



For Immediate Release

Contact

SVIA Media Relations
(949) 727-3727, ext. 3091

**American Academy of Pediatrics (AAP) Comparison Shows
Importance of State ATV Safety Legislation**

ATV Industry Working with State Legislatures to Pass Comprehensive ATV Safety Legislation

IRVINE, Calif., April 6, 2004 – The Specialty Vehicle Institute of America (SVIA) commends the American Academy of Pediatrics (AAP) for calling attention to the critical need for all ATV riders – especially children – to wear helmets when riding all-terrain vehicles, and calls on states to adopt the industry’s Model ATV Safety Legislation to strengthen ATV rider safety.

The industry’s Model Legislation, which has served as the basis for many states with comprehensive ATV safety laws, not only advocates safety provisions that codify the AAP’s helmet recommendation, but, as important, prohibits children under 16 from riding adult-sized ATVs, prohibits passengers, and requires adult supervision, among other safety restrictions.

The AAP posted an abstract of an article on its website (PEDIATRICS Vol. 113 No. 4 April 2004, pp. e330-e334) about an AAP study comparing “...a State With and a State Without a Helmet Law.” It notes that fewer children in North Carolina than children in Pennsylvania (16.7% vs. 35.8%) wore helmets. A portion of the abstract’s conclusion states that “Living in Pennsylvania was associated with decreased risk factors for ATV injury such as young age and riding unhelmeted.” It describes Pennsylvania as being “regulated” and North Carolina to be “unregulated.”

“We’re pleased that the AAP’s study brings attention to the importance of helmet laws, and the need for comprehensive ATV safety legislation in all states, but especially those like North Carolina, which has no ATV safety laws,” said SVIA Vice President of Government Relations Kathy Van Kleeck. “However, using Pennsylvania in the comparison doesn’t represent an accurate assessment of the extent to which comprehensive state legislation can dramatically improve ATV safety. Pennsylvania’s helmet law is inadequate by industry safety standards in that it only requires helmet use when a rider is crossing a road, or if the ATV is ridden on one of a

very limited number of roads approved for ATVs and snowmobiling. Riding on any paved or public road is contrary to the ATV industry's safety guidelines."

Research has shown that more than 92% of all ATV crashes involve one or more user behaviors that are strongly and visibly "warned against" by the industry in dealerships, in product literature, in public awareness messages, through rider training, and on the vehicle itself. These risky and irresponsible behaviors include children riding adult-sized ATVs; riding without a helmet; riding with a passenger; riding on public roads; and riding at excessive speed. Furthermore, in crashes involving children, an overwhelming number of injuries are the result of children under 16 riding adult-sized ATVs.

The major U.S. distributors and manufacturers of ATVs have, for more than two decades, made unprecedented and unified efforts to promote the safe and responsible use of ATVs and to deter parents from allowing their children to use adult-size ATVs. The industry's Model State ATV Safety Legislation directly addresses "warned against behaviors" by imposing age limits consistent with those recommended by the United States Consumer Product Safety Commission (CPSC) as well as other restrictions on ATV operation.

Industry efforts key to passage of ATV safety laws in West Virginia following a seven-year legislative stalemate

In March 2004, the industry's vigorous and prolonged efforts to promote ATV safety legislation in West Virginia were instrumental in helping the state pass its first ATV safety laws, ending a seven-year legislative stalemate. The CPSC established momentum for passing an ATV safety law by holding its first field hearing on ATV safety in Morgantown, West Virginia in June 2003. The industry worked closely with the legislature; published on the first day of the 2004 legislative session a full-page "open letter" to the lawmakers in two West Virginia newspapers urging passage of ATV safety legislation during the current session; and was also in close contact with Governor Wise throughout the process. The law's ATV safety provisions for children were particularly strong and adopted many of the industry's recommendations.

States with comprehensive ATV safety legislation have a much stronger safety record

"In my testimony on behalf of SVIA at the CPSC's field hearing on ATV Safety in New Mexico in November 2003, I presented information that showed that states with ATV safety legislation have a stronger record than those states that do not regulate ATV use," said Van Kleek.

Van Kleek testified that SVIA worked with legislators in Texas to enact laws that were closely patterned after the industry's Model Legislation and the results document the effectiveness of such state legislation. The Texas law requires all ATV operators under age 14 to be accompanied by and under the direct supervision of a parent, guardian, or adult authorized by the parent or guardian. In addition, in order to obtain the safety certificate necessary to operate an ATV on public property, a child under 14 must take a hands-on training course. In Texas, the percentage of fatalities sustained by riders under 14 declined from 41% prior to the legislation to 24% after it became effective in 1988*.

Further evidence that state legislation works is offered by examples in Kentucky and New Jersey[†], both of which have laws restricting the use of adult-size ATVs by children under age 16. Kentucky's law prohibits the operation of an ATV with an engine size greater than 90cc by a child under age 16 or greater than 70cc by a child under age 12. In that state, the percentage of fatalities sustained by riders under 12

* *Analysis of Texas ATV Laws*, by Dr. Edward J. Heiden, November 3, 2003, based on data from the CPSC for the time period 1982 (the first year ATV fatality data were publicly available) through 1987 for pre-law analysis, and 1988 through 2001 as the post-analysis period.

[†] *Statement for CPSC West Virginia Public Field Hearing, July 3, 2003*, Dr. Edward J. Heiden. The comparison for Kentucky is for the time period 1982 through 1990 for pre-law analysis, and 1991 through 2001 for the post-law analysis period. In New Jersey, it is for the time period 1982 through 1992 for pre-law analysis, and 1993 (when the state law became effective) through 2001 for the post-law analysis period.

declined from 26% prior to the legislation to 7% after the law was enacted in 1990. The percentage of fatalities for riders under 16 declined from 55% pre-law to 22% after the law. New Jersey also prohibits operation of an ATV over 90cc on public lands by a child under age 16 and further prohibits operation on public land by children under age 14. In New Jersey, fatalities involving riders under 14 declined from 18% to 0%. Fatalities involving riders under 16 went from 29% to 0%.

“These numbers support the industry’s belief that state legislation, along with education, training, and parental supervision, are the keys to influencing rider behavior,” said Van Kleek.

Industry’s Model ATV Safety Legislation

The primary safety provisions of the ATV industry’s model legislation include:

1. Requires protective gear: All ATV riders are required to wear eye protection and an approved safety helmet.
2. Prohibits passengers: The carrying of passengers is not allowed in any circumstance.
3. Codifies operator age restrictions: No one under age 16 may operate an adult-sized ATV (engine capacity greater than 90 cc) on public land. Youth-size ATVs (engine capacity 70 cc up to and including 90 cc) may be operated on public land only by those aged 12 and older.
4. Requires adult supervision: Persons under age 16 must be under continuous adult supervision while operating an ATV on public land.
5. Promotes education: States must implement a comprehensive ATV safety education and training program, which provides for the hands-on training of ATV operators.
6. Establishes safety certification: All persons operating an ATV on public land must have a safety certificate.
7. Prohibits ATV operation on public roads.

The safe and responsible use of ATVs is the top priority of the ATV industry, and the industry will continue to enhance its multi-tiered efforts aimed at further reducing the number of accidents and injuries caused by improper use of ATVs.

The major ATV manufacturers and distributors – through the ATV Safety Institute (ASI) or their own dealers – offer free training to all purchasers of new ATVs and their eligible family members. In fact, most manufacturers offer a \$100 cash incentive to first-time purchasers who take training. Consumers can visit ASI’s website, www.atvsafety.org or call **1-800-887-2887** for information on training at nearly 1,000 sites in the United States. Since 1988, more than 510,000 riders have taken the half-day, hands-on ASI RiderCourse. In any given week, 200-300 training classes are conducted nationwide by one of 1,500 licensed ASI Instructors.

ASI

The All-Terrain Vehicle Safety Institute® (ASI), a not-for-profit division of the Specialty Vehicle Institute of America® (SVIA), was formed in 1988 to implement an expanded national program of all-terrain vehicle (ATV) safety education and awareness. ASI’s primary goal is to promote the safe and responsible use of ATVs, thereby reducing accidents and injuries that may result from improper ATV operation by the rider. For safety information or to enroll in an ATV *RiderCourse*SM, call (800) 887-2887 or visit www.atvsafety.org.

SVIA

Since 1983, the Specialty Vehicle Institute of America® (SVIA) has promoted the safe and responsible use of All-Terrain Vehicles (ATVs) through rider training programs, public awareness campaigns, and state legislation. SVIA also serves as a resource for ATV research, statistics, and vehicle standards. SVIA, based in Irvine, California, is a not-for-profit trade association sponsored by AlphaSports, Arctic Cat, Bombardier, Honda, John Deere, Kawasaki, Suzuki and Yamaha. For membership information, call (949) 727-3727; for safety information or to enroll in an ATV *RiderCourse*SM, call (800) 887-2887 or visit www.atvsafety.org.