

**Assembly Concurrent Resolution**

**No. 130**

**Introduced by Assembly Member Gomez**

February 1, 2016

Assembly Concurrent Resolution No. 130—Relative to the Caltrans District 7 Fallen Worker Memorial Interchange.

LEGISLATIVE COUNSEL’S DIGEST

ACR 130, as introduced, Gomez. Caltrans District 7 Fallen Worker Memorial Interchange.

This measure would dedicate the interchange at State Highway Route 2 and Interstate 5 in Los Angeles County as the Caltrans District 7 Fallen Worker Memorial Interchange. The measure would also request the Department of Transportation to determine the cost of appropriate signs showing this special designation and, upon receiving donations from nonstate sources covering the cost, to erect those signs.

Fiscal committee: yes.

1 WHEREAS, Highway construction is one of the most dangerous  
2 occupations in the United States. The risk of death is seven times  
3 higher for highway workers than for an average worker, according  
4 to a study conducted by the Occupational Safety and Health  
5 Administration of the United States Department of Labor; and  
6 WHEREAS, There have been 183 Department of Transportation  
7 (Caltrans) workers killed on the job since 1921. On average, 1,000  
8 Caltrans vehicles are struck each year. In addition to the danger  
9 to workers, an estimated 85 to 90 percent of people who are killed  
10 in highway work zones are drivers and their passengers; and

1 WHEREAS, On April 24, 2013, two Caltrans maintenance  
2 employees lost their lives at a massive rockslide along State Route  
3 96 in Siskiyou County. They were specialized rock scalers who  
4 died while working to prevent rocks from falling onto motorists.  
5 Shawn Baker of Weed, California, who was 50 years of age at the  
6 time, is survived by his wife and four children. Joseph “Robert”  
7 Jones of Montague, California, who was 40 years of age at the  
8 time, left behind his wife and three children. A third rock scaler,  
9 Kevin Skillen of Yreka, California, was severely injured; and

10 WHEREAS, The deaths of Shawn Baker and Robert Jones ended  
11 a two-year stretch of Caltrans not having had a maintenance  
12 employee fatality on the job. Most recently, on May 2, 2013,  
13 another Caltrans worker, Dean Patton of Grass Valley, California,  
14 who was 51 years of age at the time, was fatally hit by a motorist  
15 while on his way to the 23rd annual statewide Caltrans worker  
16 memorial ceremony held on the west steps of the State Capitol to  
17 honor Caltrans workers who have died on the job, including Joseph  
18 Jones and Shawn Baker; and

19 WHEREAS, In addition to law enforcement and Department of  
20 California Highway Patrol officers, contracted highway workers  
21 are also at risk of death. The latest data shows that speeding was  
22 a factor in more than 35 percent of all fatal work zone crashes.  
23 Most work zone fatalities are the result of rear-end collisions  
24 caused by driver distraction, inattention, and aggressive driving;  
25 and

26 WHEREAS, Caltrans has adopted a “Slow for the Cone Zone”  
27 campaign to raise public awareness and to ask motorists to be alert  
28 and slow down, allow extra following room, expect sudden stops,  
29 never drive impaired, and avoid distractions, including the use of  
30 cell phones, in highway work zones. Fines are doubled in highway  
31 work zones and can easily total \$1,000 or more for drivers who  
32 speed, drive aggressively, text or are otherwise distracted, or cause  
33 collisions in a highway work zone; and

34 WHEREAS, In 2013, Caltrans installed 100 permanent “Move  
35 Over” signs throughout California to promote Senate Bill 240  
36 (Chapter 175 of the Statutes of 2010), the Move Over law, which  
37 requires drivers on a freeway to move over a lane if safe to do so,  
38 or slow down, when approaching a stationary authorized emergency  
39 vehicle or a stationary authorized Caltrans vehicle that is displaying  
40 flashing amber warning lights; and

1 WHEREAS, the Legislature desires to promote the safe  
2 operation of motor vehicles in and through all highway and freeway  
3 work zones and the use caution and care when the motoring public  
4 sees the state work force working along the state's highways. The  
5 Legislature strives to promote the safety of all state employees by  
6 serving notice to motorists who travel upon and commute daily in  
7 and through the state to be cognizant of those who have given their  
8 lives to provide safe, consistent mobility of travel seven days a  
9 week, 24 hours a day; and

10 WHEREAS, Caltrans District 7 has diligently strived to  
11 eliminate worker fatalities through training, safe practices, and  
12 implementation of features to lessen the exposure of maintenance  
13 personnel upon the state's highways. Considerable efforts have  
14 yielded no fatalities in District 7 since the year 2000. It is therefore  
15 important that a memorial interchange in District 7 be established  
16 at a time where improvement can be cited rather than a rush to  
17 announce another fatality; and

18 WHEREAS, A Caltrans District 7 Fallen Worker Memorial  
19 Interchange should be dedicated to the men and women who have  
20 served California as transportation professionals deserving of  
21 recognition for the highest sacrifice, while performing their duties  
22 on the state highway system. State highway workers in District 7  
23 have made the ultimate sacrifice in serving the state with 31  
24 fatalities since 1921; now, therefore, be it

25 *Resolved by the Assembly of the State of California, the Senate*  
26 *thereof concurring*, That the Legislature dedicates the interchange  
27 at State Route 2 and Interstate 5 in Los Angeles County as the  
28 Caltrans District 7 Fallen Worker Memorial Interchange; and be  
29 it further

30 *Resolved*, That the Department of Transportation is requested  
31 to determine the cost of appropriate signs consistent with the  
32 signing requirements for the state highway system showing this  
33 special designation and, upon receiving donations from nonstate  
34 sources sufficient to cover that cost, to erect those signs; and be it  
35 further

36 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
37 of this resolution to the Director of Transportation and to the author  
38 for appropriate distribution.

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