

Parking Trucks and Trailers at Jobsites

In May, a Texas jury awarded nearly \$40 million in damages to the family of a bicyclist who died after colliding with a landscape trailer that was stopped in an active traffic lane of a four-lane road. The jury decided the company that owned the truck and trailer, which were stopped without cones or flaggers to redirect traffic, was negligent and responsible for 68 percent of the damages.

Key Points

- Arguably, operating trucks and trailers creates more liability for landscape companies than any other activity. Much attention is given to safety practices involving vehicles, trailers and loads in motion. But because finding safe places to park at both residential and commercial jobsites can be a challenge, landscape trucks and trailers also pose significant risks while at rest.
- Even when motorists bear fault in accidents involving stationary trucks and trailers, landscape companies can be found liable because they created the hazard. Company owners and employees can face criminal and civil lawsuits as well.
- Every effort should be made to park trucks and trailers on customer property, away from traffic routes, or in street-parking areas as a second choice. When vehicles and trailers are stopped or parked in rights-of-way or, if unavoidable, in traffic lanes, crews should follow federal, state and local regulations – and exercise good judgment pertaining to each situation – to minimize danger for motorists, pedestrians, cyclists and crew members.
- In many cases, planning by company managers can prevent hazardous conditions. In others, proper training – when carried out correctly – can help keep people safe and reduce liability.

Employers' and Supervisors' Checklist

- ✓ Before beginning any project or signing any maintenance contract, analyze the site and determine the best places to unload/load equipment and park trucks and trailers to avoid affecting traffic. For construction projects, also consider where materials can be stored.
- ✓ Discuss options with your customer and write your plan into the contract he/she signs.
- ✓ Know that loading/unloading and parking on customer property, away from roadways, is ideal. On residential jobsites, driveways and yards are possibilities. Adding a clause to your contracts stating you will repair any damage done to the driveway, lawn, etc., could make your customers more comfortable with this option. On commercial sites, areas of parking lots with few vehicles and little or no vehicle/pedestrian traffic work well for parking trucks and trailers. For materials, ask the customer if there are areas designated for temporary storage.

- ✓ Understand that if customers won't allow you to park on their property (or no space is available), the next-best option is street parking intended for typical vehicles (check with local authorities to make sure it's okay to park landscape vehicles in these areas and to learn any rules you must follow). Train crews to legally park in these spaces, making sure trucks/trailers do not extend into traffic lanes.
- ✓ Make plans to park trucks and trailers beside roads (in rights-of-way) if you can't park on customer property, street parking is not available and there are no better options. Create a plan for alerting motorists to the hazard and re-routing pedestrian traffic (cones, signs, possibly flaggers, etc., in accordance with Part 6 of the [Manual on Uniform Traffic Control Devices](#)). You likely will need to obtain a permit. Check with appropriate city/county/state/federal agencies and be prepared to submit your plan when you apply for the permit. Consider adding the cost of the permit and time needed to obtain it to your customer estimate. If you intend to store materials or operate equipment in a right-of-way, you also will need a plan and likely a permit.
- ✓ Know that stopping or parking a truck/trailer in an active traffic lane (or partially blocking a lane) creates an extremely dangerous hazard and should only be done when there are no alternatives and all regulations are followed and precautions taken. Federal, state, county and city regulations could apply, and you will most likely need a permit. Check with agencies at every level. Develop an effective traffic-control plan that takes into account all applicable regulations – as well as challenges particular to the site – well before work is scheduled to begin. This must be done whether your project is a 25-minute maintenance job or a two-month design-build venture. Traffic-control plans must be approved by the engineer or the engineer's designee of the public agency or authority having jurisdiction over the roadway.
- ✓ Ensure all traffic-control devices comply with the Manual on Uniform Traffic Control Devices (MUTCD) and all aspects of your traffic-control plan and traffic-control zone adhere to Part 6 of the manual, which covers temporary traffic control. See the most recent edition of the manual here: <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf>. Per U.S. Department of Transportation regulations, the MUTCD is the national standard for all traffic-control devices on streets, highways and bicycle trails. State DOTs also adopt the manual as their standards. Federal OSHA's construction-industry safety standards (which often apply to the landscape industry) require that traffic-control signs, signals, barricades or devices protecting workers conform to Part 6 of the MUTCD.
- ✓ Be aware there are four segments of temporary-traffic-control zones:
 - The advance-warning area (used to inform road users about upcoming lane work or hazards such as vehicles parked in roadways or rights-of-way)
 - The transition area (where road users transition to a path different from normally set patterns)
 - The activity area (where work is completed or an obstacle such as a parked vehicle is located; this includes the work/obstacle space, traffic space and a buffer zone)
 - The termination area (where traffic patterns transition back to normally designated paths)
- ✓ Choose the proper temporary-traffic-control devices for each situation. There is not a "one-size-fits-all" option. Some areas require barricades while orange cones could work in

others. Make sure the devices and the methods in which you use them convey clear, concise messages.

- ✓ When creating a traffic-control plan, evaluate the situation from the perspective of drivers, cyclists and pedestrians and take necessary precautions. For instance, if there is a blind corner or curve, place a sign or flagger in advance of it. Also ask yourself:
 - At what time of day will the work start and end? How might timing affect traffic patterns? Will the sun be in drivers' eyes?
 - Do cones force drivers into unsafe lane changes?
 - Have you addressed pedestrian traffic? Pedestrian traffic is often overlooked in traffic-control plans. Be sure to alert pedestrians and provide alternative routes for them. For example, if a sidewalk is closed, pedestrians need to be directed to cross the street at the intersection before the closure. If this re-routing is neglected, pedestrians might use traffic lanes to move around the closure.
 - Does the traffic-control plan affect emergency-response vehicles? (This can lead to liability issues as well.)
 - Do you have proper tapers and buffer spaces?
 - What about ADA (Americans with Disabilities Act) implications? Don't let your traffic-control zone impact accessibility.
- ✓ Use flaggers where required by federal, state or local regulations and anyplace needed for safety. Flaggers help control traffic when barricades, cones and warning signs alone are not adequate.
- ✓ Follow all federal, state and local regulations related to the use of flaggers. Many states require traffic flaggers to be certified and/or trained. See https://www.workzonesafety.org/flagger-information/flagger_training/ for your state's requirements and available resources.
- ✓ Provide and ensure flaggers wear high-visibility safety apparel that meets MUTCD requirements. Also provide and make sure flaggers and all employees working near roadways wear: hard hats; safety glasses; high-visibility, reflective orange, yellow, or yellow-green vests; and other necessary personal protective equipment.
- ✓ Give drivers advance notice before they arrive at a flagger's position.
- ✓ Teach all involved employees the elements of the traffic-control plan. Some things to include:
 - The proper method of setting the advanced warning area to account for traffic speed, blind curves, pedestrians and bicyclists
 - Site setup positions. Also train employees not to stop a vehicle in heavy traffic to set the temporary-traffic-control zone. They should wait until traffic is lighter.
 - Placement of tools and equipment away from traffic to minimize injury risks.
- ✓ Once work is underway, make sure authorized supervisors and designated foremen supervise all aspects of the plan, including signage, personal protective equipment and placement of warning devices.
- ✓ At every jobsite near a roadway, require a crew leader to conduct a safety session before work begins. Do this every day as hazards often change.
- ✓ Make sure each company vehicle is equipped with high-visibility, reflective vests, orange cones or barrels, warning signs, flares, flags and other devices needed to set temporary-

- traffic-control zones in an emergency.
- ✓ Train all crew members to create traffic-control plans and properly set temporary-traffic-control zones in emergency cases (a truck breaks down in an active traffic lane, for instance).
 - ✓ To minimize the chance of vehicle break-downs, ensure employees perform proper pre- and post-trip checks and put vehicles and trailers on manufacturer-recommended preventive maintenance schedules.
 - ✓ For further guidance, see the National Work Zone Safety Information Clearinghouse (workzonesafety.org) and Part 6 of the [Manual on Uniform Traffic Control Devices](#).

Crew members' dos and don'ts

Do:

- Understand and follow your employer's policies and plans regarding parking/loading/unloading trucks and trailers at jobsites. This should be part of your training if you're involved in these activities. Ask a supervisor or crew leader if you are uncertain about anything.
- Know that because of the legal liabilities associated with trucks and trailers stopped or parked at jobsites, repeated violations of your employer's written policies are likely to lead to termination of your employment.
- Park trucks/trailers on customer property, away from traffic, whenever possible.
- Learn how to create a temporary-traffic-control plan and how to set up a temporary-traffic-control zone so you can do this in an emergency (if a truck breaks down, for instance). Ask for this training if you haven't received it. (See above considerations when creating a temporary-traffic-control plan.)
- When management creates a temporary-traffic-control plan as part of a project you're involved with, learn the elements of the plan and follow all related training.
- Wear the personal protective equipment required by your company when setting a temporary-traffic-control zone, serving as a flagger and anytime you work near a roadway. This includes a hard hat, eye protection and a high-visibility, reflective vest made of fluorescent orange, yellow or yellow-green material. Hearing protection and other PPE could be required, depending on your task.
- If you are asked to be a flagger, be sure to wear high-visibility, reflective gear and follow all training. Many states require traffic flaggers to be certified. See https://www.workzonesafety.org/flagger-information/flagger_training/ for your state's requirements.
- Walk facing oncoming traffic when serving as a flagger, setting devices to warn motorists/cyclists/pedestrians about parked trucks/trailers and anytime you work near a roadway.
- Watch for out-of-control vehicles. Driver inattention is often a cause of accidents.

Don't

- Stop or park a truck/trailer in an active traffic lane unless there is no alternative. Follow a traffic-control plan and set a temporary-traffic-control zone when you must do this.

- Stop in heavy traffic to set a temporary-traffic-control zone. Wait until traffic flow is lighter.
- Load or unload trucks/trailers from the active-traffic-lane side when the truck/trailer is parked alongside or in a roadway.
- Fail to perform pre- and post-trip inspections of trucks and trailers.
- Make multiple trips to unload items from trucks and trailers, especially when they are parked in or near roadways. Unloading in one stretch can reduce the amount of time you're exposed to traffic.
- Assume drivers will see and avoid you. Remain alert to traffic at all times.
- Forget to set the parking brake and chock the trailer wheels at the jobsite.
- Leave trailer ramps down when parked alongside or in a roadway. Because they're usually black, they blend in with the pavement and other vehicles and cyclists might hit them. If you don't remove or fold up the ramps, place orange cones around them to alert other roadway users.
- Stop a landscape truck/trailer abruptly, especially in active traffic lanes.

For related tips, see articles on:

- Properly towing trailers: <https://www.landscapeprofessionals.org/images/nalpftp/nalp/safety/documents/oct15-safety-sense.pdf>
- Driving trucks with trailers: <https://www.landscapeprofessionals.org/riskmgmt/ssense/May13.pdf>
- Transporting landscape materials: <https://www.landscapeprofessionals.org/images/nalpftp/nalp/safety/documents/nov15-safety-sense.pdf>
- Working near roadways: <https://www.landscapeprofessionals.org/riskmgmt/ssense/Feb10.pdf>

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