

## Law aims to curb construction-zone deaths



**CHIEFTAIN PHOTO/  
BRYAN KELSEN**

**Leena Mather of Beulah is comforted by state Rep. Buffie McFadyen, D-Pueblo West, as she addresses the media while holding her infant son, Charles Gabriel Mather, on Wednesday at the Union Depot.**

**By NICK BONHAM**  
THE PUEBLO CHIEFTAIN

Charles Gabriel Mather has been the center of attention since he came into the world on Oct. 25.

"Everyone just thinks he's the cat's meow," said Leena Mather, the proud mother. "Everyone wants to be his aunt or uncle. He's definitely going to be spoiled, I can already tell.

Born at St. Mary-Corwin Medical Center weighing 5 pounds 8 ounces, and measuring 18 inches long, no amount of spoiling can bring back the newborn's father.

Charles "Chuck" Mather died Aug. 30 in a fiery accident three miles south of Colorado City on Interstate 25. A semitrailer crashed into the

Colorado Department of Transportation construction zone where he was working.

The trailer hit the rotomill the 34-year-old Mather was operating. Employed with CDOT for just more than a year, he was working on a one-day paving operation.

Four others were injured in the crash, including co-worker Jerry Buchanan.

Fast forward two months later to Wednesday and Charles Gabriel Mather peacefully slept in his mother's arms as she stood aside Representative Liane "Buffie" McFadyen as she proposed new legislation for greater safety and fines within highway construction zones.

"I think my husband's life was worth more than a misdemeanor," Leena Mather, said, breaking into tears. "Let's not let (road workers') children grow up without them."

Robin Lee Kirkland was driving the semitrailer loaded with decorative boulders when it crashed. The Colorado State Patrol has recommended the charge of careless driving resulting in death and three counts of careless driving resulting in injury - all misdemeanors.

As of Wednesday no charges had been filed.

McFadyen, D-Pueblo West, chairwoman of the state Transportation and Energy Committee who is running for re-election in House District 47, didn't give exact specifics about the bill she wants to carry during the next legislative session.

First, she said, she has to talk with the state's District Attorneys' Council. McFadyen said she wants the bill - which will be named the Charles Mather Bill - to increase fines for traffic infractions and reduce speed limits through construction zones. It would also include stricter punishment for traffic offenses in school zones.

If passed, the Charles Mather Bill would be tougher than similar legislation, HB1151, that was passed last year.

Although Wednesday's press conference at the Union Depot was attended mainly by local media, McFadyen was backed with support from Denver District Attorney Mitch Morrissey, and members of the newly formed Colorado Association of Traffic Control Professionals. According to statistics released at the conference, 120 people have died in construction zone accidents since 1994.

"That averages 10 people a year and that's too much," Morrissey said. Of the 120 deaths, Dan Clark, president of CATCP, said 15 percent involved construction workers, the rest being civilians.

"That shouldn't matter," Morrissey said. "People need to slow down. People who aren't willing to do that . . . should be held accountable."

According to Diana Tixier, owner of Double-D Construction in Lamar and in the traffic control business for more than 20 years, said CATCP was born out of necessity.

"We're tired of watching people die unnecessarily," she said. "We're angry. We were formed out of necessity. There's no monetary need." The goal of CATCP - privately funded traffic control companies - is to be a CDOT watchdog, a useful tool for state legislators, Clark said. The state usually bids out large highway construction projects to private construction companies, Clark said. Traffic control companies then issue bids to the contractors.

The ongoing issue, according to Clark, is "We have the greatest liability, but little control."

Clark also sees discrepancies in statistics compiled by his group and what CDOT submits to the Federal Highway Administration. Funding for traffic control groups has been on a "steady decline" since 2000, he added.

What's more, Clark said he's had little help and cooperation with CDOT and many legislators.

"This is the first I've ever heard about this, and I'm involved with a lot of safety meetings" said CDOT spokeswoman Stacey Stegman. "CDOT has never made a concentrated effort to reduce safety in our work zones. That's just beyond my comprehension."

She said CDOT's been paying overtime to have a stronger law enforcement presence in construction zones. More safety equipment's been purchased, pamphlets in both English and Spanish created and a push to promote safety, Stegman said.

" Safety has been on the forefront the last five years than ever before." she said.