipes fell off of the flatbed trailer and struck the deceased in the head through the front of her vehicle, which was crushed by the pipe.

The driver of the semi-truck, Mr. Christopher Skott, was not located to enable personal testimony at this inquiry, however it was determined from his statement on the date of the accident, together with testimony of his employer, Mr. Ryan Batty, that there were pipes of varying diameter and length loaded on the flatbed trailer. Apparently Mr. Skott had just delivered some pipe to a customer in Sedgewick, 3.3 kilometers west of the accident location. Mr. Skott stated that he had restrapped his load and was proceeding east on Highway 13 at the posted speed limit; he was unaware of anything wrong with his load. He had been reaching for his coffee thermos just prior to entering an S-curve which would confirm Mr. Richard Dawsons' (a witness) observation that the trailer briefly crossed the centre line while he was following the truck.

Mr. Dawson observed sparks near a small white car which was approaching the truck, when suddenly the car entered the north ditch, crossing Range Road 122, coming to a stop. The car was crushed; there were pipe lying on Highway 13 as well as in the south ditch with some remaining on the flatbed.

The investigation determined that the straps used to secure the load were in the proper positioning from the front of the flatbed to the rear, the straps were of the proper width and were not broken or ripped. It was observed that there were metal stakes in place of the right side of the flatbed – these stakes are inserted into casings along the perimeter of the flatbed in a perpendicular position to prevent the load from pushing out to the side and falling off the flatbed. There were no such stakes on the left side of the flatbed – the side facing the oncoming vehicular traffic. The expert testimony indicated that there are no legislated provisions requiring use of such stakes.

The primary issue in this inquiry relates to how the pipes were secured and whether or not they were properly secured.

As mentioned earlier, Mr. Skott was not present to illuminate how the load was secured, however, it was the opinion of the Alberta Transportation Traffic Officer, Glenn Munden, substantiated by the Accident Reconstruction Analyst, Cpl Gordon Baker, RCMP, that the load had apparently shifted such that the straps were loose thus allowing the pipe to fall from the flatbed.

Recommendations for the prevention of similar deaths:

- 1) Apparently there is a formal Cargo Securement course operated by an independent third party. It is recommended that this course be analyzed for its content, perhaps be enhanced, then be made a mandatory certificate course that must be taken by anyone operating a motor vehicle with an open flatbed. It is suggested that each employer would be required to verify the certificate prior to any employee being permitted to operate an open flat box vehicle.
- 2) The National Safety Code for Motor Carriers contains a Standard 10 Cargo Securement provision; in that Standard there is a division 5 that specifically relates to concrete pipe, however there is no specific division that relates to steel pipe of the sort that was being carried by Mr. Skott.

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Apparently a number of drafts of the Standard 10 did contain a section as it related to pipe loaded lengthwise on a flatbed vehicle. Although It was headed-up as a Guide only, it did cover pipes of various materials and various lengths.

Perhaps the Council of Ministers Responsible for Transportation of Highway Safety, which approved the Standard 10, had valid reason for excluding the “Section 3.13 Pipe – Guide only” from the final document, but it more specifically addresses the proper methods of unitizing or belly-wrapping pipe to prevent it shifting or rolling, which seems to be the reason the pipe came loose in the accident before this inquiry.

It is recommended a specific section be devoted to steel pipe; in its many variations, indicating the properly recommended securement procedures.

DATED April 9, 2009 ,

at Camrose , Alberta.

Original signed by

K. Rostad
A Judge of the Provincial Court of Alberta