

## **Policy Statement on Positive Protection**

*Approved by ARTBA Board of Directors, September 29, 2021*

Definition: A positive protective device is a barrier that, when contacted by a motorized vehicle, is designed to redirect traffic away from the area it is set up to protect. A positive protective device may be made of steel, concrete, or any other material that will substantially protect workers and equipment from vehicle intrusions into the workspace. Positive protection devices provide separation between workers and motorists and can help improve traffic flows and mobility.

The safety and welfare for all those who work or travel on America's transportation network are the highest priorities for the American Road and Transportation Builders Association (ARTBA). According to the Bureau of Labor Statistics (BLS), roadway construction is one of the most hazardous occupations in the United States. Each year, tens-of-thousands of workers, motorists, vehicle occupants, cyclists and pedestrians are injured or killed in roadway work zones, and accidents can increase risks of additional accidents, congestion, and delay for motorists.

ARTBA believes the increased use of positive protective measures between workers and motorists is an important strategy to reduce the number of deaths, injuries, accidents, and delays. The need to act quickly and decisively is supported by U.S. Department of Transportation statistics showing that in 2019, there were over 115,000 crashes resulting in 39,000 injuries and over 840 fatalities. Fatalities alone were up over 11% from the prior year. Over the past ten years, fatalities resulting from work zone-related crashes have increased 44% and accidents and injuries are estimated to be approximately double what was anticipated. The National Safety Council's preliminary estimates for 2020 are even worse.

This policy helps state and federal agencies in achieving strategies such as "Toward Zero Deaths," "Vision Zero," etc. It supports efforts to protect vulnerable roadway users including the disabled, pedestrians and cyclists, as well as workers. It also seeks to harmonize understandings between contractors, engineers and owners related to deployment of- and payment for positive protective measures.

When serious hazards are foreseen or encountered on a project, positive protection should be specified and an associated pay item provided, unless an agency representative determines the same to be impractical or unnecessary for the project under applicable standards, directives, guidance, policy or other written agency position (collectively referred to as "Agency Standards"). Such determination, if made, should be noted in applicable specifications. Agency Standards should be appropriately updated to reflect this policy and when it is impractical or unnecessary. Decisions regarding deployment of positive protective measures should be documented, made available to affected parties, and subject to revision based on site conditions.

Recognized serious hazards include:<sup>i</sup>

1. Work zones that provide workers no means of escape from motorized traffic such as tunnels or bridges;
2. Long duration work zones (e.g., two weeks or more) where workers are exposed significant motorized traffic;
3. Projects with anticipated operating speeds of 45 mph or greater, especially when combined with high traffic volumes;
4. Work operations that place workers close to travel lanes open to traffic;
5. Roadside hazards, such as dangerous drop-offs or unfinished bridge decks, that will remain in place 24 hours longer; and
6. Any other situation not specifically outlined above which merits the use of positive protection.

<sup>i</sup> 23 USC 112(g); 23 CFR 630.1108(a); Proposed MUTCD §6M.02; and ANSI/ASSE Standard A10.47 § 4.4