



VERDICT AT INQUEST

File No.: 2011-0441-0004

An Inquest was held at Invermere Courthouse, in the municipality of Invermere

in the Province of British Columbia, on the following dates March 25, 26, and 27, 2013

before T.E. Chico Newell, Presiding Coroner,

into the death of LEE Chul Sin 64 Male Female
(Last Name, First Name, Middle Name) (Age)

and the following findings were made:

Date and Time of Death: January 19, 2011 Time: 1517 hours

Place of Death: Hwy 95 Spillimacheen Rest Area CSRD, Spillimacheen, BC
(Location) (Municipality/Province)

Medical Cause of Death

(1) Immediate Cause of Death: a) Extensive multiple internal injuries

DUE TO OR AS A CONSEQUENCE OF

Antecedent Cause if any: b) Motor Vehicle Accident

DUE TO OR AS A CONSEQUENCE OF

Giving rise to the immediate cause (a) above, stating underlying cause last. c)

(2) Other Significant Conditions Contributing to Death:

Classification of Death: Accidental Homicide Natural Suicide Undetermined

The above verdict certified by the Jury on the 27th day of March AD, 2013.

T.E. Chico Newell
Presiding Coroner's Printed Name

[Signature]
Presiding Coroner's Signature

VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE NO.: 2011-0441-0004

LEE

Surname

Chul Sin

Given Names

PARTIES INVOLVED IN THE INQUEST:

Presiding Coroner: T.E. Chico Newell

Coroner Counsel: Rodrick H. Mackenzie

Court Recording Agency: Verbatim Words West Ltd.

Participants/Counsel: Ministry of Transportation and Infrastructure/Mr. Richard Meyer, Ms. Pamela Manhas.

The Sheriff took charge of the jury and recorded 3 exhibits. 15 witnesses were duly sworn in and testified.

PRESIDING CORONER'S COMMENTS:

The following is a brief summary of the circumstances of the death as set out in the evidence presented to the jury at the inquest. The following summary of the evidence as presented at the inquest is to assist the reader to more fully understand the Verdict and Recommendations of the jury. This summary is not intended to be considered evidence nor is it intended in any way to replace the jury's verdict.

The jury heard that on January 19, 2011, a green 1996 Oldsmobile Delta owned and driven by 64 year old Mr. Chul Sin Lee, with front seat passenger 66 year old Mr. Kwang Soo Cha, and rear seat passenger 73 year old Mr. James Chung Jic Koh, was travelling from Coquitlam, British Columbia to Calgary, Alberta. Due to winter conditions and the closure of the Trans-Canada Highway #1, the three men were travelling on Highway #95. At some point they pulled off the highway and into the Spillamacheen Rest Area southbound on the west side of Highway #95 in the vicinity of Brisco. At approximately 1517 hours and as they were returning to their journey, the vehicle proceeded from the rest area back onto Highway #95. Very shortly after entering the highway, their vehicle was struck by a southbound grey 2004 Kenworth loaded log hauling truck. The vehicle spun into the oncoming lane and was struck by a northbound red 2007 Peterbuilt Super B transport truck. The vehicle sustained catastrophic damage and came to rest against the east side elevated bank. The predominant impact area was on the driver's side from the front wheel to the rear door. The driver and front seat passenger were wearing their seatbelts; the rear passenger was unrestrained. The driver of each of the commercial vehicles was largely uninjured.

Testimony revealed the RCMP and paramedics had been attending a nearby collision incident. Consequently, they were able to attend the collision location within a few minutes. Paramedics established that all of the occupants in the passenger vehicle were deceased. Coroner Shawn Jestley was called and attended, managing the scene and investigation.

VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE NO.: 2011-0441-0004

The Spillamacheen Rest Area is situated in a location that for Highway #95 southbound traffic follows a long straight section of road. From the crest of a hill to the bottom is a distance of approximately 500 metres. The road levels out to becoming flat for another 400 metres before the rest area pullout. The road continues straight for approximately 300 metres prior to making a gradual left curve. Highway #95 in this area is asphalt and consists of one northbound and one southbound lane. The lanes are divided by a double solid line at the crest of the hill which changes to a broken line southbound and a solid line northbound. The line markings change to a single broken yellow line near the bottom of the hill. At the north pullout access the line changes to a solid line for southbound and a broken line for northbound which continues south to the start of the curve. At the time of the incident the fog lines on either side of the roadway were not visible due to thick ice and applied road abrasive. The posted speed limit is 100 km/h. The overall distance of the pullout area is approximately 115 metres. There is a stop sign at either pullout exit.

The weather at the time of the incident was described as daylight with sunshine and the temperature was -10° Celsius.

An attending police officer reported that the banks of snow from ploughing the rest area did not obstruct a driver's view while exiting the rest area.

The driver of the log hauler testified he was working a regular work day. He had previously hauled using Highway #95. He had loaded in Parson, BC and was en route to Canal Flats, BC to unload. This was the second trip of the day. The road conditions were described as somewhat normal winter conditions and icy. As he approached the incident location, he observed the green passenger vehicle was moving forward in the rest area and rolled through the stop sign. He recalled the vehicle driver did not turn his head to see the log hauler and drove directly out onto the highway.

The driver of the northbound commercial vehicle testified he was transporting approximately 10,000 pounds of insulation from Calgary to Vancouver. He was using Highway #95 because the Trans-Canada Highway #1 was closed at Field. Highway #1 had reportedly been closed for 4 to 5 days due to winter conditions. The detour route was to take Highway #93 from Field to Radium, then Highway #95 north to Golden. He described the road conditions north out of Brisco as icy with good traction. The driver reported having direct sight of the incident. He said Mr. Cha's vehicle did not stop at the stop sign. The log hauler clipped Mr. Cha's vehicle then went into the southbound ditch. The driver of the northbound commercial vehicle advised that his vehicle had lost steering after the collision and came to a stop in 15-20 metres.

The jury heard the RCMP Collision Analyst's information that Mr. Cha's vehicle exited the rest area pullout and headed southbound on Highway #95 in front of the loaded log hauler, which was already southbound on Highway #95. The distance between the vehicles was approximately 97 metres. The log hauler's speed was calculated to be a minimum of 74 km/h. The log hauler was unable to slow down enough to avoid collision in the southbound lane so drove off the road into the southbound ditch; however, contact was made with the right rear corner of Mr. Cha's vehicle. The impact caused Mr. Cha's vehicle to rotate counter-clockwise approximately 270 degrees and cross the highway into the path of the northbound commercial vehicle. The northbound commercial vehicle struck Mr. Cha's vehicle across the driver's side from the front wheel to the rear passenger door. Mr. Cha's vehicle then reversed direction and spun clockwise approximately 135 degrees before being pinned between the northbound commercial vehicle and the embankment on the east side of the roadway.

The Analyst was of the opinion that Mr. Lee's vehicle could not have safely exited the rest area and then accelerated to the posted 100 km/h speed limit without interrupting the log hauler's travel, even under ideal road conditions.

VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE NO.: 2011-0441-0004

Highway #95 was designated as the bypass to Highway #1 on January 18, 2011 at 1600 hours and remained so through the time of the incident. Roadway maintenance had met the requirements. Additional abrasive material was used to address the road condition.

It was heard that Highway #95 was constructed as a two-lane roadway during 1957-1958 and was designed for the passenger vehicle of the day. It had been considered that given the sharpest degree of curvature was 6° that the speed would be approximately 60 miles per hour. The Spillamacheen rest area was added in 1981 and is situated approximately 6.1 km north of Brisco.

Post mortem examination revealed Mr. Cha sustained extensive multiple internal injuries causing his death. Toxicology study was not undertaken.

Post mortem examination revealed Mr. Lee sustained extensive multiple internal injuries causing his death. Toxicology revealed no alcohol, prescribed medications or illicit drugs.

Post mortem examination revealed Mr. Koh sustained a fractured neck causing his death. Toxicology study was not undertaken.

VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE No.: 2011-0441-0004

LEE

Surname

Chul Sin

Given Names

Pursuant to Section 38 of the Coroners Act, the following recommendations are forwarded to the Chief Coroner of the Province of British Columbia for distribution to the appropriate agency:

JURY RECOMMENDATIONS:

To: Ministry of Transportation and Infrastructure

1. If the Trans Canada Highway is closed for any length of time and Highway 95 becomes the alternate route, we recommend Highway 95 should be upgraded to a "Class A" highway.

Coroner's Comments: The jury heard evidence that Highway #95 sees a lower level of winter maintenance than does that of the Trans-Canada Highway. When Highway #95 becomes the designated Trans-Canada Highway, the level of winter maintenance done to Highway #95 does not equal that of the Trans-Canada Highway.

2. After close examination of the evidence we recommend that an acceleration lane and deceleration lane be built at the Spillamacheen Rest Area.

Coroner's Comments: The jury heard evidence that the vehicles exiting the rest area enter directly into either the sole north or southbound lane. This is done from either the north or south end of the rest area. There is no left turn lane for northbound traffic to enter the rest area.

3. Considering the location of Highway 95, we recommend the speed limit be reduced to 90 km/hr from Golden to Radium.

Coroner's Comments: The jury heard evidence that Highway #95 services much rural residential areas and supports local traffic between Golden and Radium. The posted speed limit is 100km/hr.

4. When Highway 95 becomes an alternate route, due to the closure of the Trans-Canada Highway, portable road signs should be immediately placed south of Golden and north of Radium Hot Springs to inform the public of the current road conditions.

Coroner's Comments: The jury heard evidence that when Highway #95 became the designated Highway #1 alternate route, that announcements were made in the media and on-line. It was heard that a portion of the local travelling public however, would enter Highway #95 unaware that it had become the designated Highway #1 route.



VERDICT AT INQUEST

File No.: 2011-0441-0003

An Inquest was held at Invermere Courthouse, in the municipality of Invermere in the Province of British Columbia, on the following dates March 25, 26, and 27, 2013

before T.E. Chico Newell, Presiding Coroner,

into the death of CHA Kwang Soo 66 Male Female (Last Name, First Name, Middle Name) (Age) and the following findings were made:

Date and Time of Death: January 19, 2011 Time: 1517 hours

Place of Death: Hwy 95 Spillimacheen Rest Area CSRD, Spillimacheen, BC (Location) (Municipality/Province)

Medical Cause of Death

(1) Immediate Cause of Death: a) Extensive multiple internal injuries DUE TO OR AS A CONSEQUENCE OF

Antecedent Cause if any: b) Motor Vehicle Accident DUE TO OR AS A CONSEQUENCE OF

Giving rise to the immediate cause (a) above, stating underlying cause last. c)

(2) Other Significant Conditions Contributing to Death:

Classification of Death: Accidental Homicide Natural Suicide Undetermined

The above verdict certified by the Jury on the 27th day of March AD, 2013.

T.E. Chico Newell Presiding Coroner's Printed Name

[Signature] Presiding Coroner's Signature

VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE NO.: 2011-0441-0003

CHA

Surname

Kwang Soo

Given Names

PARTIES INVOLVED IN THE INQUEST:

Presiding Coroner: T.E. Chico Newell

Coroner Counsel: Rodrick H. Mackenzie

Court Recording Agency: Verbatim Words West Ltd.

Participants/Counsel: Ministry of Transportation and Infrastructure/Mr. Richard Meyer, Ms. Pamela Manhas.

The Sheriff took charge of the jury and recorded 3 exhibits. 15 witnesses were duly sworn in and testified.

PRESIDING CORONER'S COMMENTS:

The following is a brief summary of the circumstances of the death as set out in the evidence presented to the jury at the inquest. The following summary of the evidence as presented at the inquest is to assist the reader to more fully understand the Verdict and Recommendations of the jury. This summary is not intended to be considered evidence nor is it intended in any way to replace the jury's verdict.

The jury heard that on January 19, 2011, a green 1996 Oldsmobile Delta owned and driven by 64 year old Mr. Chul Sin Lee, with front seat passenger 66 year old Mr. Kwang Soo Cha, and rear seat passenger 73 year old Mr. James Chung Jic Koh, was travelling from Coquitlam, British Columbia to Calgary, Alberta. Due to winter conditions and the closure of Trans-Canada Highway #1, the three men were travelling on Highway #95. At some point they pulled off the highway and into the Spillamacheen Rest Area southbound on the west side of Highway #95 in the vicinity of Brisco. At approximately 1517 hours and as they were returning to their journey, the vehicle proceeded from the rest area back onto Highway #95. Very shortly after entering the highway, their vehicle was struck by a southbound grey 2004 Kenworth loaded log hauling truck. The vehicle spun into the oncoming lane and was struck by a northbound red 2007 Peterbuilt Super B transport truck. The vehicle sustained catastrophic damage and came to rest against the east side elevated bank. The predominant impact area was on the driver's side from the front wheel to the rear door. The driver and front seat passenger were wearing their seatbelts; the rear passenger was unrestrained. The driver of each of the commercial vehicles was largely uninjured.

Testimony revealed the RCMP and paramedics had been attending a nearby collision incident. Consequently, they were able to attend the collision location within a few minutes. Paramedics established that all of the occupants in the passenger vehicle were deceased. Coroner Shawn Jestley was called and attended, managing the scene and investigation.

VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE No.: 2011-0441-0003

The Spillamacheen Rest Area is situated in a location that for Highway #95 southbound traffic follows a long straight section of road. From the crest of a hill to the bottom is a distance of approximately 500 metres. The road levels out to become flat for another 400 metres before the rest area pullout. The road continues straight for approximately 300 metres prior to making a gradual left curve. Highway #95 in this area is asphalt and consists of one northbound and one southbound lane. The lanes are divided by a double solid line at the crest of the hill which changes to a broken line southbound and a solid line northbound. The line markings change to a single broken yellow line near the bottom of the hill. At the north pullout access the line changes to a solid line for southbound and a broken line for northbound which continues south to the start of the curve. At the time of the incident the fog lines on either side of the roadway were not visible due to thick ice and applied abrasive materials. The posted speed limit is 100 km/h. The overall distance of the pullout area is approximately 115 metres. There is a stop sign at either pullout exit.

The weather at the time of the incident was described as daylight with sunshine and the temperature was -10° Celsius.

An attending police officer reported that the banks of snow from ploughing the rest area did not obstruct a driver's view while exiting the rest area.

The driver of the log hauler testified he was working a regular work day. He had previously hauled using Highway #95. He had loaded in Parson, BC and was en route to Canal Flats, BC to unload. This was the second trip of the day. The road conditions were described as somewhat normal winter conditions and icy. As he approached the incident location, he observed the green passenger vehicle was moving forward in the rest area and rolled through the stop sign. He recalled the vehicle driver did not turn his head to see the log hauler and drove directly out onto the highway.

The driver of the northbound commercial vehicle testified he was transporting approximately 10,000 pounds of insulation from Calgary to Vancouver. He was using Highway #95 because the Trans-Canada Highway #1 was closed at Field. Highway #1 had reportedly been closed for 4 to 5 days due to winter conditions. The detour route was to take Highway #93 from Field to Radium, then Highway #95 north to Golden. He described the road conditions north out of Brisco as icy with good traction. The driver reported having direct sight of the incident. He said Mr. Cha's vehicle did not stop at the stop sign. The log hauler clipped Mr. Cha's vehicle then went into the southbound ditch. The driver of the northbound commercial vehicle advised that his vehicle had lost steering after the collision and came to a stop in 15-20 metres.

The jury heard the RCMP Collision Analyst's information that Mr. Cha's vehicle exited the rest area pullout and headed southbound on Highway #95 in front of the loaded log hauler, which was already southbound on Highway #95. The distance between the vehicles was approximately 97 metres. The log hauler's speed was calculated to be a minimum of 74 km/h. The log hauler was unable to slow down enough to avoid collision in the southbound lane so drove off the road into the southbound ditch; however, contact was made with the right rear corner of Mr. Cha's vehicle. The impact caused Mr. Cha's vehicle to rotate counter-clockwise approximately 270 degrees and cross the highway into the path of the northbound commercial vehicle. The northbound commercial vehicle struck Mr. Cha's vehicle across the driver's side from the front wheel to the rear passenger door. Mr. Cha's vehicle then reversed direction and spun clockwise approximately 135 degrees before being pinned between the northbound commercial vehicle and the embankment on the east side of the roadway.

The Analyst was of the opinion that Mr. Lee's vehicle could not have safely exited the rest area and then accelerated to the posted 100 km/h speed limit without interrupting the log hauler's travel, even under ideal road conditions.

VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE NO.: 2011-0441-0003

Highway #95 was designated as the bypass to Highway #1 on January 18, 2011 at 1600 hours and remained so through the time of the incident. Roadway maintenance had met the requirements. Additional abrasive material was used to address the road condition.

It was heard that Highway #95 was constructed as a two-lane roadway during 1957-1958 and was designed for the passenger vehicle of the day. It had been considered that given the sharpest degree of curvature was 6° that the speed would be approximately 60 miles per hour. The Spillamacheen rest area was added in 1981 and is situated approximately 6.1 km north of Brisco.

Post mortem examination revealed Mr. Cha sustained extensive multiple internal injuries causing his death. Toxicology study was not undertaken.

Post mortem examination revealed Mr. Lee sustained extensive multiple internal injuries causing his death. Toxicology revealed no alcohol, prescribed medications or illicit drugs.

Post mortem examination revealed Mr. Koh sustained a fractured neck causing his death. Toxicology study was not undertaken.

VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST
INTO THE DEATH OF

FILE NO.: 2011-0441-0003

CHA

Surname

Kwang Soo

Given Names

Pursuant to Section 38 of the Coroners Act, the following recommendations are forwarded to the Chief Coroner of the Province of British Columbia for distribution to the appropriate agency:

JURY RECOMMENDATIONS:

To: Ministry of Transportation and Infrastructure

1. If the Trans-Canada Highway is closed for any length of time and Highway 95 becomes the alternate route, we recommend Highway 95 should be upgraded to a "Class A" highway.

Coroner's Comments: The jury heard evidence that Highway #95 sees a lower level of winter maintenance than does that of the Trans-Canada Highway. When Highway #95 becomes the designated Trans-Canada Highway, the level of winter maintenance done to Highway #95 does not equal that of the Trans-Canada Highway.

2. After close examination of the evidence we recommend that an acceleration lane and deceleration lane be built at the Spillamacheen Rest Area.

Coroner's Comments: The jury heard evidence that the vehicles exiting the rest area enter directly into either the sole north or southbound lane. This is done from either the north or south end of the rest area. There is no left turn lane for northbound traffic to enter the rest area.

3. Considering the location of Highway 95, we recommend the speed limit be reduced to 90 km/hr from Golden to Radium.

Coroner's Comments: The jury heard evidence that Highway #95 services much rural residential areas and supports local traffic between Golden and Radium. The posted speed limit is 100km/hr.

4. When Highway 95 becomes an alternate route, due to the closure of the Trans-Canada Highway, portable road signs should be immediately placed south of Golden and north of Radium Hot Springs to inform the public of the current road conditions.

Coroner's Comments: The jury heard evidence that when Highway #95 became the designated Highway #1 alternate route, that announcements were made in the media and on-line. It was heard that a portion of the local travelling public however, would enter Highway #95 unaware that it had become the designated Highway #1 route.



VERDICT AT INQUEST

File No.: 2011-0441-0005

An Inquest was held at Invermere Courthouse, in the municipality of Invermere in the Province of British Columbia, on the following dates March 25, 26, and 27, 2013

before T.E. Chico Newell, Presiding Coroner,

into the death of KOH James Chung Jic 73 Male Female (Last Name, First Name, Middle Name) (Age) and the following findings were made:

Date and Time of Death: January 19, 2011 Time: 1517 hours

Place of Death: Hwy 95 Spillimacheen Rest Area CSRD, Spillimacheen, BC (Location) (Municipality/Province)

Medical Cause of Death

(1) Immediate Cause of Death: a) Fractured Neck DUE TO OR AS A CONSEQUENCE OF

Antecedent Cause if any: b) Motor Vehicle Accident DUE TO OR AS A CONSEQUENCE OF

Giving rise to the immediate cause (a) above, stating underlying cause last. c)

(2) Other Significant Conditions Contributing to Death:

Classification of Death: [X] Accidental [] Homicide [] Natural [] Suicide [] Undetermined

The above verdict certified by the Jury on the 27th day of March AD, 2013.

T.E. Chico Newell Presiding Coroner's Printed Name

[Signature] Presiding Coroner's Signature

VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE NO.: 2011-0441-0005

KOH

Surname

James Chung Jic

Given Names

PARTIES INVOLVED IN THE INQUEST:

Presiding Coroner: T.E. Chico Newell

Coroner Counsel: Rodrick H. Mackenzie

Court Recording Agency: Verbatim Words West Ltd.

Participants/Counsel: Ministry of Transportation and Infrastructure/Mr. Richard Meyer, Ms. Pamela Manhas.

The Sheriff took charge of the jury and recorded 3 exhibits. 15 witnesses were duly sworn in and testified.

PRESIDING CORONER'S COMMENTS:

The following is a brief summary of the circumstances of the death as set out in the evidence presented to the jury at the inquest. The following summary of the evidence as presented at the inquest is to assist the reader to more fully understand the Verdict and Recommendations of the jury. This summary is not intended to be considered evidence nor is it intended in any way to replace the jury's verdict.

On January 19, 2011, a green 1996 Oldsmobile Delta owned and driven by 64 year old Mr. Chul Sin Lee, with front seat passenger 66 year old Mr. Kwang Soo Cha, and rear seat passenger 73 year old Mr. James Chung Jic Koh, was travelling from Coquitlam, British Columbia to Calgary, Alberta. Due to winter conditions and the closure of the Trans-Canada Highway #1, the three men were travelling on Highway #95. At some point they pulled off the highway and into the Spillamacheen Rest Area southbound on the west side of Highway #95 in the vicinity of Brisco. At approximately 1517 hours and as they were returning to their journey, the vehicle proceeded from the rest area back onto Highway #95. Very shortly after entering the highway, their vehicle was struck by a southbound grey 2004 Kenworth loaded log hauling truck. The vehicle spun into the oncoming lane and was struck by a northbound red 2007 Peterbuilt Super B transport truck. The vehicle sustained catastrophic damage and came to rest against the east side elevated bank. The predominant impact area was on the driver's side from the front wheel to the rear door. The driver and front seat passenger were wearing their seatbelts; the rear passenger was unrestrained. The driver of each of the commercial vehicles was largely uninjured.

RCMP and paramedics had been attending a nearby collision incident. Consequently, they were able to attend the collision location within a few minutes. Paramedics established that all of the occupants in the passenger vehicle were deceased. Coroner Shawn Jestley was called and attended, managing the scene and investigation.

The Spillamacheen Rest Area is situated in a location that for Highway #95 southbound traffic follows a long straight section of road. From the crest of a hill to the bottom is a distance of approximately 500 metres. The road levels out to becoming flat for another 400 metres before it intersects with the rest area pullout. The road

VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE No.: 2011-0441-0005

continues straight for approximately 300 metres prior to making a gradual left curve. Highway #95 in this area is asphalt and consists of one northbound and one southbound lane. The lanes are divided by a double solid line at the crest of the hill which changes to a broken line southbound and a solid line northbound. The line markings change to a single broken yellow line near the bottom of the hill. At the north pullout access the line changes to a solid line for southbound and a broken line for northbound which continues south to the start of the curve. At the time of the incident the fog lines on either side of the roadway were not visible due to thick ice. The posted speed limit is 100 km/h. The overall distance of the pullout area is approximately 115 metres. There is a stop sign at either pullout exit.

The weather at the time of the incident was described as daylight with sunshine and the temperature was -10° Celsius.

An attending police officer reported that the banks of snow from ploughing the rest area did not obstruct a driver's view while exiting the rest area.

The driver of the log hauler was working a regular work day. He had previously hauled using Highway #95. He had loaded in Parson, BC and was en route to Canal Flats, BC to unload. This was the second trip of the day. The road conditions were described as somewhat normal winter conditions and icy. As he approached the incident location, he observed the green passenger vehicle was moving forward in the rest area and rolled through the stop sign. He recalled the vehicle driver did not turn his head to see the log hauler and drove directly out onto the highway.

The driver of the northbound commercial vehicle was transporting approximately 10,000 pounds of insulation from Calgary to Vancouver. He was using Highway #95 because the Trans Canada Highway #1 was closed at Field. Highway #1 had reportedly been closed for 4 to 5 days due to winter conditions. The detour route was to take Highway #93 from Field to Radium, then Highway #95 north to Golden. He described the road conditions north out of Brisco as icy with good traction. The driver reported having direct sight of the incident. He said Mr. Cha's vehicle did not stop at the stop sign. The log hauler clipped Mr. Cha's vehicle then went into the southbound ditch. The driver of the northbound commercial vehicle advised that his vehicle had lost steering after the collision and came to a stop in 15-20 metres.

The RCMP Collision Analyst determined that Mr. Cha's vehicle exited the rest area pullout and headed southbound on Highway #95 in front of the loaded log hauler, which was already southbound on Highway #95. The distance between the vehicles was approximately 97 metres. The log hauler's speed was calculated to be a minimum of 74 km/h. The log hauler was unable to slow down enough to avoid collision in the southbound lane so drove off the road into the southbound ditch; however, contact was made with the right rear corner of Mr. Cha's vehicle. The impact caused Mr. Cha's vehicle to rotate counter-clockwise approximately 270 degrees and cross the highway into the path of the northbound commercial vehicle. The northbound commercial vehicle struck Mr. Cha's vehicle across the driver's side from the front wheel to the rear passenger door. Mr. Cha's vehicle then reversed direction and spun clockwise approximately 135 degrees before being pinned between the northbound commercial vehicle and the embankment on the east side of the roadway.

The Analyst was of the opinion that Mr. Lee's vehicle could not have safely exited the rest area and then accelerated to the posted 100 km/h speed limit without interrupting the log hauler's travel, even under ideal road conditions.

VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE No.: 2011-0441-0005

Highway #95 was designated as the bypass to Highway #1 on January 18, 2011 at 1600 hours and remained so through the time of the incident. Roadway maintenance had met the requirements. Additional abrasive material was used to address the road condition.

It was heard that Highway #95 was constructed as a two-lane roadway during 1957-1958 and was designed for the passenger vehicle of the day. It had been considered that given the sharpest degree of curvature was 6° that the speed would be approximately 60 miles per hour. The Spillamacheen rest area was added in 1981 and is situated approximately 6.1 km north of Brisco.

Post mortem examination revealed Mr. Cha sustained extensive multiple internal injuries causing his death. Toxicology study was not undertaken.

Post mortem examination revealed Mr. Lee sustained extensive multiple internal injuries causing his death. Toxicology revealed no alcohol, prescribed medications or illicit drugs.

Post mortem examination revealed Mr. Koh sustained a fractured neck causing his death. Toxicology study was not undertaken.

VERDICT AT INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE No.: 2011-0441-0005

KOH

Surname

James Chung Jic

Given Names

Pursuant to Section 38 of the Coroners Act, the following recommendations are forwarded to the Chief Coroner of the Province of British Columbia for distribution to the appropriate agency:

JURY RECOMMENDATIONS:

To: Ministry of Transportation and Infrastructure

1. If the Trans-Canada Highway is closed for any length of time and Highway 95 becomes the alternate route, we recommend Highway 95 should be upgraded to a "Class A" highway.

Coroner's Comments: The jury heard evidence that Highway #95 sees a lower level of winter maintenance than does that of the Trans-Canada Highway. When Highway #95 becomes the designated Trans-Canada Highway, the level of winter maintenance done to Highway #95 does not equal that of the Trans-Canada Highway.

2. After close examination of the evidence we recommend that an acceleration lane and deceleration lane be built at the Spillamacheen Rest Area.

Coroner's Comments: The jury heard evidence that the vehicles exiting the rest area enter directly into either the sole north or southbound lane. This is done from either the north or south end of the rest area. There is no left turn lane for northbound traffic to enter the rest area.

3. Considering the location of Highway 95, we recommend the speed limit be reduced to 90 km/hr from Golden to Radium.

Coroner's Comments: The jury heard evidence that Highway #95 services much rural residential areas and supports local traffic between Golden and Radium. The posted speed limit is 100km/hr.

4. When Highway 95 becomes an alternate route, due to the closure of the Trans-Canada Highway, portable road signs should be immediately placed south of Golden and north of Radium Hot Springs to inform the public of the current road conditions.

Coroner's Comments: The jury heard evidence that when Highway #95 became the designated Highway #1 alternate route, that announcements were made in the media and on-line. It was heard that a portion of the local travelling public however, would enter Highway #95 unaware that it had become the designated Highway #1 route.