



rights. riding. racing.

AmericanMotorcyclistAssociation

March 11, 2005

Office of the Secretary  
Consumer Product Safety Commission  
Washington, DC 20207

RE: ATV Petition Briefing

Dear Secretary Todd A. Stevenson:

The American Motorcyclist Association (AMA) is a not-for-profit organization, founded in 1924 and incorporated in Ohio. In partnership with our sister organization, the All-Terrain Vehicle Association (ATVA), we represent nearly 265,000 all-terrain vehicle (ATV) and motorcycle enthusiasts nationwide. Our members are interested in any action that may affect their enjoyment of motorcycle or ATV recreation.

Thank you for this opportunity to present the enthusiasts' perspective on ATV safety. We would encourage the commission to continue to seek information from user groups as you consider ATV-related matters.

We respectfully request that you follow the recommendation of your staff and deny Petition CP 02-4/HP 02-1; Petition requesting ban of ATVs sold for the use of children under 16 years of age. As your staff notes: "The CPSC lacks the ability to regulate or enforce how consumers use products after purchase. While the Commission can affect to some degree how ATVs are sold, it cannot control the behavior of consumers or prevent adults from allowing children to ride adult-size ATVs."

Instead, we believe that proper training, the use of safety gear, parental supervision, and allowing children to ride right-size vehicles would do much to reduce ATV-related injuries and deaths involving children under 16.

### **All-Terrain Vehicles Are Not Fundamentally Dangerous**

As ATV-riding enthusiasts, we are in a very good position to assess the handling and performance characteristics of ATVs. We have logged our "seat time," and we have not found these vehicles to be inherently dangerous. To the contrary, it has been our experience that, when operated responsibly, ATV riding is a safe and appropriate recreation.

### **Training and Safety Equipment are Essential for Reducing Injuries and Deaths**

A review of ATV-related accidents indicates that vehicle misuse and ill-prepared riders appear to be the fundamental causes of fatalities. We believe that one of the best approaches for a long-term reduction in ATV-related injuries and deaths is through rider safety training. We advocate voluntary training for adult riders but do not oppose mandatory training for youngsters.

Training for ATV riders should educate them about proper riding gear, teach them safe riding techniques, and improve their riding skills through hands-on training. Young riders should be trained in the context of family-training, like the training provided by the Utah State Parks youth training program, which requires parents to actively participate in safety training.

Proper gear includes wearing a helmet while riding. We believe that increased helmet use could significantly reduce the number of fatalities. The AMA and ATVA have long promoted voluntary helmet use for adult riders but we do not oppose mandatory requirements for youthful riders.

ATV passengers represent a significant number of fatalities, especially among persons under the age of 16. One point of many that students learn during ATV rider safety training is that passengers are not to be carried on ATVs. The vast majority of recreational ATVs are not designed to carry passengers. Attempting to carry passengers on those ATVs can significantly reduce their stability and reduce rider control. We advocate only single riders on ATVs.

### **Parental Supervision Needed to Keep Young Riders Safe**

We believe strongly that close parental supervision is key to keeping young riders safe.

### **Opportunities for Rider Education Need to be Expanded**

We recognize the value of the age guidelines developed by the CPSC in cooperation with the manufacturers of ATVs through the consent decree. However, our members report that the consent decree guidelines are not appropriate in every situation. Most of our members' concerns involve teenage riders ages 12-15 who have physically outgrown youth-model ATVs.

ATV recreation and competition enthusiasts are not alone in observing that the consent decree guidelines are not always appropriate. Increasingly, state ATV safety programs are recognizing that it is more important for youngsters to be properly "sized" for a vehicle than it is to follow the guidelines in every case. Some state programs allow children to participate in safety training courses on non-youth model ATVs.

In Utah, for example, state law says that if you are between the ages of 8 and 16 and you are going to be riding on public property then you must take training, and the parents must also attend. Utah does not use engine size as a guideline. Instead, Utah decided that if you fit the ATV then you can take the class. Children are not restricted to riding an ATV under 90cc.

Utah has been doing this for 17 years, and has trained more than 20,000 kids.

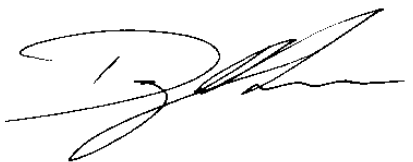
Although the consent decree provides reasonable guidance, especially for families new to motorized recreation, the guidelines should remain guidelines - not rules. Unfortunately, many states and some rider-training programs have adopted the consent decree guidelines as rules. Thus, they do not allow youngsters to attend safety training, whether properly sized or not, on full-size ATVs.

The current guidelines inhibit youth from receiving training because many families only own one ATV, which is full size, and parents allow their children to ride the ATV without safety training because their children can't get training under the consent decree guidelines. These guidelines need to be modified for 12-15-year-old riders.

Sincerely,



Royce L. Wood  
American Motorcyclist Association



Doug Morris  
All-Terrain Vehicle Association