

15752



POLARIS®
The Way Out.

ATV CONSUMER RIDER SAFETY TRAINING CERTIFICATE

This Is To Certify That

DOLLY BUMBACO

*Has Successfully Completed The Polaris
ATV Rider Safety Training Course*

4/24/03
Date

Steve E. Waltrout
Dealer Trainer Signature

Dealer Number: 25347

Serial Number: 4XAC032A33B809176

I have completed the Polaris ATV Rider Safety Training Course which included viewing the safety video, reviewing the Owner's Manual and safety messages, and riding an ATV through the rider course. I understand that my warranty on my Polaris is valid only upon completion of this safety training course.

[Signature]
ATV Rider Signature

Check if Applicable:

- For ATV Operators, 16 or 17 years of age, this confirms that I, the ATV Operator, have completed the supplemental review materials.
- For first-time ATV operators, this confirms that I, the ATV Operator, have completed the minimum number of repetitions for each of the eight driving maneuvers of the rider course.

8915297
Printed in U.S.A.

Warranty Number 1193395	Model 2003 MAG 330,4X4,CAMO GR MET (A03CD32AC)	Serial Number 4XACD32A33B809176	Engine Model Number ES320PFE1000000	Engine Serial Number D000000369736
----------------------------	--	------------------------------------	--	---------------------------------------



ATV WARRANTY REGISTRATION: This warranty registration must be completed by the selling dealer and submitted to Polaris on the date of sale for warranty entitlement. Your copy of this registration form is your proof of warranty entitlement. **IF YOU DO NOT TAKE THE POLARIS SAFETY TRAINING COURSE THAT IS GIVEN BY YOUR DEALER, YOUR ATV WILL NOT BE COVERED BY WARRANTY.**

- Not a First time ATV Purchaser
- Owner has completed the authorized Polaris ATV safety course with this purchase.

Instructor's name: STEVE WILTROUT

Dealer Number: 2534700	Distributor Number:	Date of Sale: 4/24/2003	Owner Phone Number: 7244584153
Dealer Business Name: STREET TRACK N TRAIL, INC		Owner's Name: DOLLY JAN BUMBACO	
Address: RD #3 BOX 5099		Address: 127 GILL RD	
City, State, Zip: CONNEAUT LAKE, PA 18318		City, State, Zip, Country: GROVE CITY, PA 18127, US	

WARNING: Read carefully each warning below and sign the Owners box. Failure to follow the warnings set forth below and in the Owners Manual can result in severe injury or death.

1. **ADULT VEHICLE ONLY, not a toy.** Prohibited for those under 16 years old.
2. **OPERATOR ONLY. NEVER CARRY PASSENGERS** under any circumstances; doing so reduces stability and control, and is therefore dangerous. Vehicle is rider active: operator needs use of entire seat.
3. **ALWAYS AVOID PAVED SURFACES.** Pavement may seriously affect handling and control.
4. **HILL CLIMBING IS DANGEROUS,** and should be attempted only by experienced operators. Start on shallow slopes and practice procedures described in owner's manual before trying steeper terrain. Some hills are too steep to safely stop or recover from an unsuccessful climbing attempt. If vehicle slides backwards down hill, apply brakes with gradual, even pressure to avoid flipover. Sudden or overly-aggressive use of brakes going forward downhill could cause forward flipover.
5. **REVERSE OPERATION CAN BE DANGEROUS** even at low speeds. Steering control becomes difficult. When backing up, apply brakes carefully; aggressive braking may result in flipover. Avoid backing downhill.
6. **USE OVERRIDE FOR REVERSE SPEED LIMITER WITH CAUTION;** it allows full engine power and can result in excessive speeds. Never activate override button while throttle is open, as loss of control may result.
7. **PARK BRAKE MAY RELAX WHEN USED FOR LONG PERIODS.** When parking on grades, leave the gear shift in forward, block the wheels on the downhill side, and don't leave brake engaged for more than 5 minutes.
8. Vehicle designed mainly for warm weather use. **THROTTLE LINKAGE AND BRAKES MAY STICK IF OPERATED IN FREEZING WEATHER, CAUSING LOSS OF CONTROL.** Check both frequently.
9. **ALWAYS WEAR HELMET,** eye protection, boots, gloves.
10. **EXCESSIVE SPEED IS DANGEROUS,** limiting reaction time needed for proper vehicle control, especially on rough or unfamiliar terrain.
11. **NEVER USE ALCOHOL OR DRUGS** before or while operating ATV. They slow reaction time and impair judgment.
12. To reduce tipover risk, **BE ESPECIALLY CAREFUL WHEN ENCOUNTERING OBSTACLES AND SLOPES, WHEN BRAKING ON HILLS OR DURING TURNS.**
13. Keep feet on footrests at all times.
14. High speeds, jumps, and trick maneuvers are dangerous and could result in loss of control and other accidents.
15. Never permit a guest to operate this ATV unless the guest has read the owner's manual and all labels, and has completed a certified training course.
16. Engine shut off switch is available for use in event of throttle failure or other emergency when engine shut off is desired.

READ CAREFULLY

I certify that I have set up this vehicle according to the instructions from Polaris. I also certify that (1) unless otherwise indicated above, this customer has successfully completed the authorized Polaris ATV safety training course. (2) I have reviewed with the customer this safety warning checklist and the warning labels on the ATV, and (3) I have given the Owner's Manual to the customer.

Unless otherwise indicated above, I acknowledge that I have successfully completed the authorized Polaris ATV training course. In all cases, I acknowledge that I have read the ATV safety warnings set forth above and have received the Polaris ATV Owner's Manual. I understand the importance of the safety warnings contained in this information and that severe injury or death can result from not complying with them. Lastly, I acknowledge that this vehicle has not been purchased by or for the use of any person under 16 years of age.

SIGNATURE OF DEALER: <i>X Steve E Wiltrout</i>	DATE: 4/24/03	SIGNATURE OF OWNER: <i>X Dolly Jan Bumbaco</i>	DATE: 4-24-03
---	------------------	---	------------------

PRESENTATION TO
The Consumer Product Safety Commission
Public Field Hearing

CONCERNING
All-Terrain Vehicles

BY
Leff Moore, Executive Director
West Virginia Recreational Vehicle Association
West Virginia ATV Safety Coalition

JUNE 5, 2003

My name is Leff Moore, I am the executive director of the West Virginia Recreational Vehicle Association and a member and organizer of the West Virginia ATV Safety Coalition. The West Virginia Recreational Vehicle Association is a non-profit trade association whose members are primarily dealers, manufacturers and consumer market suppliers of travel trailers, motor homes, boats, motorcycles and all-terrain vehicles.

The Association shares an interest in protecting and developing a market in West Virginia for these recreational vehicles and is an advocate for development of facilities and programs that encourage their safe and proper use.

The West Virginia ATV Safety Coalition is a new organization that evolved from a cooperative effort of groups and individuals that served as advocates for ATV safety legislation during the 2003 legislative session. That Coalition is made up of groups including medical providers, recreational industry firms and organizations concerned with safety and land-use issues, such as state park managers and Department of Natural Resources officials.

In addition, I have represented the Motorcycle Industry Council and the Specialty Vehicle Institute of America as a government relations specialist for the past five years. My primary goal during this relationship is to seek adoption of appropriate ATV safety laws in West Virginia.

The organizations that I represent share a uniform, common goal. We believe that the safety standards outlined in the 1998 Consent Decree between the Commission and ATV distributors, as well as enactment and enforcement of appropriate ATV safety laws are clearly the solution to accidents and injuries being experienced by ATV users in West Virginia.

In West Virginia there are currently two broad classes of ATV users. The larger group is made up of a diversity of both adults and young operators that generally use their machines in a manner and fashion that has evolved over a long period of time. While some of these users follow Consent Decree guidelines, manufacturers safety recommendations and exercise good judgment in the use of ATVs, a larger number do not. In recent years a contrasting user group has evolved as a result of a managed trail system that has been developed on corporate land in West Virginia's southern mountains. This group is equally diverse in age, rider-skills and the variety of ATVs that are utilized. However, this group, by nature of the rules of that trail system, must exercise those best practices for safety that are recommended by the Consent Decree and through manufacturer's notifications to users. These include helmet use, prohibition of guest passengers, and use by riders less than 16 years of age of machines that are inappropriately sized for their age group. In addition, alcohol consumption and drug use are limited and enforcement regulations are in place. Although the relatively new trail system has accounted for hundreds of thousands of user hours, the safety record on the trail system is good. Contrasting this with the unregulated, unenforced use of ATVs in an inappropriate manner in the other use areas of the state provides us with a clear picture of the negative results that exist when manufacturer's recommendations for safety standards are ignored.

There are three key elements that have become obvious during my years of work in seeking ATV safety legislation. Those key elements to success are: ethics, education and enforcement.

Ethics - Most adults discovered ATV riding in the early 80s or later and ATV use has since proved to be very popular throughout society with an extraordinary per capita use of ATVs in rural populations. Unlike hunting, fishing and similar activity, ethics about the use of these machines evolved rather than being established by role models. In other words, while parents taught their children the proper and safe use of fire arms and what constitutes sportsman like deportment in hunting and fishing these same parents and community leaders did not have the same ethics for ATV use, which simply evolved by observing others in their use patterns. The “everyone is doing it this way” is apparently the pattern of evolution of use that dominates West Virginia. This lack of a user ethic manifests itself in the fact that safe and appropriate use of ATVs is not recognized as the best way to use the machine by all users.

Education - While the U. S. Consumer Safety Product Commission, ATV producers, trade associations and safety organizations have worked to establish safety training and safety education that promotes safe use of ATVs, as well as, good safety training opportunities, some users ignore these opportunities and simply observe others in their use patterns and emulate what is obviously inappropriate and unsafe use of ATVs.

While the retail community is pro safety and engages in safety training programs, available through the industry efforts and in cooperation with the Commission, many users do not avail themselves of this safety training. Even though they are provided information to the contrary, they apparently discredit its validity and follow the use practices that they see being generally utilized by their friends and neighbors. News media, including newspaper and TV reports and proactive programs by organizations like our trade association have attempted to educate ATV users, particularly the parents of young ATV users, about the need for safety training and following safety warnings and manufacturer’s recommendations. More work still needs to be done with regard to education.

Enforcement - We believe enforcement is a key element in establishing a societal change in the way these recreational vehicles are utilized. West Virginians, like most good citizens throughout the country, have been educated in the recognition that laws are to be obeyed and followed. West Virginia’s nationally recognized low crime rate clearly demonstrates that our citizens have a respect for law and the adherence to those limitations placed on society by our government through the legislative process. It is clear that without a legal standard being established for the safe use of ATVs that some members of our society are unlikely to voluntarily adopt new ethics and become sensitive to educational efforts on the part of the government and the industry to seek voluntary changes in unsafe practices.

This three-part approach, like the legs of a tripod, relies on each other for success. In order for a safety ethic to develop there must be education and enforcement. In order for there to be an education effort, there must be a willingness on the part of government and the industry to pursue a continued awareness of the relative importance of safety education and training. But, without the third leg of the tripod, enforcement, it is unlikely that the ethic and education elements will make a meaningful difference in society’s approach to ATV safety.

Efforts have been made to enact ATV safety legislation in West Virginia. To date, legislators are hearing loudly and clearly from many existing users that they don’t want any new enforcement

practices adopted by their government and that they wish to continue to use ATVs where, when and how they are doing it now. While legislators have heard the voices of safety and lament the numbers of deaths and injuries being experienced by West Virginia's citizens, particularly young people, there has been unwillingness on the part of local law enforcement, state law enforcement, the court system and others to enforce the child endangerment laws that are presently in code. There is also unwillingness on the part of authority to enforce laws like insurance requirements and ATV use on public highways. Instead, they choose to ignore some existing statutes that could be used to contain inappropriate ATV use.

Whenever a society is faced with such a challenge, it is incumbent upon the agencies of government, the private sector, the various industries involved and safety advocates like the U. S. Consumer Product Safety Commission to focus strong attention on the nature and extent of the problem and bring about unrelenting advocacy to urge government to move forward as partners in the development of ethics, education and enforcement tools in order to address the problem.

It is going to require that our representative government leaders join with the industry, safety advocates, the medical community and the Commission to enact programs and laws that will result in a recognition on the part of the ATV using public that the proper use of ATVs not only provides great utility but also a recreational opportunity beneficial to many.

On behalf of the organizations that I represent, we urge that the U. S. Consumer Product Safety Commission continues their effort to encourage state and local government to move ahead with education programs and enactment of appropriate safety laws and standards that will result in a major reduction in the numbers of deaths and injuries now associated with improper, unsafe use of ATVs. Safety standards have proven to work when they are adopted or enforced in society. Voluntary compliance with safety standards has helped, but the numbers do not lie. There must be some new enforcement measures put in place to protect society from abusive, unsafe and dangerous practices that can result in death and injury.

I wish to thank the Commission for the opportunity to present this information and I am available for questions from the Commission or its staff.

May 28, 2003

Secretary Todd Stevenson
Consumer Product Safety Commission
Washington, D.C. 20207

Dear Secretary Stevenson,

My name is Doug Morris and I am director of the All-Terrain Vehicle Association, a national organization based in Pickerington, Ohio, that represents the interests of ATV users.

Enclosed please find the joint testimony of the All-Terrain Vehicle Association and our sister organization, the American Motorcyclist Association, concerning ATV safety. Also enclosed is a recent news release we issued explaining our position on this issue, and two photographs showing a 14-year-old youth who weighs 170 pounds aboard a youth-size ATV, which is obviously too small for him to handle safely, and the same youth aboard a full-size ATV, which he fits well.

The main points of our testimony are:

1.) More training opportunities are needed for ATV riders. Also, existing CPSC guidelines that set machine size limits for riders under 16 impede safety training.

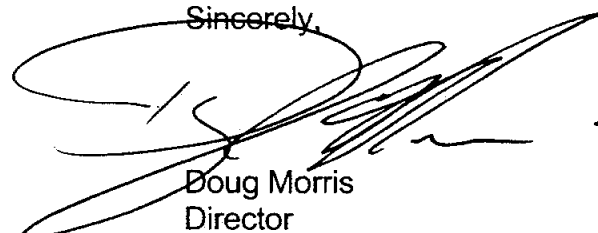
(In Utah, the Utah Division of Parks and Recreation recognizes that the guidelines don't take into account various sizes of youth and so the division trains youths on ATVs that are the proper size for them. The division reports that it has trained 20,000 youths over 15 years and is unaware of any fatalities among the graduates. See photo #3, which shows a Utah training class with parents involved.)

2.) We support the creation of more controlled public riding areas.

3.) We oppose ATV performance restrictions.

4.) More research is needed into the precise causes of ATV-related injuries and fatalities.

Sincerely,



Doug Morris
Director



13515 Yarmouth Drive, Pickerington, OH 43147

www.AMADirectlink.com

Telephone: (614) 856-1900

Fax: (614) 856-1920

May 28, 2003

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

RE: ATV Hearing

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 270,000 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 reach out to our community as it considers this matter.

All-Terrain Vehicles Are Not Fundamentally Dangerous

As ATV-riding enthusiasts, we are well positioned 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.

Failure to use Safety Equipment and Vehicle Misuse are Key Causes of Fatalities

A review of ATV-related accidents indicates that vehicle misuse and ill-prepared riders appear to be the fundamental causes of fatalities. According to Dr. Jim Helmkamp's study, "ATV-related Fatalities Among Children in West Virginia 1990-2002", at least 81 percent, and possibly as many as 92 percent, of persons under the age of 16 who were killed in ATV-related accidents were not wearing helmets. Over the same time period, only 4 percent of the adult fatalities are known to have been wearing helmets. The study also indicates that head, neck and spine injuries were the most common trauma sites. We believe that increased helmet usage could have significantly reduced the number of fatalities

during the study period. The AMA and ATVA have long promoted voluntary helmet use for adult riders but we do not oppose mandatory requirements for youthful riders.

Helmkamp's study also reveals ATV misuse among the fatalities. Passengers are not to be carried on ATVs, yet represent a significant number of fatalities, especially among persons under the age of 16. Recently, ATVs specifically designed to accommodate both a rider and passenger have come into the market but the vast majority of recreational ATVs are not designed to carry passengers. Attempting to carry passengers on these vehicles can significantly reduce their stability and reduce rider control.

ATV-use on Public Roads

Perhaps the most alarming aspect of the West Virginia study is the incidence of ATV-related fatalities on public roads, streets and highways. Of the adult fatalities, 33 percent are reported to have occurred on paved streets and highways and 27 percent of the youth fatalities occurred on paved roads. Clearly, ATVs do not come equipped with the necessary running gear (DOT-approved lighting, brakes, tires, etc.) to be safely operated in a traffic environment. Furthermore, a vehicle which is designed to perform well in a low-speed, low-traction environment will not perform well in a high-speed, high-traction environment -- such as a paved road.

It is important for ATV enthusiasts to have access to some roads for access to riding areas and recreation. Forest Service and "un-maintained" county and township roads are often designated for off-highway vehicle (OHV) use. Some states even allow OHVs to use the berm of certain roads to allow for connectivity of trails or access to trail amenities, such as campgrounds. In these cases, a thoughtful evaluation of the road's condition and traffic density is made before designating the route open to ATV use. While we support this type of limited ATV use on public roads, we do not oppose legislative and enforcement efforts to curtail ATV use on non-designated, highly maintained and trafficked roads. We also believe that the development of controlled public riding areas promotes rider safety by providing an appropriate and safe place to recreate.

Opportunities for Rider Education Need to be Expanded

For years the motorized recreation community has been encouraging public land managers to "manage" our recreation. But, the federal and state agencies that manage the lands that we use are usually sufficiently burdened and can rarely give our activity the attention it deserves. It seems unlikely that these agencies could effectively enforce *more* rules and regulations. Moreover, many of the recreation opportunities for ATV enthusiasts, especially in the East, are on

private land and are beyond agency enforcement. So, we believe that the best approach to the long-term reduction in ATV-related injuries and fatalities is through enhanced rider education. We advocate voluntary training for adult riders but do not oppose mandatory training requirements for youngsters.

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

Over Reliance on Consent Decree Guidelines has Stifled Youth Safety Training

We recognize the value of the age guidelines developed by the CPSC in cooperation with the manufacturers of ATVs through the consent decree. These age guidelines form the basis of the youth riding safety materials that we distribute as well as the basic class structure of our amateur competition program. However, our members report that the consent decree guidelines are not appropriate in every situation. Most concerns involve teen-age riders who have physically outgrown youth-model ATVs. The problem is so common that AMA/ATVA members have petitioned our competition rulemaking body to depart from the consent decree guidelines for certain age groups.

ATV recreation and competition enthusiasts are not alone in observing that 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.

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.

Sales or Performance Restrictions Amount to a Regulation of Use

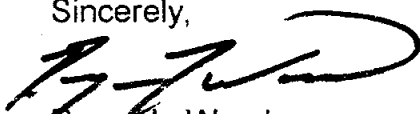
Prohibiting the sale of certain machines for use by persons under the age of 16 would eliminate any opportunity for parental discretion in ATV choice. We believe that this prohibition would amount to a *de facto* regulation of use and is not an appropriate action for the commission to take. Nor, do we believe that such an action could be fairly and effectively enforced.

We are also opposed to any general ATV performance restrictions that would reduce, or eliminate, consumer choice with regards to engine displacement or power output.

More Research Needed

No one is more concerned about ATV-related fatalities and injuries than the motorized recreation community. We certainly appreciate the commission's interest in this matter but we question the usefulness of this process, which essentially invites the public to *speculate* as to the cause of increased ATV-related risk and injuries. The recently published, "*All-Terrain Vehicle 2001 Injury and Exposure Studies*" raises more questions than it gives answers and doesn't provide information that will either enhance ATV-safety training or lead to well-reasoned ATV policy recommendations. Therefore, we request that the commission undertake a comprehensive study of ATV accident causality.

Sincerely,



Royce L. Wood
American Motorcyclist Association



Doug Morris
All-Terrain Vehicle Association



government relations news

G03017
May 27, 2003
For Immediate Release

Contact: Bill Kresnak
Phone: (614) 856-1900
Fax: (614) 856-1920

All-Terrain Vehicle Association to Defend ATVs at Hearing

PICKERINGTON, Ohio -- The All-Terrain Vehicle Association (ATVA) and the American Motorcyclist Association (AMA) will testify before federal officials on June 5, promoting rider training as an important component in ATV safety.

The Consumer Product Safety Commission will hold a public hearing on ATV safety at 10 a.m. on June 5 in the Robert C. Byrd Health Science Center of West Virginia University in Morgantown, W.Va. The hearing could be the first step toward more federal regulation of ATVs.

Doug Morris, director of the ATVA, and Royce Wood, legislative affairs specialist for both the ATVA and the AMA, will argue that there is no need for further regulation. Both organizations support increased training opportunities for ATV riders to educate them about proper riding gear, teach them safe riding techniques, and improve their riding skills. The organizations also support the creation of more controlled public riding areas for ATVs to help reduce the risk of injury.

The associations have opposed proposals to impose further limits on ATV engine sizes, noting that existing guidelines which set machine size limits for riders under 16, actually impede safety training. That's because the federal guidelines call for those under 16 to ride ATVs with engines no larger than 90cc. As a result, most young people who are judged too large to safely ride such small machines aren't able to take a safety training course.

--over--

Besides taking testimony on ATV safety, the Consumer Product Safety Commission will listen to comments on a proposal by a coalition of groups made up of the Consumer Federation of America, the Natural Trails and Waters Coalition, the Bluewater Network and others seeking a ban on the sale of full-sized ATVs for use by children under 16. The coalition originally called for a ban on all ATV use by those under the age of 16 but the commission said that it could not enforce such a ban.

Morris questioned the motivation behind some of the groups involved in this attack on ATVs, noting that the Natural Trails and Waters Coalition and the Bluewater Network have never had any involvement with, or interest in, ATV safety. Instead, their agenda has been to block access to public lands by ATV riders and others involved in motorized recreation.

--30--

The American Motorcyclist Association is a nonprofit organization with more than 250,000 members. Established in 1924, the Association's purpose is to pursue, protect and promote the interests of motorcyclists, while serving the needs of its members. For information, visit the AMA website at www.AMADirectlink.com. The All-Terrain Vehicle Association is the ATV arm of the AMA. For information, visit the ATVA website at www.ATVAonline.com.



P.O. Box 800, Pickerington, Ohio 43147-0800 614-575-5585 Fax (614) 856-1920

MAY 28, 2003

DEAR SIRs:

WE HEREBY REQUEST THE OPPORTUNITY TO TESTIFY BEFORE THE CONSUMER PRODUCT SAFETY COMMISSION ON JUNE 5 IN MORGANTOWN, WEST VIRGINIA.

REC'D
JUN 11 2003
OFFICE

DOUG MORRIS
DIRECTOR
ATVA

ROYCE WOOD
LEGISLATIVE AFFAIRS SPECIALIST
AMERICAN MOTORCYCLIST ASSOCIATION

May 28, 2003

Secretary Todd Stevenson
Consumer Product Safety Commission
Washington, D.C. 20207

Dear Secretary Stevenson,

My name is Doug Morris and I am director of the All-Terrain Vehicle Association, a national organization based in Pickerington, Ohio, that represents the interests of ATV users.

Enclosed please find the joint testimony of the All-Terrain Vehicle Association and our sister organization, the American Motorcyclist Association, concerning ATV safety. Also enclosed is a recent news release we issued explaining our position on this issue, and two photographs showing a 14-year-old youth who weighs 170 pounds aboard a youth-size ATV, which is obviously too small for him to handle safely, and the same youth aboard a full-size ATV, which he fits well.

The main points of our testimony are:

1.) More training opportunities are needed for ATV riders. Also, existing CPSC guidelines that set machine size limits for riders under 16 impede safety training.

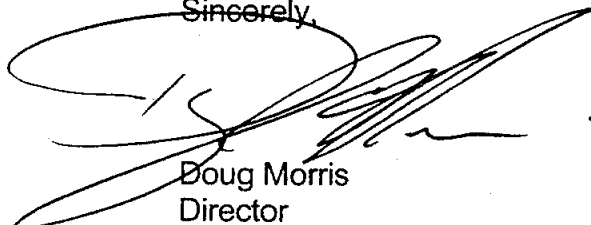
(In Utah, the Utah Division of Parks and Recreation recognizes that the guidelines don't take into account various sizes of youth and so the division trains youths on ATVs that are the proper size for them. The division reports that it has trained 20,000 youths over 15 years and is unaware of any fatalities among the graduates. See photo #3, which shows a Utah training class with parents involved.)

2.) We support the creation of more controlled public riding areas.

3.) We oppose ATV performance restrictions.

4.) More research is needed into the precise causes of ATV-related injuries and fatalities.

Sincerely,



Doug Morris
Director



13515 Yarmouth Drive, Pickerington, OH 43147

www.AMADirectlink.com

Telephone: (614) 856-1900

Fax: (614) 856-1920

May 28, 2003

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

RE: ATV Hearing

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 270,000 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 reach out to our community as it considers this matter.

All-Terrain Vehicles Are Not Fundamentally Dangerous

As ATV-riding enthusiasts, we are well positioned 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.

Failure to use Safety Equipment and Vehicle Misuse are Key Causes of Fatalities

A review of ATV-related accidents indicates that vehicle misuse and ill-prepared riders appear to be the fundamental causes of fatalities. According to Dr. Jim Helmkamp's study, "ATV-related Fatalities Among Children in West Virginia 1990-2002", at least 81 percent, and possibly as many as 92 percent, of persons under the age of 16 who were killed in ATV-related accidents were not wearing helmets. Over the same time period, only 4 percent of the adult fatalities are known to have been wearing helmets. The study also indicates that head, neck and spine injuries were the most common trauma sites. We believe that increased helmet usage could have significantly reduced the number of fatalities

during the study period. The AMA and ATVA have long promoted voluntary helmet use for adult riders but we do not oppose mandatory requirements for youthful riders.

Helmkamp's study also reveals ATV misuse among the fatalities. Passengers are not to be carried on ATVs, yet represent a significant number of fatalities, especially among persons under the age of 16. Recently, ATVs specifically designed to accommodate both a rider and passenger have come into the market but the vast majority of recreational ATVs are not designed to carry passengers. Attempting to carry passengers on these vehicles can significantly reduce their stability and reduce rider control.

ATV-use on Public Roads

Perhaps the most alarming aspect of the West Virginia study is the incidence of ATV-related fatalities on public roads, streets and highways. Of the adult fatalities, 33 percent are reported to have occurred on paved streets and highways and 27 percent of the youth fatalities occurred on paved roads. Clearly, ATVs do not come equipped with the necessary running gear (DOT-approved lighting, brakes, tires, etc.) to be safely operated in a traffic environment. Furthermore, a vehicle which is designed to perform well in a low-speed, low-traction environment will not perform well in a high-speed, high-traction environment -- such as a paved road.

It is important for ATV enthusiasts to have access to some roads for access to riding areas and recreation. Forest Service and "un-maintained" county and township roads are often designated for off-highway vehicle (OHV) use. Some states even allow OHVs to use the berm of certain roads to allow for connectivity of trails or access to trail amenities, such as campgrounds. In these cases, a thoughtful evaluation of the road's condition and traffic density is made before designating the route open to ATV use. While we support this type of limited ATV use on public roads, we do not oppose legislative and enforcement efforts to curtail ATV use on non-designated, highly maintained and trafficked roads. We also believe that the development of controlled public riding areas promotes rider safety by providing an appropriate and safe place to recreate.

Opportunities for Rider Education Need to be Expanded

For years the motorized recreation community has been encouraging public land managers to "manage" our recreation. But, the federal and state agencies that manage the lands that we use are usually sufficiently burdened and can rarely give our activity the attention it deserves. It seems unlikely that these agencies could effectively enforce *more* rules and regulations. Moreover, many of the recreation opportunities for ATV enthusiasts, especially in the East, are on

private land and are beyond agency enforcement. So, we believe that the best approach to the long-term reduction in ATV-related injuries and fatalities is through enhanced rider education. We advocate voluntary training for adult riders but do not oppose mandatory training requirements for youngsters.

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

Over Reliance on Consent Decree Guidelines has Stifled Youth Safety Training

We recognize the value of the age guidelines developed by the CPSC in cooperation with the manufacturers of ATVs through the consent decree. These age guidelines form the basis of the youth riding safety materials that we distribute as well as the basic class structure of our amateur competition program. However, our members report that the consent decree guidelines are not appropriate in every situation. Most concerns involve teen-age riders who have physically outgrown youth-model ATVs. The problem is so common that AMA/ATVA members have petitioned our competition rulemaking body to depart from the consent decree guidelines for certain age groups.

ATV recreation and competition enthusiasts are not alone in observing that 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.

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.

Sales or Performance Restrictions Amount to a Regulation of Use

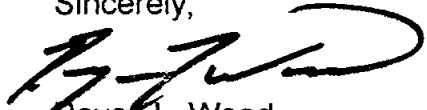
Prohibiting the sale of certain machines for use by persons under the age of 16 would eliminate any opportunity for parental discretion in ATV choice. We believe that this prohibition would amount to a *de facto* regulation of use and is not an appropriate action for the commission to take. Nor, do we believe that such an action could be fairly and effectively enforced.

We are also opposed to any general ATV performance restrictions that would reduce, or eliminate, consumer choice with regards to engine displacement or power output.

More Research Needed

No one is more concerned about ATV-related fatalities and injuries than the motorized recreation community. We certainly appreciate the commission's interest in this matter but we question the usefulness of this process, which essentially invites the public to *speculate* as to the cause of increased ATV-related risk and injuries. The recently published, "*All-Terrain Vehicle 2001 Injury and Exposure Studies*" raises more questions than it gives answers and doesn't provide information that will either enhance ATV-safety training or lead to well-reasoned ATV policy recommendations. Therefore, we request that the commission undertake a comprehensive study of ATV accident causality.

Sincerely,



Royce L. Wood
American Motorcyclist Association



Doug Morris
All-Terrain Vehicle Association

G03017
May 27, 2003
For Immediate Release

Contact: Bill Kresnak
Phone: (614) 856-1900
Fax: (614) 856-1920

All-Terrain Vehicle Association to Defend ATVs at Hearing

PICKERINGTON, Ohio -- The All-Terrain Vehicle Association (ATVA) and the American Motorcyclist Association (AMA) will testify before federal officials on June 5, promoting rider training as an important component in ATV safety.

The Consumer Product Safety Commission will hold a public hearing on ATV safety at 10 a.m. on June 5 in the Robert C. Byrd Health Science Center of West Virginia University in Morgantown, W.Va. The hearing could be the first step toward more federal regulation of ATVs.

Doug Morris, director of the ATVA, and Royce Wood, legislative affairs specialist for both the ATVA and the AMA, will argue that there is no need for further regulation. Both organizations support increased training opportunities for ATV riders to educate them about proper riding gear, teach them safe riding techniques, and improve their riding skills. The organizations also support the creation of more controlled public riding areas for ATVs to help reduce the risk of injury.

The associations have opposed proposals to impose further limits on ATV engine sizes, noting that existing guidelines which set machine size limits for riders under 16, actually impede safety training. That's because the federal guidelines call for those under 16 to ride ATVs with engines no larger than 90cc. As a result, most young people who are judged too large to safely ride such small machines aren't able to take a safety training course.

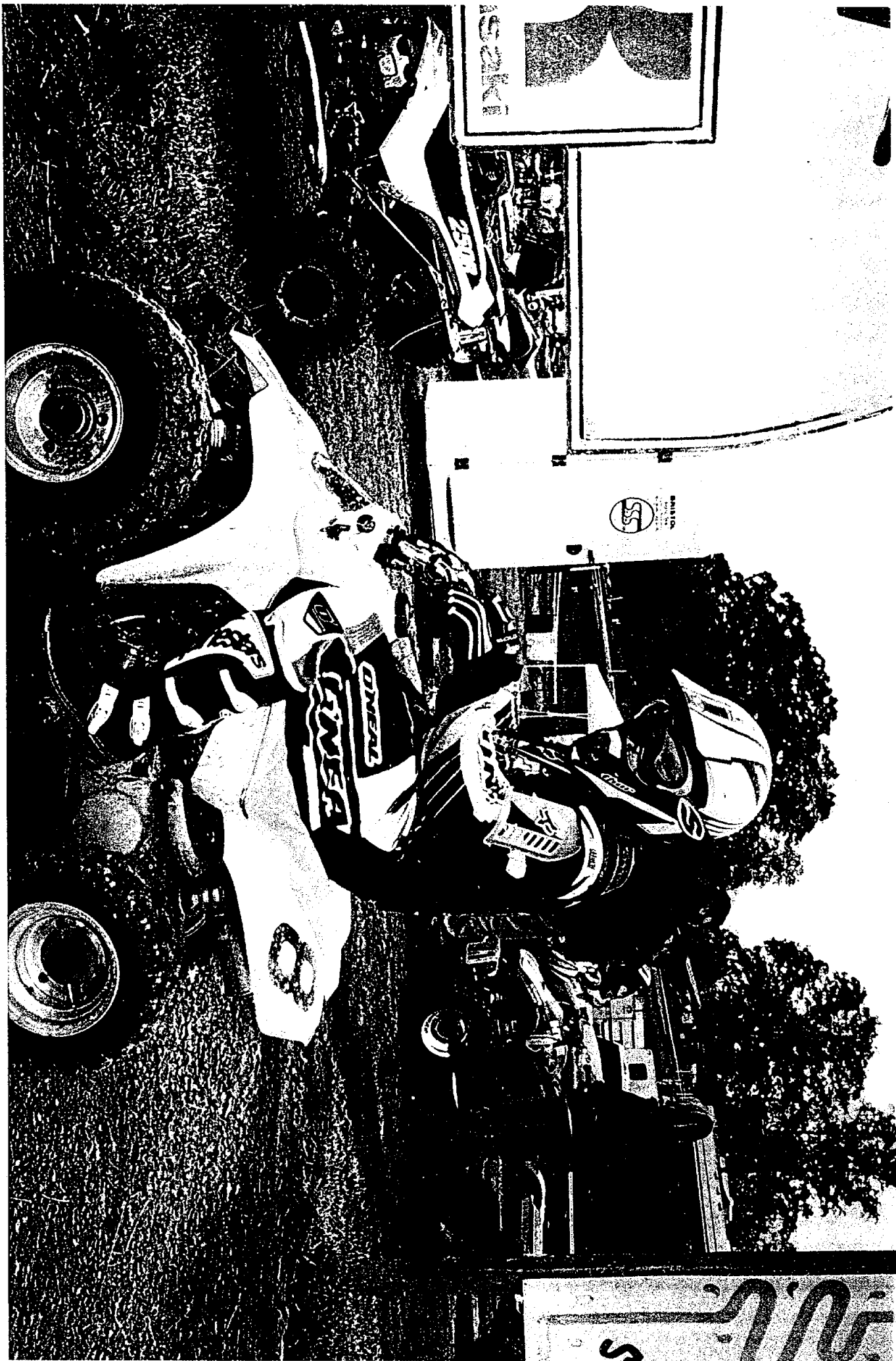
--over--

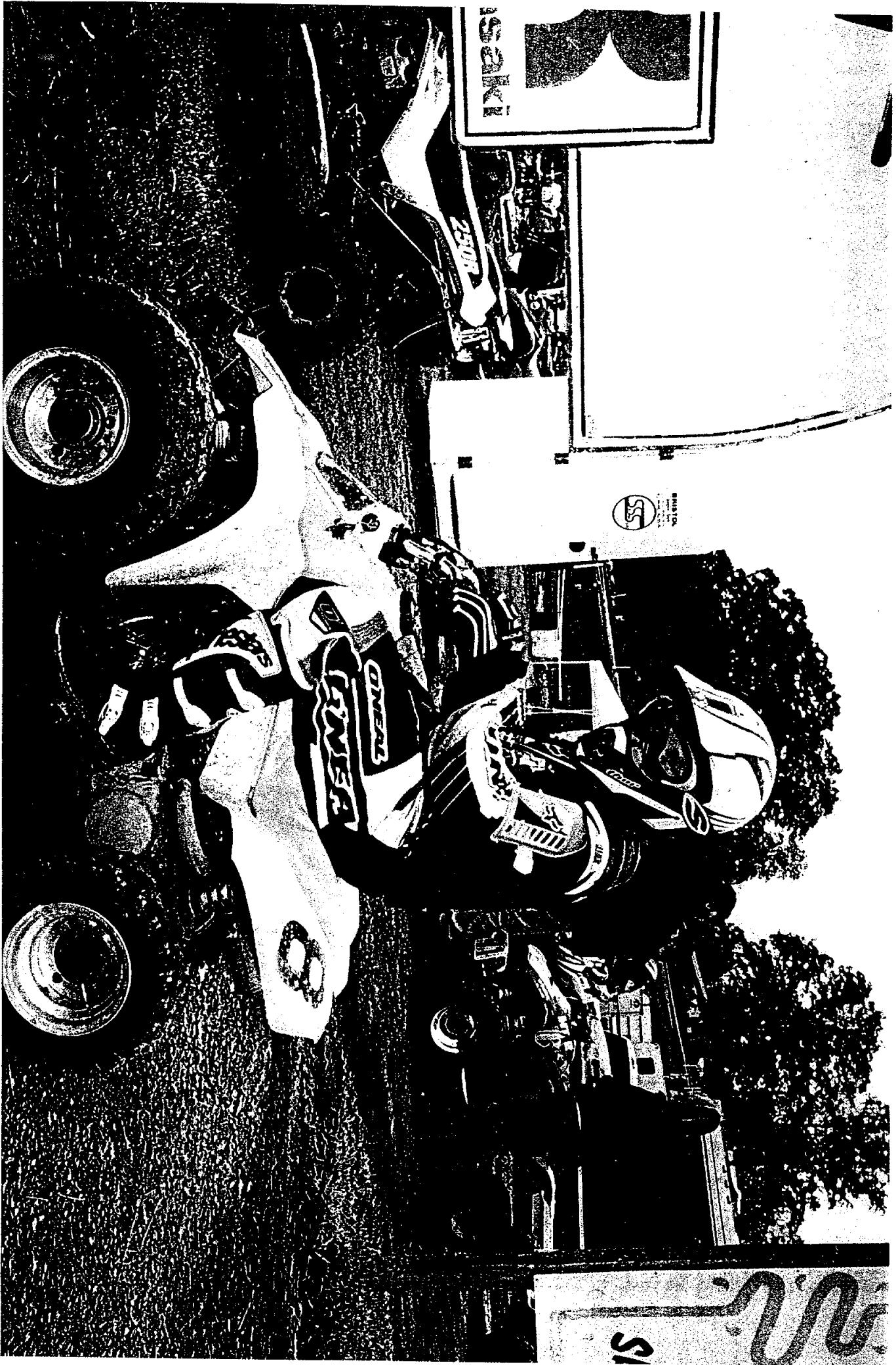
Besides taking testimony on ATV safety, the Consumer Product Safety Commission will listen to comments on a proposal by a coalition of groups made up of the Consumer Federation of America, the Natural Trails and Waters Coalition, the Bluewater Network and others seeking a ban on the sale of full-sized ATVs for use by children under 16. The coalition originally called for a ban on all ATV use by those under the age of 16 but the commission said that it could not enforce such a ban.

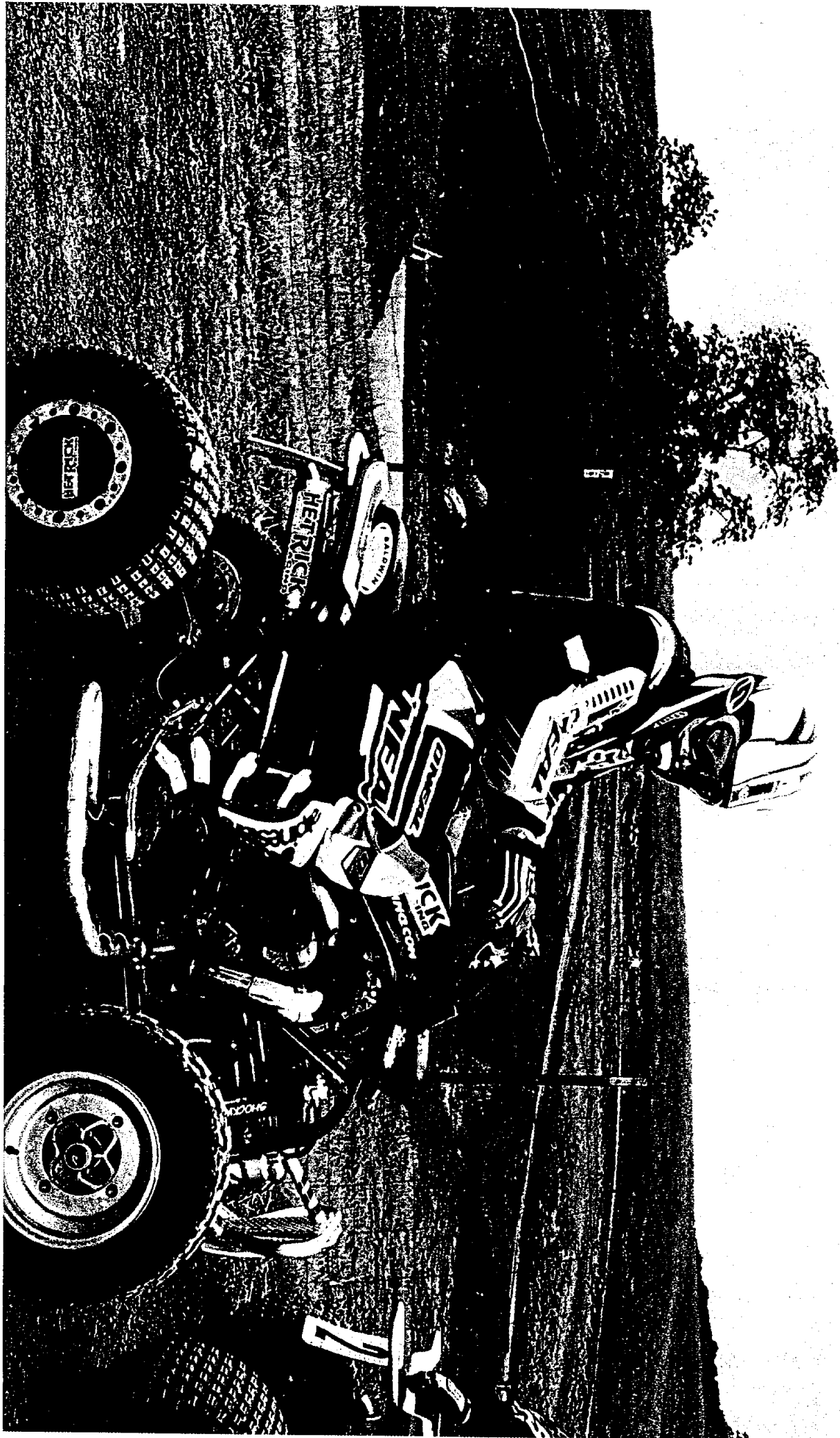
Morris questioned the motivation behind some of the groups involved in this attack on ATVs, noting that the Natural Trails and Waters Coalition and the Bluewater Network have never had any involvement with, or interest in, ATV safety. Instead, their agenda has been to block access to public lands by ATV riders and others involved in motorized recreation.

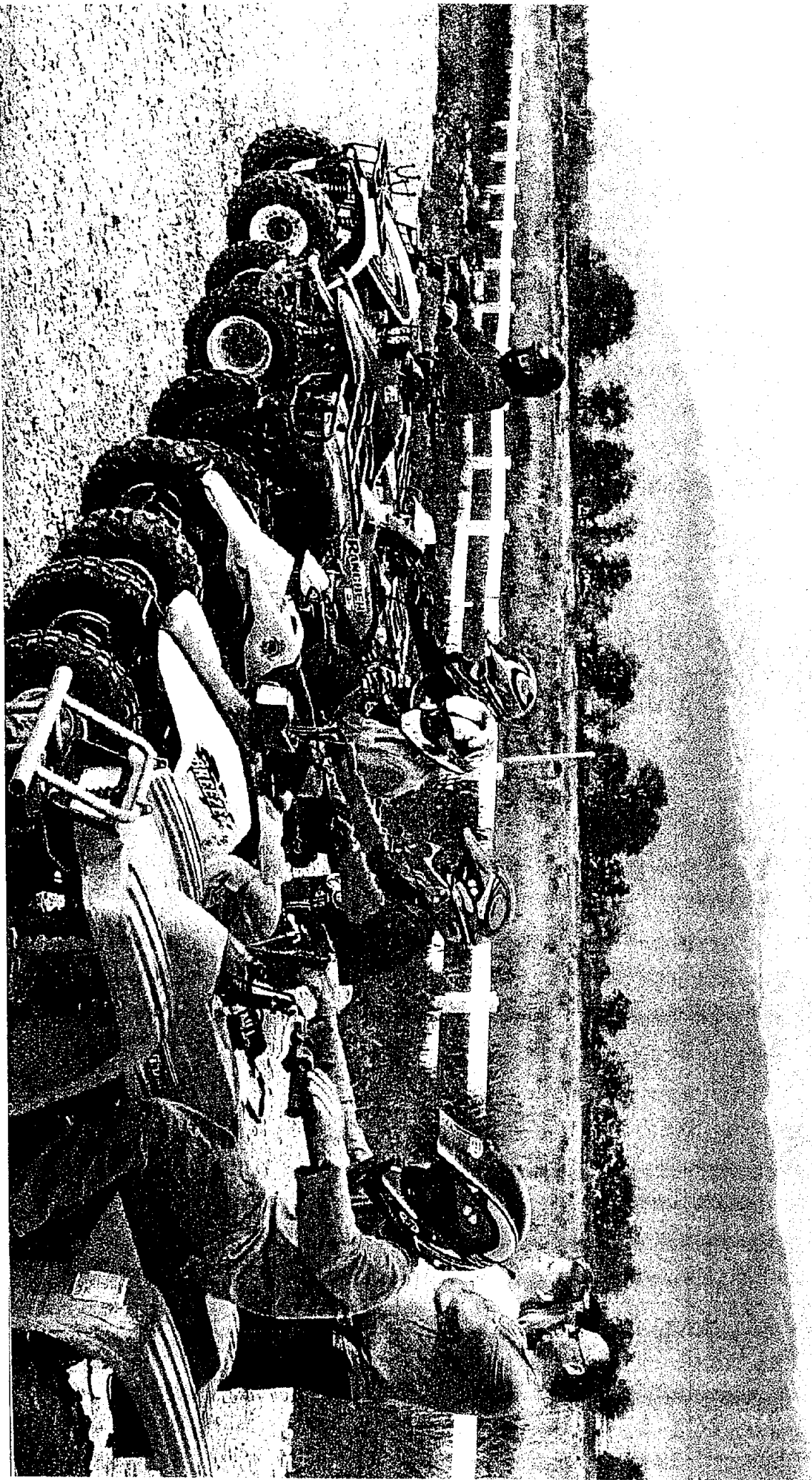
--30--

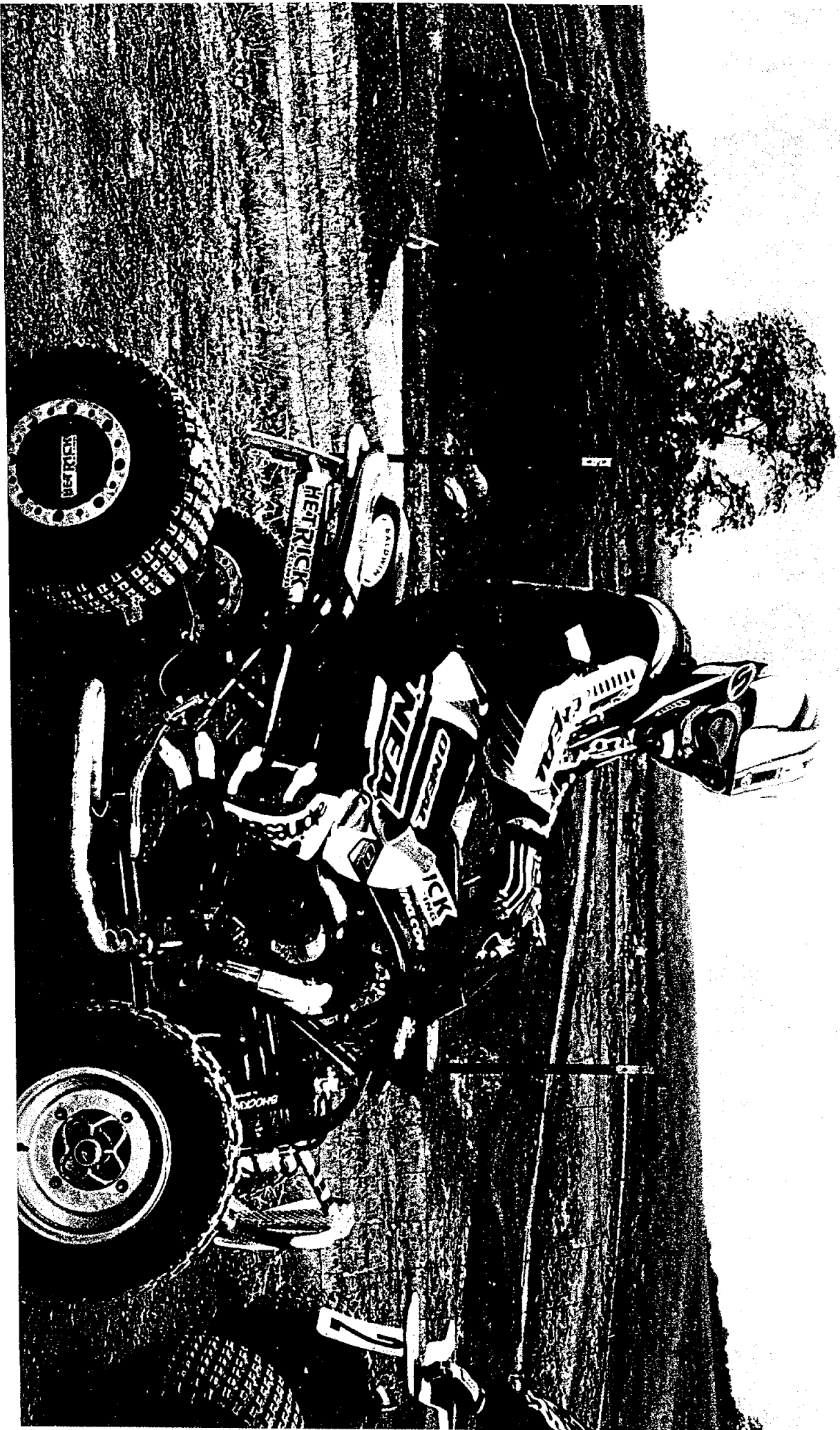
The American Motorcyclist Association is a nonprofit organization with more than 250,000 members. Established in 1924, the Association's purpose is to pursue, protect and promote the interests of motorcyclists, while serving the needs of its members. For information, visit the AMA website at www.AMADirectlink.com. The All-Terrain Vehicle Association is the ATV arm of the AMA. For information, visit the ATVA website at www.ATVAonline.com.

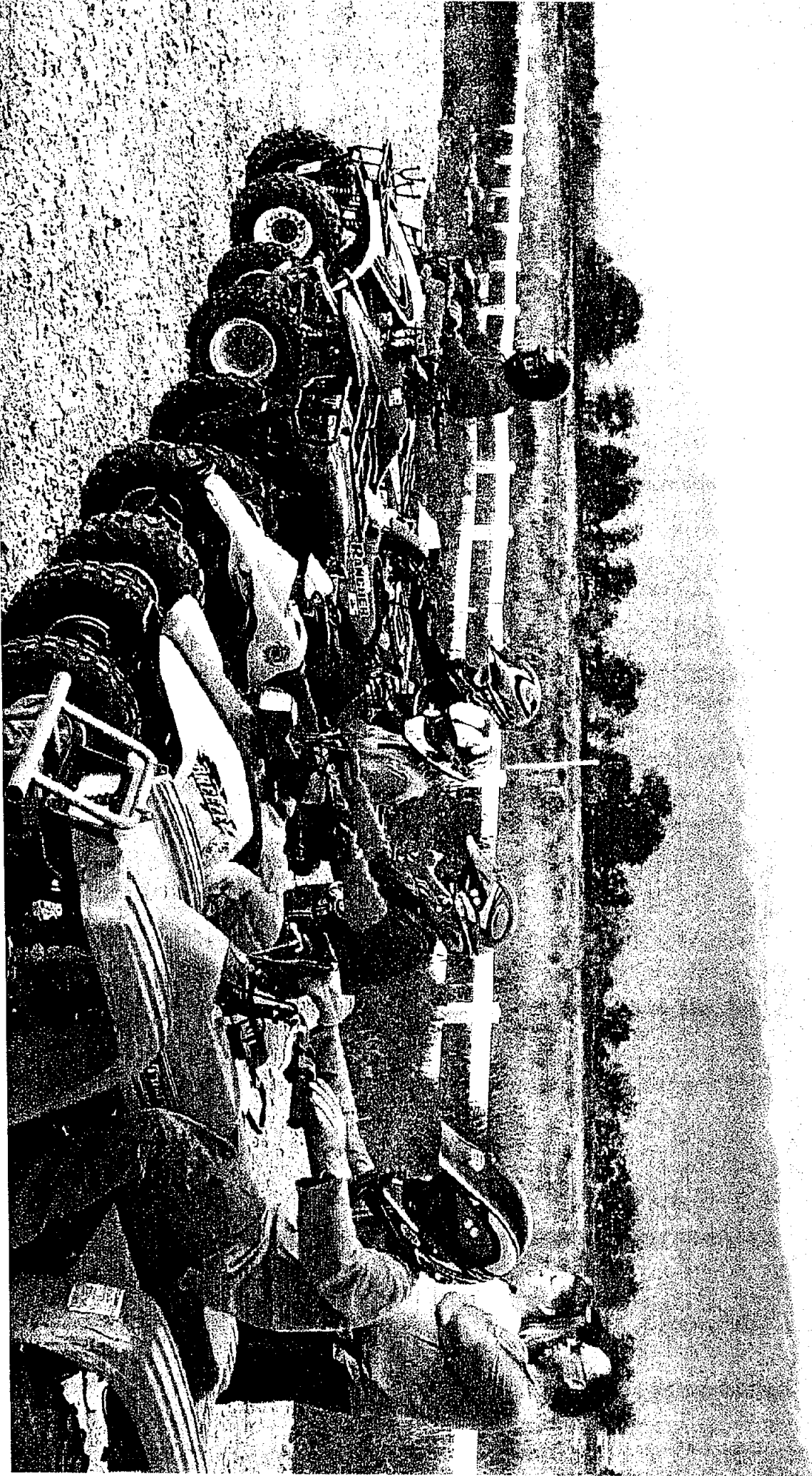












Consumer Product Safety Commission Testimony
Morgantown, WV
June 5, 2003

Hello, my name is Michael Babusci and I'm the Executive Director of the Pennsylvania Off-Highway Vehicle Association (PaOHV). The PaOHV is a statewide organization of individuals and clubs interested in promoting the safe and responsible use of ATVs and off road motorcycles. Our organization is relatively new but we are actively working with the Pennsylvania Department of Conservation and Natural Resources through our involvement on the newly created Snowmobile ATV Advisory Committee (SAAC). ATV safety and safety training happens to be one of the issues that we are currently addressing as part of the advisory committee activities.

I would like to thank the Commission for providing us with an opportunity to address the issues that were raised in the subject petition. I'm sure we are going to hear, or have already heard, a lot of statistics and interpretation of those statistics that both support and contradict the proposed action suggested in the petition. I'm equally sure we are going to be hearing testimony that speculates on ulterior motives of some of the petitioners. But beyond the mud slinging and political positioning that may take place today the Commission eventually needs to focus on safety. Specifically, the safety of a product, ATVs, and of a user group for that product, children under 16.

It's my understanding that this is really "Round Two" of the ATV safety discussion. Many of the same issues raised in the current petition were raised in a previous petition to the CPSC in the mid 1980's. That discussion ended with a consent decree that effectively removed three wheeled ATVs from the product line of off-road vehicle manufacturers and instituted a largely voluntary effort for implementing a safety-training program.

Over the past 15 years we have had an opportunity to see the strengths and weaknesses of this decree. I would like to offer some observations that we feel are pertinent to this discussion.

It's clear that ATV users are being injured. I'll leave it to the statisticians to argue whether;

1. the injury figures that are being quoted in the petition are accurate,
2. they represent a significant portion of overall users,
3. they fall within expected ranges for the number of ATVs that have been sold in the past 15 years, and
4. they are comparable with injuries sustained in other physical recreational activities.

We are willing to concede that some individuals, especially children, are being injured on ATVs and that number, whatever it may be, is too high.

It's our contention that the machines themselves are not the problem. The past petition and resulting consent decree effectively eliminated three wheeled ATVs (which were judged to be unstable) and replaced them with four wheeled ATVs (which were assumed to be significantly more stable and therefore safer). It's apparent from the language in the petition that this was for naught because, as the petition states, "the relative increase in safety is negligible." In our judgment, it would be difficult to alter, accessorize, or modify an ATV to make it significantly safer without creating an altogether different riding experience.

We feel that many of the causative factors that result in ATV injuries are related in part to a lack of training but also in a large part to a complete lack of common sense by the user. Alcohol use (or I should say abuse) is often linked to ATV accidents as well as riding without a helmet, riding too fast for conditions, operating an ATV in a dangerous or reckless manner, etc. If you review enough accident reports you are going to find your fair share of the following

"A forty-eight year old male died when the ATV he was operating on a lake was driven into open water. It was later determined that the driver had a blood alcohol content of 0.23 and that he did not have a safety training certificate."

or

"Two teenagers were killed when the ATV on which they were riding hit a utility pole. The driver, apparently driving at an excessive rate of speed, skidded on loose gravel and lost control of the vehicle. Neither teenager was wearing a helmet."

So what do we do about this?

Following the consent decree, the ATV Safety Institute (ASI) in conjunction with the ATV manufacturers and dealers began offering safety training to those individuals who purchased new ATVs. The training program was voluntary but most manufacturers offered some type of rebate as encouragement to attend the training. The curriculum of the training program is very comprehensive and consists of classroom style training as well as actual "hands on" training using an ATV.

Anyone that I talk to who either taught the program or has attended the program, agrees that the technical content and format of the course are commendable. There are however two administrative flaws that are almost universally mentioned as needing correction.

While the cost of the course is waived for anyone who purchases a new ATV, there is a significant fee associated with attending the course if you want to take the course on your own. These fees (\$125 for adults and \$75 for children 15 or under) are enough to dissuade many users from attending a course, especially if you want to attend as a family. The second flaw has to do with the age to machine size limitations that are

largely a product of the consent decree. The ASI requires that children from 6 years old to 11 must be trained on ATVs whose displacement is limited to 70 cc's or less; children from 12 to 15 must be trained on ATVs that have a displacement of 90 cc's or less. Establishing machine size limits based upon a child's age is inadequate and misguided. Kids under 16 vary widely in height, weight, and ability. Anyone who has ever seen a 6-foot tall, 15 year old trying to squeeze onto a 90 cc ATV will realize the ludicrous nature of this requirement.

With the help of the PaOHV, Pennsylvania's DCNR has prepared a modified safety training program that rectifies both of these issues and they are in the process of implementing it statewide. The Pennsylvania training program uses essentially the same criteria as that of the ASI, however it eliminates the mandatory fee structure and leaves the decision of whether an ATV is appropriately sized for a user, up to the instructor. Instructors will be permitted to schedule training sessions without prior consent from a governing body such as the ASI. They are entitled to charge any reasonable fee for an individual's training, provided that it does not exceed \$50.00. The trainers are expected to use their own good judgment in determining machine fit for trainees. This will permit large and small children the opportunity to be trained on an appropriately sized machine. Some examples of machine fit criteria include the following.

- Do the driver's feet easily reach the foot pegs of the ATV?
- Can the driver comfortably reach the handlebars while sitting in an upright position?
- Can the driver easily manipulate the levers and shifter on the machine?
- Can the driver turn the handlebars from lock to lock?
- Does the driver understand and can they operate the starting and stopping features of the ATV.

All of these criteria can be easily observed or tested before the machine needs to be started.

The Pennsylvania training also requires the parents of minors to sign a consent form on the day of the training. The parents are also encouraged to attend the training of their children, perhaps with the hope that they will pick up a few things on their own, but primarily so they can reinforce the training as the need may arise. The training program stresses the importance of parental supervision while operating ATVs.

The Pennsylvania ATV safety-training program is not designed to compete with the ASI program. The intent is to supplement it and to provide a formal training program that is more affordable and easier to access. At the PaOHV we are hopeful that the administrative revisions to the training program can be extended to groups of children, teenagers, and even adults at venues outside of specific ATV purchases. Individuals who do not own an ATV and are driving one for the first time incur their fair share of injuries. It's not inconceivable that children could receive ATV safety training as a part

of a school, club, or extracurricular activity such as the 4-H program or Boys Scouts and Girl Scouts of America.

The Pennsylvania DCNR is also taking the steps needed to make sure children and teenagers of all ages and sizes can be trained on appropriately sized machines. We are hopeful that no more teenagers will have to be turned away from a training session because the machine they are riding exceeds some arbitrary standard for their age.

I hope the Commission will take these comments into consideration and I hope that they will see that, at least in Pennsylvania, we are concerned about ATV injuries and we are taking what we feel are prudent steps to address these concerns.

I thank you for your time.

Hi, my name is Nimish Mehta.

I am a pediatrician working in the emergency department at Women's and Children's hospital in Charleston and I am representing the Young Physician's Committee of the West Virginia chapter of the American Academy of Pediatrics.

I have come here today to relate my personal experiences with pediatric ATV injuries.

My comments will be brief.

I have only been practicing for a little over two years, and already I have seen too many children involved in ATV accidents.

Many suffer cuts and scrapes and just a bad scare, but some are not so lucky.

Several weeks ago I treated an 11-year-old boy who was riding behind his father. He was holding onto the back of the ATV when they ran over a rut in the road. The bounce from the vehicle broke his arm. His father felt very surprised, and very guilty.

Another case I had involved a 3 year old and his teenage brother who was giving him a ride. His brother lost control of the vehicle and it went off a gravel road, flipping forward. The teenager was not hurt. The 3 year old was sitting in front, without a helmet, and was thrown over the handlebars, striking his head on a rock. He lived, but sustained a lot of bruising and a fairly large hematoma on his forehead. Their mother was scared and pretty embarrassed—she said she would have never allowed either of her boys on the ATV if she realized how easy they could lose control of it. She had had no idea.

A seventeen-year-old girl I saw was riding with one of her friends when they flipped their ATV over. She broke her nose and suffered a concussion, leaving her unconscious for a period of time. While she was evaluated in the emergency department, her two most frequent remarks were how much she hurt and how she never knew it was so easy to roll an ATV.

Probably the worst case I saw was while I was still in training. One woman and four kids were on one ATV when she lost control of the vehicle. The ATV went down a hill and slammed into a tree, pinning the oldest child underneath it, killing her. The other four were hospitalized. The adult and youngest child were released the next day. Of the remaining two children, one had a broken arm, the other required intensive care.

There are many, many more, but most with the same message. Parents not knowing how dangerous ATV's can be to their children. Children and adolescents by their very nature are at high risk for poor judgement, a fact that makes education so important for their parents as well as themselves.

I do not want to see any more children hurt on ATV's, but I know I will until there are more aggressive measures to inform adults of the danger ATV's pose to children.

These cases I have related to you are very scary, but very preventable.

Testimony before the Consumer Product Safety Commission

On All Terrain Vehicles

Jonathan I. Groner, MD

Associate Professor of Clinical Surgery, The Ohio State University College of Medicine and Public Health

Trauma Medical Director, Childrens' Hospital, Columbus, OH

Member, Trauma Committee of the American Pediatric Surgical Association

Introduction

Motorized recreational vehicles (MRVs) have been used by children for decades. Early versions of these "toys" – often home-built go-carts or minibikes – were later supplanted by commercially manufactured vehicles. In 1971, Honda introduced the all-terrain vehicle (ATV) for commercial or industrial use, but this product became an extremely popular recreational vehicle as well. ATVs are gasoline-powered vehicles generally weighing 136 to 272 kg with oversized low pressure tires, and handlebars for steering. Originally, both three-wheel and four-wheel designs were sold. Like minibikes and go-carts, ATVs are not "street-legal," offer minimal occupant protection or restraint, and are capable of reaching dangerous speeds.

In 1975, pediatric injuries caused by MRVs were labeled and "epidemic" by a major medical journal. In 1988, following numerous reports of pediatric ATV injuries and deaths, ATV manufacturers entered into consent decrees with the CPSC. The manufacturers agreed to: 1) stop the sale of three-wheeled ATVs, 2) provide warnings about dangerous riding practices, 3) prohibit the sale of adult-sized ATVs to children, and 4) develop a voluntary safety standard.

Nevertheless, despite these regulatory efforts, numerous reports of pediatric injuries from ATVs and other recreational vehicles have continued to appear. In 2001, The Trauma Program at Children's Hospital presented a study of pediatric motorized recreational vehicle injuries at the American Public Health Association's annual meeting in Atlanta, Georgia. The purpose of this study was to describe the trend of serious injuries related to MRV crashes over time in a pediatric population. We defined motorized recreational vehicles as off-road dirt bikes, four-wheelers, three-wheelers, go-carts, motorcycles, mopeds, minibikes, and other all terrain vehicles. Nearly half of the injuries involved commercially manufactured 3 and 4 wheel ATVs.

Research Method:

Sources of Information. Injury statistics for motorized recreation vehicles were compiled from the Children's Hospital Trauma Program Registry. Children are included in the Registry if they are admitted into the hospital for at least one day or if they die prior to admission. Information was available for complete years from 1992 through 2000. Automobile injuries from the same database were used as a reference population. Population estimates were obtained from the U.S. Census statistics by age, gender and county. Statewide license statistics on number of automobile and number of motorcycles, mopeds, and four wheel bike registrations were obtained from the Ohio Department of Public Safety.

Statistical Adjustments. The number of injuries was adjusted by population and reported as numbers of injuries per 100,000 population to control for the growth of the pediatric population in Central Ohio over the period covered. Population adjustments and number of automobile injuries were restricted to the age range of the motorized recreational vehicle injuries. An approximate relative risk of recreational vehicles to automobiles was determined using the ratio of Central Ohio recreational vehicle injuries to total State recreation vehicle licenses to number

of Central Ohio automobile injuries to number of Ohio licensed vehicles. The statewide ratio of recreational vehicle registrations to automobile registrations served as a proxy to the number of vehicles available in Central Ohio.

Graphical Representation. The trend over time was illustrated with two line graphs showing the rate of injuries by gender and vehicle type. One chart was presented using an arithmetic scale to illustrate the raw rates and demonstrate the relative numbers of injuries for the time period. The second presented the same data on a semi-log chart. The log chart turns ratios into differences enabling one to observe the relative magnitude of change from year to year for different types of vehicles even though the overall number of injuries differs greatly. The relative risk of motorized recreational vehicles to automobile injuries is illustrated in bar charts.

Statistical Analysis. Statistical significance of changes over time was assessed with regression analyses. Other comparisons were made using Chi Square analyses. Basic frequencies and means describe the sample.

Results:

Sample. The Trauma Registry included 281 motorized recreational injuries and 1066 automobile injuries from 1992 through 2000. Table 1 describes the basic demographics of the two populations. Injured children riding recreational vehicles tended to be older and more likely male. Table 2 lists the types of motorized recreation vehicles involved in the injuries.

Table 1. Demographics of Motorized Vehicle Injuries

	Motorized Recreation Vehicle Injuries	Automobile Injuries	Statistics
Number	281	1066	
Male	82.6%	51.4%	ChiSq=88.6, p<.001
Age	11.2, 3.4SD	9.4, 4.8SD	t=6.1, p<.001
Died	1.1%	2.7%	ChiSq=2.6, p=0.106
ISS	10.4, 8.2SD	10.2, 10.4SD	t=0.2, p=.208

Table 2. Motorized Recreational Vehicle

Type of Vehicle	Injuries	Percent
3 wheeler	18	6.4
4 wheeler	62	22.1
Dirt Bicycle	35	12.5
Go-cart	19	6.8
Minibike	6	2.1
Moped	13	4.6
Motorcross	16	5.7
Motorcycle	46	16.4
ATV not specified	57	20.3
RVC not specified	9	3.2
Total	281	100

Trends. Both the rate of recreational vehicle injuries ($b=4.4$, $R^2 = .88$, $p<.001$) and the rate of automobile injuries ($b=5.6$, $R^2= .60$, $p=.014$) increased from 1992 through 2000 (Figure 1). Semi-log charts were created which demonstrated that the rate of motorized recreation vehicles injuries was increasing more rapidly than automobile injuries. In Figure 2, it was evident that **the rate of increase for motorized recreational vehicles injuries was greater than the rate of increase for automobile injuries** ($p=.009$). While there was no difference in gender for automobile injuries (Figure 2, $p=.355$). In Figure 1 the slope of the line for male recreational motor vehicle injuries was greater than the corresponding slope for females ($p=.006$). However in Figure 2 the slopes for recreational motor vehicles were not different ($p=.687$) for gender. The semi-log chart of Figure 2 illustrates the relative change from year to year within the context of the number of injuries for each subgroup. The implication here is that **the number of recreational injuries are considerably greater for males than females, but the growth in the injuries is about the same for both males and females. And while there is a corresponding growth in serious automobile injuries even after controlling for population growth, the automobile injury growth is less than the growth of motorized recreational vehicle injuries.**

Relative Risk. There were more automobile injuries than motorized recreation vehicles over the period 1992-2000. Figure 3 shows the relative risk of recreation vehicle injury to automobile injury after controlling for the number of vehicles available. This is only an approximate risk as the actual number of vehicles available is not known, but estimated by vehicle registrations. Clearly the risk of injury for on a recreational vehicle males is significantly greater.

Conclusion: Despite attempts at industry regulation, motorized recreational vehicles continue to be a major health hazard to children. Furthermore, although boys are injured more often than girls, the injury rate for both genders is increasing, even compared to their injury rates for automobile crashes. We conclude that a broader public health initiative must be developed to combat this injury epidemic.

Figure 1. Serious Injuries on Motorized Vehicles

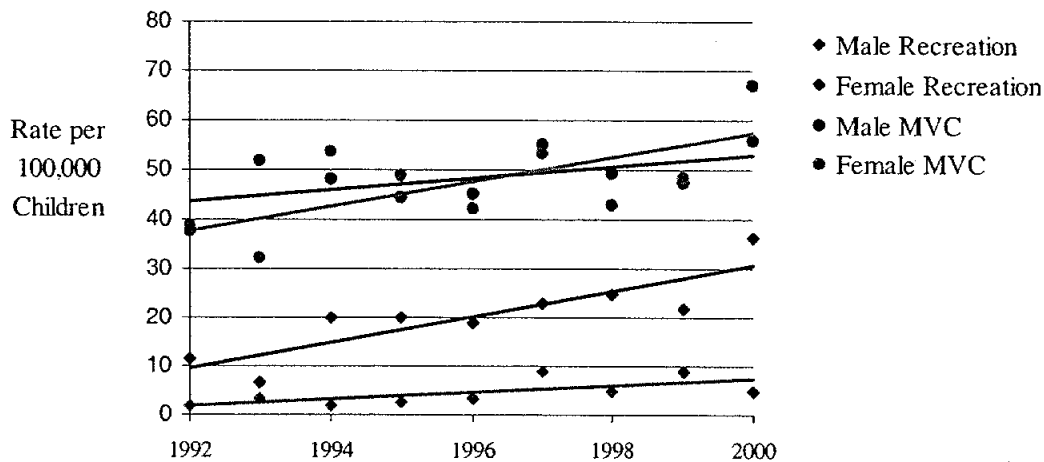


Figure 2: Serious Injuries on Motorized Vehicles

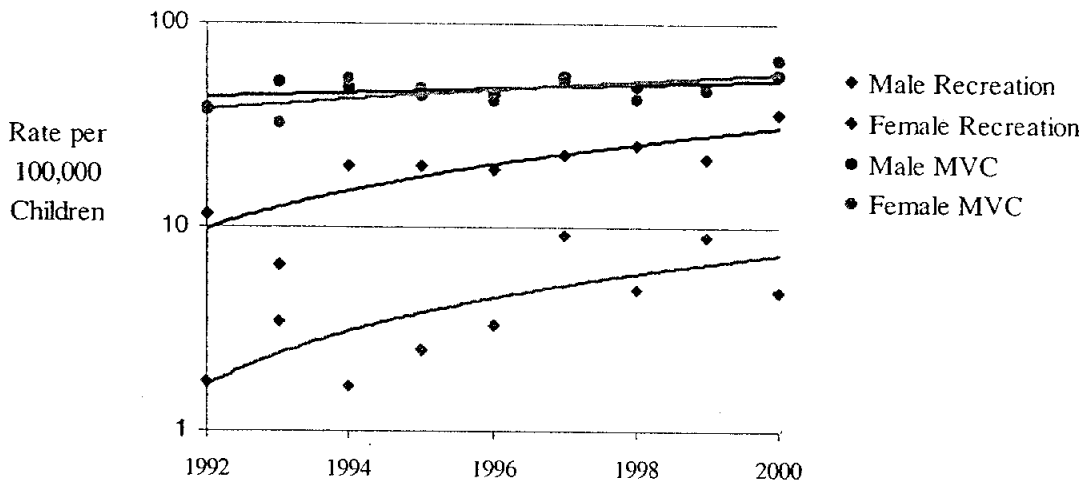
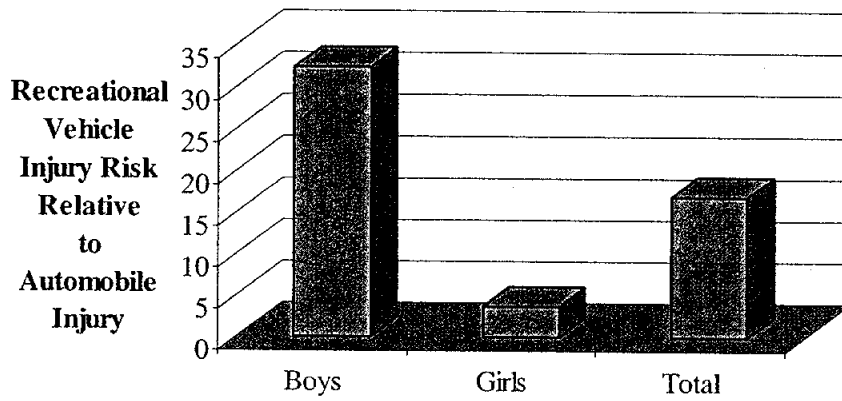


Figure 3. Relative risk based on number of vehicle registrations.



Update on ATV injuries since the APHA study was completed:

We reviewed the ATV injuries in our trauma registry from 2000 to 2003. In this time period, we identified 90 additional patients admitted to the hospital with ATV-related injuries. 72% were male and 28% were female. The average age was 11.3 years, and the average length of stay in the hospital was 3.9 days,

Case Studies

Case 1: 14 year old boy was riding on an ATV which rolled over and landed on him. He was not wearing a helmet. His injuries included: closed head injury with brain hemorrhage, multiple facial and jaw fractures, pulmonary contusion, fracture of scapula and clavicle, lacerated spleen. He was hospitalized for over 4 months, including 31 days in PICU, 5 inpatient days, and 87 days on the Rehab Unit.

Case 2: 13 year old boy was driving an ATV that was hit by an automobile while he was crossing a street, he was not wearing a helmet. His injuries included brain hemorrhage, multiple pelvic fractures, and multiple fractures to left lower leg. He spent 5 days in PICU, 4 days on the inpatient floor, and 25 days in Rehab

Case 3: 15 year old boy driving an ATV that was struck by a car, he was not wearing a helmet. His injuries included skull fractures, severe brain hemorrhage, multiple fractures of facial bones, clavicle fracture. He spent 15 days in the PICU, 5 days on the inpatient floor, 30 days on the Rehab unit

Case 4: From the Columbus *Dispatch*:

April 23, 2003 Wednesday, Home Final Edition

HEADLINE: COLLEGE CHEERLEADER KEEPS SPIRITS UP AFTER SPINE INJURY

BYLINE: Laura Main, WBNS-10TV

Three weeks after competing in the college cheerleading national championships, Christina Trapasso simply wants to walk again.

On Thursday, surgeons at Grant Medical Center will try to repair some of the spinal-cord damage Trapasso suffered Sunday when an all-terrain vehicle flipped backward, pinning her to the ground.

The doctors will use metal pins and rods to realign and stabilize her spine. The three-hour procedure should set the stage for months of physical therapy.

But the prognosis isn't good.

"They more or less came out and told us that she'd never walk again -- and that's hard," said Trapasso's mother, Pam Pratt.

Position statement of the American Academy of Pediatrics

Summary from press release issued on June 5, 2000 5 p.m. (ET):

CHICAGO - In an updated policy statement, the American Academy of Pediatrics (AAP) makes new recommendations for public, patient and parent education by pediatricians on the dangers of children using motorized cycles such as minibikes, trailbikes and mopeds, and all-terrain vehicles (ATVs). The statement emphasizes that no one under the age of 16, or without a valid driver's license, should use an ATV. The statement discusses equipment modifications, the use of safety equipment and the development and improvement of safer off-road trails, and responsive emergency medical systems. In addition, **the AAP called for passage of legislation in all states prohibiting the use of 2- and 4-wheeled off-road vehicles by children younger than 16 years, as well as a ban on the sale of new and used 3-wheeled ATVs, with a recall of all used 3-wheeled ATVs.**

Position statement of the American Pediatric Surgical Association (excerpt)

February 18, 2003 – “We request that [the US CPSC] determine that all 3-wheel ATVs and adult sized 4-wheel ATVs for use by children under age 16 are a banned dangerous consumer product.”

(See attached letter from the President of APSA)

Other Recent Published Studies

Article 1:

From: *Pediatrics* 2001 Sep;108(3):631-5 A population-based assessment of pediatric all-terrain vehicle injuries. Cvijanovich NZ, Cook LJ, Mann NC, Dean JM. Intermountain Injury Control Research Center, University of Utah School of Medicine, Salt Lake City, Utah, USA.

From 1992 to 1996, 130 children were hospitalized as a result of injuries sustained during ATV use [at a single hospital], with median charges of \$4240 per admission. Male to female ratio was 2.7:1, and the average age was 11.2 +/- 3.6 years. Mean injury severity score was 8.0 +/- 6.0, and median length of stay was 2 days (range: 0-43 days). Orthopedic injuries were most frequent, but 25% (n = 32) of children sustained head or spinal cord injury. Most children (94%) were discharged from the hospital, but 8 children died as a result of their injuries. Utah regulations prohibit children who are younger than 8 years from driving an ATV and advise against carrying passengers on ATVs. However, 25% (n = 15) of all injured children who were younger than 8 were driving the ATV when injured, and 15% (n = 60) of injured children were passengers on ATVs. Four of the 8 fatally injured children were younger than 8, and all were driving the ATV at the time of the crash. Finally, the estimated injury rate per 100 registered ATVs is significantly higher for children than for adults (3.41 vs 1.71).

Article 2

Journal of Pediatric Surgery 1998 Jul;33(7):1081-3 Pediatric all-terrain vehicle trauma: a 5-year statewide experience. Lister DG, Carl J 3rd, Morgan JH 3rd, Denning DA, Valentovic M, Trent

B, Beaver BL. Department of Surgery, Marshall University School of Medicine, Huntington, West Virginia 25701-3655, USA.

This is a retrospective review of the pediatric all-terrain vehicle trauma victims who presented to the five major trauma centers serving the state of West Virginia during the 5-year period from January 1991 to December 1995. Two hundred eighteen patients between the ages of 2 years and 16 years presented during the study period. Boys outnumbered girls three to one. The average Injury Severity Score (ISS) was 8.76. The most common injuries were orthopedic followed by head and facial injuries. The majority of the children did not wear helmets, and their injuries resulted in an average hospital length of stay of 4.3 days. Thirty-eight percent of the children required surgery. **There were a total of four deaths for a mortality rate of 1.8%.** The estimated total hospitalization cost for the 218 patients was \$1,918,400.00.

Summary

- Motorized recreational vehicles continue to be a cause of preventable injury and death in children
- Commercially manufactured ATVs account for the majority of these vehicles
- Many children who are injured or killed are far too young to be operating a motorized vehicle
- The only feasible safety measure is banning all three wheeled vehicles and prohibiting children under 16 from operating adult-sized 4-wheeled vehicles. This measure is supported by the American Pediatric Surgical Association.

**ALL-TERRAIN VEHICLE
ATV**

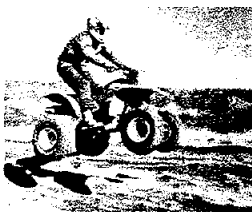
SAFETY CRISIS
AMERICA'S CHILDREN AT RISK






Rebecca L. Brown, MD
Assistant Professor of Clinical
Surgery and Pediatrics
Associate Director of Trauma
Services
Children's Hospital Medical Center
Cincinnati, OH

ATVs
The Crisis

- Escalating ATV popularity
- ATV advertising aimed at youth
- Skyrocketing ATV sales
- Rapidly increasing ATV-related injuries and deaths
- Disproportionate increase in ATV-related injuries and deaths in children and adolescents
- Risk of injury to riders of 4-wheel ATVs approaching that of the "dangerous" 3-wheel ATVs banned in 1988




ATVs
Background

- 1970's - ATVs introduced as "nearly unbreakable toy"
- Early 1980's - Disproportionate number of ATV-related injuries and deaths
- 1987 - CPSC issued ATV safety alert recommending that children < 16 yrs not ride adult-size ATVs and children < 12 yrs not ride any ATV
- 1988 - 10 yr Consent Decree between CPSC and ATV dealers



ATVs
10 Year Consent Decree (1988-1998)
Between CPSC and ATV Manufacturers

- Cease production of all 3-wheel ATVs
- Recommend ATVs with engines > 70cc only for children ≥ 12 years and "adult-size" ATVs with engines > 90 cc only for individuals ≥ 16 years
- Warning labels on ATVs: Children ≤ 16 years should not ride adult-size ATVs
- Provide formal training for prospective buyers
- "Best efforts" to ensure dealer compliance with age recommendations and communication to prospective buyers
- Launch public awareness campaign to alert consumers to hazards associated with ATVs



ATVs

Failure of Industry Self-Regulation

- Final decree did not require that manufacturers offer financial incentives to encourage return of 3-wheel ATVs
- CPSC Usage and Injury Study (1998)
 - Overall, ATV injuries decreased
 - Children < 16 years accounted for nearly half of all injured ATV riders
 - 95% of injured riders < 16 years rode adult-size ATVs
- Voluntary ATV Action Plans (1998-Present)
 - Not enforceable by CPSC
 - Not applicable to all manufacturers and importers of ATVs
 - Recommendation against sale of adult-size ATVs for use by children < 16 years at discretion of manufacturers

ATVs
Are Manufacturers/Dealers Following the Rules?

- ATV manufacturers say they are trying to keep kids off the big machines
 - Age - warning labels
 - Safety brochures and videos
 - Free training on smaller "kid-sized" ATVs
 - Promises not to market, sell, or offer to sell adult-sized ATVs to, or for use by children younger than 16
- But, are they?

ROUGH RIDE

Adult-Sized ATVs Pose Dangers to Children



November 8, 2002

- Using a hidden camera, a television producer posed as a consumer hoping to buy an ATV for a 14 year old child
 - One dealer recommended an adult-sized ATV almost 4x larger than manufacturer recommendations for children
 - Second dealer also suggested an adult-sized ATV
 - Third dealer mentioned the age limits, but suggested ways to skirt the rules - "Just purchase the vehicle as if you were purchasing it for yourself, and then let your nephew ride it."
 - 9 of 10 ATV dealers recommended adult-size ATVs for a child



ATVs



CPSC Executive Summary 1997-2001

- ATV injuries rose from 54,700 to 111,700 (104% increase)
- ATV riders rose from 12 to 16.3 million (36% increase)
- Riding hours rose from 1575 to 2364 million (50% increase)
- Number of ATVs rose from 4 to 5.6 million (40% increase)
- Increased injury, exposure, and risk to drivers under the age of 16 years
- Drivers with less experience (< 1 year) and fewer driving hours (< 25 hours/year) have highest risk of injury
- Only 7% had formal training program
- 44% of ATVs were purchased used; 83% from previous owner

ATVs

The Toll on Children

- Children < 16 years account for only 14% of all ATV riders, yet suffer 37% of all injuries and 38% of total fatalities
- Children < 12 years account for 15% of all ATV-related deaths



ATVs

The Hype

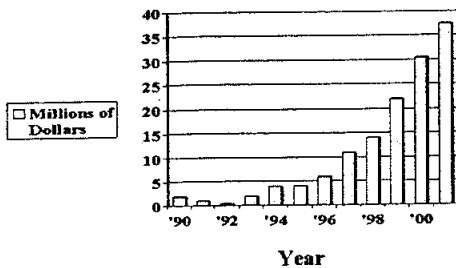


- Popular - Over 7 million in use today
- Big - The average adult-size ATV weighs 550 pounds
- Fast - Many ATVs travel up to 75 mph or more
 - "I've had my Honda 250R up to 84 mph, radared by a county sheriff."
- Powerful - Up to 700 cc engines
 - "All these machines have engines so big and powerful they'll scare your riding buddies straight back to their mummies' houses."
- Adrenaline Rush - "Like a pure sport machine"



ATVs

Advertising Dollars

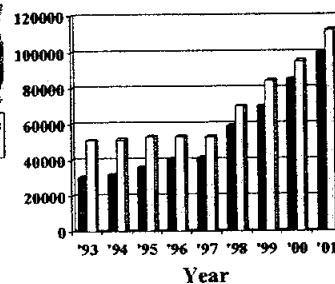


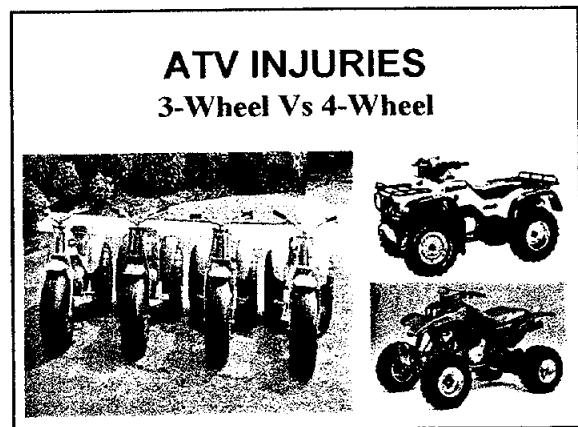
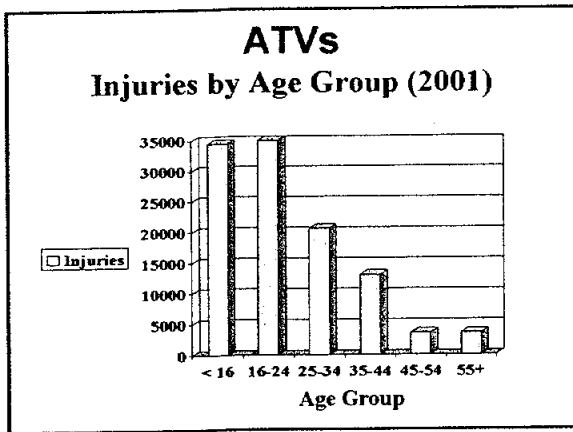
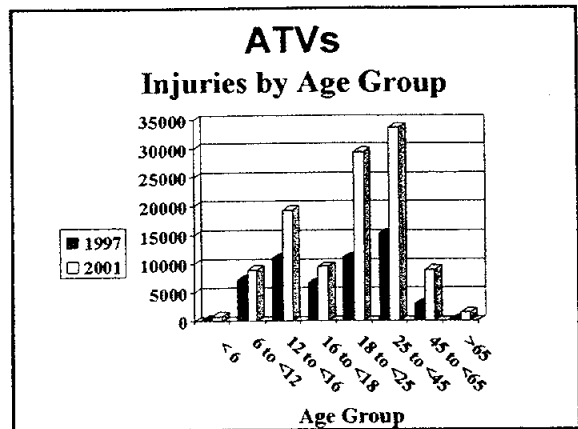
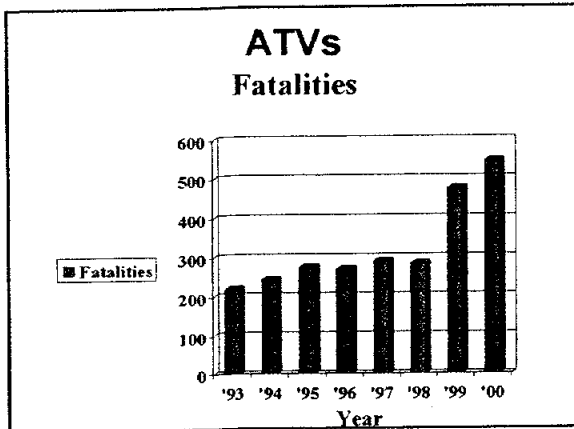
ATVs

Injuries



■ 4-Wheel ATVs
□ All ATVs





ATV INJURIES 3-Wheel Vs 4-Wheel

- Four-wheelers are just as dangerous as 3-wheelers
- The ATV injury rate is nearly as high as it was in 1988
 - 262.8 injuries per 10,000 ATVs in 2001 vs 275.8 injuries per 10,000 ATVs in 1988
- *"Although manufacturers have touted the 4-wheel vehicles as being safer than the 3-wheel variety, the relative increase in safety is negligible, especially considering the criteria that led to the recall of 3-wheel ATVs. Injuries sustained in accidents involving 4-wheel ATVs are just as severe..." - Russell, et al (1998)*

ATV INJURIES The Cost

- Emotional Pain and Loss
- Medical Bills
- Disability Payments
- Lost Economic Productivity
 - The American Academy of Orthopedic Surgeons estimated that ATV-related injuries would cost society \$6.5 billion in 2000
 - In West Virginia, ATV-related fatalities are estimated to cost taxpayers as much as \$34 million annually

ATVs

Why Shouldn't Children Ride ATVs?



ATVs

Why Shouldn't Children Ride ATVs?



- ATVs are not toys
- Children lack the physical strength and coordination to adequately control ATVs
- Steering is complex and counterintuitive
- Children lack the maturity, judgement, and experience to operate ATVs safely

ATV Laws and Regulations

What's Good For Cars Should Be Good For ATVs



ATV Laws and Regulations

- 24 states have no minimum age to drive an ATV
- 19 more states allow children 8 to 12 years old to drive ATVs
 - Utah allows children as young as 8 years to drive ATVs, while a 10 year old can drive them in New York, Maine, and Pennsylvania
 - The minimum age in Ohio is 12 years; license required only to cross public highway or for use on public lands; no testing is required
- 42 states do not require a license to drive an ATV
- 35 states do not require any safety training or testing to drive an ATV

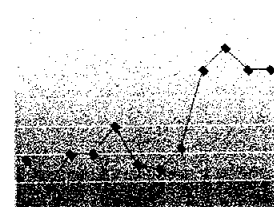
ATV INJURIES

Summary of Medical Research

- From Arkansas, Georgia, South Carolina, Ohio, Oklahoma, Pennsylvania, Utah, West Virginia, Wisconsin
- Mean age of injured ATV victims was 11-12 years
- 32-64% of patients were < 16 years
- In Utah, 50% of children killed were < 8 years
- Injuries increased significantly in the late 1990's
- 50-63% of injuries occurred when ATV rolled over or the victim was thrown off the vehicle
- Most children were not wearing helmets
- Few received formal ATV training

ATV INJURIES

Cincinnati Children's



Year

ATV AND BICYCLE CRASHES

Purpose

- To compare ATV- and bicycle-related injuries in children
 - Epidemiology
 - Injury Severity
- To determine whether ATV crashes elicit changes in safety behaviors or use patterns



ATV AND BICYCLE CRASHES

Methods

- Retrospective analysis of children admitted with ATV- or bicycle-related injuries between January 1991 and June 2000
 - 109 children with ATV-related injuries
 - 994 children with bicycle-related injuries
- Follow-up phone survey of children injured in ATV crashes

ATV AND BICYCLE CRASHES

Results Demographics



□ ATV Injuries
▨ Bicycle Injuries

For ATVs
 • 93% < 16 yrs
 • 31% < 10 yrs
 • 7% < 5 yrs

ATV AND BICYCLE CRASHES

Results Demographics



	ATV	Bicycle	p
<u>M:F Ratio</u>	3.5 : 1	2.8 : 1	NS
<u>Race</u>	97% Caucasian	79% Caucasian	< 0.05

ATV AND BICYCLE CRASHES

Results Mechanism of Injury

ATVs	Bicycle
- Falls 41%	- Falls 59%
- Collision with moving object 10%	- Collision with moving object 32%
- Collision with stationary object 27%	- Collision with stationary object 9%
- Rollover 16%	

* 21% of ATV crash victims were passengers on vehicle; mean age = 9.5 yrs

ATV AND BICYCLE CRASHES



Results Injury Severity



	ATV	Bicycle	p
<u>ISS</u>	8.3 ± 7.2 (1-34)	6.7 ± 6.1 (1-75)	< 0.05
<u>ISS > 15</u>	12%	6%	< 0.05
<u>Multiple Injuries</u>	67%	44%	< 0.05
<u>Need for Surgery</u>	37%	27%	< 0.05

ATV AND BICYCLE CRASHES



Results
Injury Severity

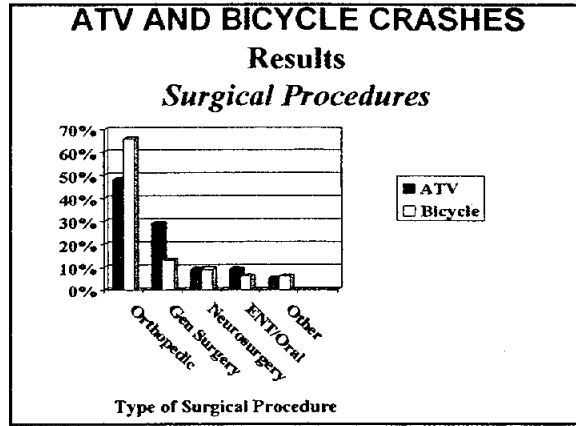
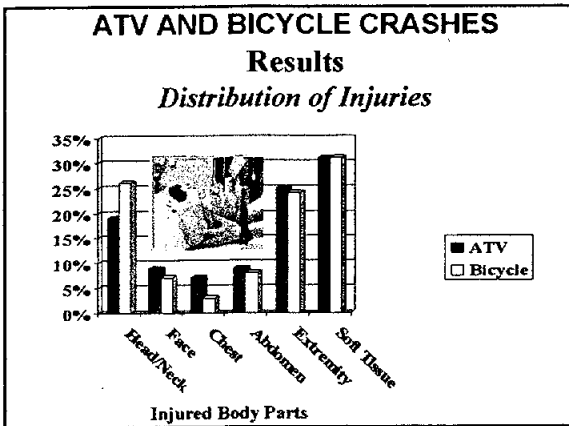
	<u>ATV</u>	<u>Bicycle</u>	<u>P</u>
<u>LOS (days)</u>	6.3 ± 13.9 (1-126)	4.1 ± 6.4 (1-85)	NS
<u>LOS >7 days</u>	14%	11%	NS
<u>ED GCS < 8</u>	6%	3.5%	NS
<u>Mortality</u>	1 / 109 (0.9%)	7 / 994 (0.7%)	NS


ATV AND BICYCLE CRASHES


Results
Helmet Use

	<u>ATV</u>	<u>Bicycle</u>	<u>P</u>
<u>Helmet Use</u>	23%	8%	< 0.05



- ### ATV AND BICYCLE CRASHES
- Results**
ATV Survey
- 
- 39% response rate
 - 33 riders; 10 passengers
 - 43% reported wearing helmets at time of injury
 - Only 16 of 43 (37%) received safety materials
 - Only 6 of 43 (14%) received formal training

- ### ATV AND BICYCLE CRASHES
- Results**
ATV Survey
- 
- 26 of 43 children (60%) continued to ride post-injury
 - Decreased riding time for 11 children
 - No change in riding time for 12 children
 - Increased riding time for 3 children
 - No change in safety behaviors (helmets, safety gear)
 - No change in adult supervision (61% pre- vs 65% post-injury)

ATV AND BICYCLE CRASHES Conclusion

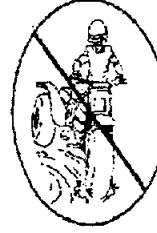
- Majority of injuries occur in children under the recommended age for ATV use
- ATVs are significantly more dangerous than bicycles for children
 - Higher injury severity
 - Multiple injuries
 - More operative interventions
- Being seriously injured in an ATV crash does not influence post-injury safety behaviors

ATVs Rules of Use

ATVs are not toys.

Don't let children under 16 ride adult-size ATVs.

Take a training course.

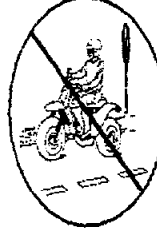
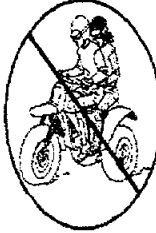


ATVs Rules of Use

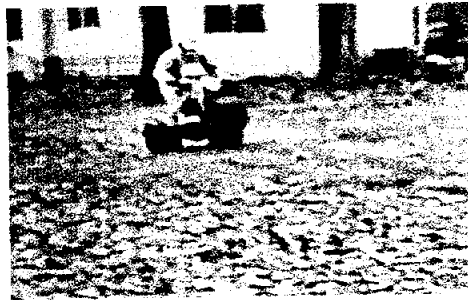
Helmets save lives.

No passengers!

No paved roads or alcohol!



ATVs No Passengers Allowed



ATV SAFETY CRISIS Action Steps

- Every state should adopt recommendations of the AAP and AAOS that no child under 16 be allowed to operate ATVs under any circumstance.
- Every state should adopt model legislation requiring licensure, formal training, and safety mandates for ATV owners and operators.
- The CPSC should ban the use of adult-size ATVs by children under the age of 16 and require manufacturers' refunds for all 3-wheel and 4-wheel ATVs purchased for use by children under 16.

ATV SAFETY CRISIS

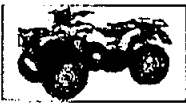
CPSC ATV FIELD HEARING

JUNE 5, 2003

**MORGANTOWN, WEST
VIRGINIA**


Dr. Jeffrey S. Upperman

**ATVs
Children at Risk**



CPSC Public Hearing
June 5, 2003
Jeffrey S. Upperman, MD, FAAP, FATHER
Assistant Professor of Surgery
Children's Hospital of Pittsburgh

Kids Say the Funniest Things...?



**Why can't
I Drive ^{ATV}
the Car?**

Case No. 1

- An 8 year old boy who was driving an adult sized ATV that went 40 feet over an embankment.
- Injuries Included:
 - Liver and spleen laceration
 - Bilateral arm fractures
 - Pulmonary contusions and a pneumothorax

Case No. 2

- A 2 year old boy who was riding with his Grandfather who lost control and rolled over.
- Injuries Included:
 - Temporal bone skull fracture
 - Facial lacerations

Case No. 3

- A 6 year old boy who was a passenger with an adult driver. The ATV hit a ditch and flipped
- Injuries Included:
 - Pulmonary contusions
 - Pneumothorax
 - Multiple rib fractures
 - Splenic laceration

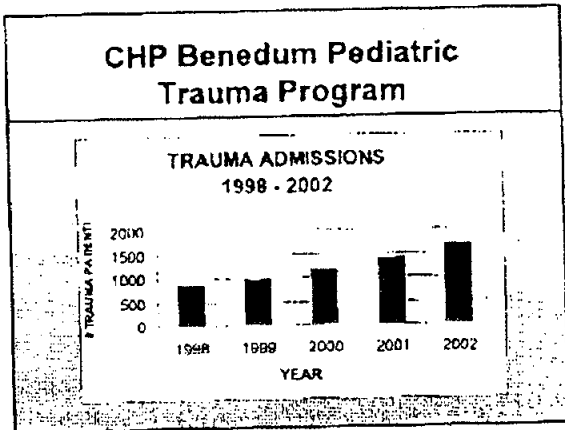
Case No. 4

- A 14 year old boy who was driving an adult size ATV. He was wearing a helmet but lost control and went over an embankment.
- Injuries Included:
 - Severe head injury with multiple skull fractures
- Death

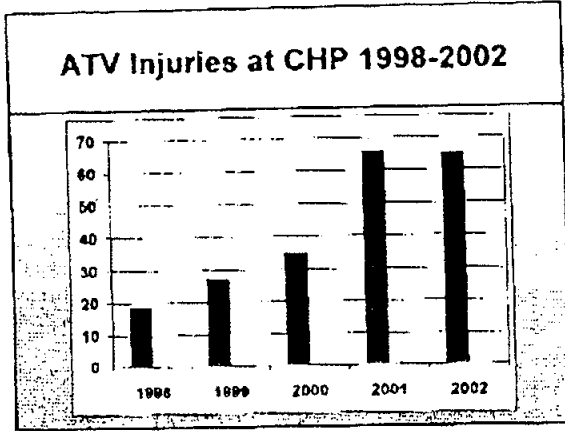
ATV Injuries in Children

Children's Hospital of Pittsburgh
(CHP)

- Only Level I Pediatric Trauma Center in Western Pennsylvania
- Approximately 1500 trauma admissions per year
- 24 county catchment area







ATV Injuries at CHP

	Pediatric Trauma	ATV Injuries
# of injuries:	1500 (2002)	65 (2002)
mean age (y)	12	11
mean ISS	6.77	8.6
LOS (days)	2.11	3.65
Deaths (%)	1.1	3.1


PTOS: ATV Injuries

Children < 16 years (1998 - 2002):

- Injuries: 696
- Deaths - 16
- mean age: 12.5 years
- mean ISS: 12.6

Why kids are at risk


- Neuromuscular immaturity until the age of 10 years
- Poor depth perception until the age of 10 years
- Lack of judgement



Why kids are at risk

Anatomic Considerations:

- Close proximity of multiple organs.
- Solid organs larger compared to rest of abdomen
- Less fat, less connective tissue, less muscle mass.
- Bony skeleton incompletely ossified.



ATV Injury Mechanism

- Rollovers
- Collisions
- Thrown from the vehicle

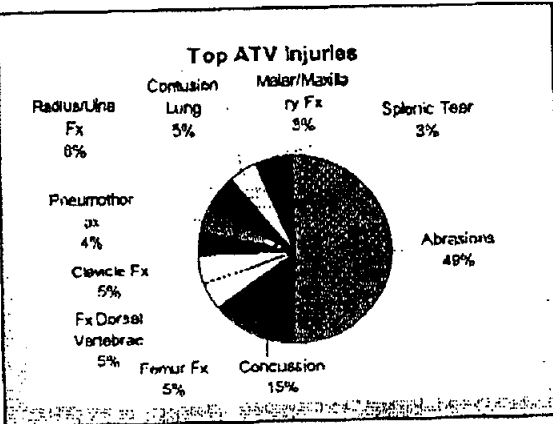
CHP ATV Victim Risk Factors

- Average weight – 100 lbs.
- Mean age – 11 years
 - PA graduated drivers license begins at 16
- ADHD - 10%
- Alcohol – 3%
- Driver – 64%
- Passenger – 35%

ATV Injuries in Children 2002



Top ATV injuries




ATV Injury Costs at CHP

- Average charge per patient: \$15,000.00
- Range: \$4,600 - \$38,000
- Costly Category: Extremity fractures
- \$116,308.00
- These costs do not factor in lost work days, wages, school time, or other socioeconomic factors.

ATV Education at CHP

Advice: Children < 16 years should not be permitted to drive or ride on an ATV

- One on one counseling with the family and child
- Safety and Health Fairs
- Multiple media events
- CHP injury prevention website
www.chp.edu



Summary

- Pediatric ATV injuries and deaths are rising
- ATV pediatric victims are younger, more severely injured and stay longer than the average CHP trauma patient
- Two-thirds of the victims are drivers
- Head, extremity and abdominal injuries account for most of the injuries



Dr. Ann Carr

ATV Incidents

Factors that Influence Neurologic Injuries and Death in ATV Accidents: A Ten Year Retrospective Review at the Jon Michael Moore Trauma Center.

- Ann M. Carr, MD, Charles L. Rosen, MD, PhD, Vince Miele, MD, Julian Bailes, MD, Peter Mucha Jr., MD, James Helmkamp, PhD

ATV Accidents Introduction

- ATVs are estimated by the USCPSC to have caused 357 deaths/yr since 1995.
- 80% of fatalities involved neurologic injuries.
- West Virginia leads the country: fatality rate now twelve times the national average.



Methods

- 238 patients admitted to the Jon Michael Moore Trauma Center after ATV accidents from Jan 1990 to Dec 2000.
- Age, gender, helmet status, EtOH use, drug use, length of stay, disposition, and hospital costs were studied
- Death rates, age, helmet use, and safety laws were reviewed in all 50 states.

Results

- States without safety regulation had death rates twice that of other states.
- 35% of deaths were under 16 and 15% were under 12
- Of children injured or killed 68% were passengers with adult drivers and 80% were not wearing helmets

Results

- Helmets reduce the risk of head injury by 64%
- The immediate cause of death in two thirds of patients was trauma to head or neck
- Helmets were used in only 5-26% of accidents
- Only 21 states have some form of helmet law



Results

- At WVU-JMMTC
 - 80% were male
 - Average age was 26.5 years
 - EtOH was involved in 30% of incidents
 - Drugs were involved in 17% of incidents
 - 80% PCP
 - 24% cocaine
 - 15% opiates

Results

- WV has twice the national percentage of senior citizens killed on ATVs
- Seven seniors were injured
- Only one was wearing a helmet

Results

- 80% of injured seen at the Jon Michael Moore Trauma Center were male, and only 20% were wearing helmets
- West Virginia currently has no state legislation that has survived past committee

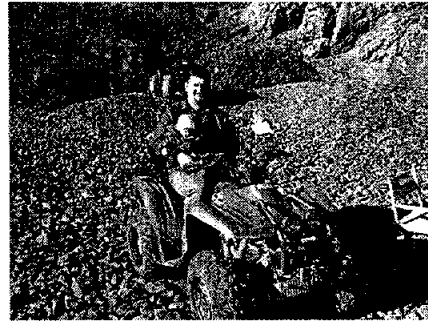
Results

- Legislation introduced
 - Senate Bills 149, 196
 - House Bills 4022, 4174
 - Involved helmets
 - Eye protection
 - Headlights
 - Tail lights
 - Minimum operator ages
 - Rider education
 - Operator license
 - no passengers



Results

- At WVU 32% of the injured were minors
- Only 20% were wearing helmets
- 24% were younger than 16, and only 17% were wearing helmets
- The youngest was 18 months—no helmet



Results

- Average cost of ATV related deaths to WV was \$10-34M
- Average loss of productive life was 43 years
- Average loss of productive life in children 16 or younger was 64 years

Discussion

- The CPSC states that there has been a gradual increase in the number of ATV-related deaths since 1995
- 19% increase in the estimated number of injuries from 1999 to 2000.
- NOT explained by the increase in ATVs in use

Discussion

- Some studies have suggested that helmets increase the risk of skull base and c-spine injuries secondary to the increased mass of the head (Konrad et al. 1996, Tepper et al. 1990, Simpson et al. 1989)

Discussion

- Thirty-two percent (75/234) of injured helmeted riders had skull base and/or c-spine injuries vs 53% (124/233) of non-helmeted riders ($p < .0001$)
- 17/234 helmeted riders had a c-spine injury, compared to 22/233 non-helmeted riders.

Conclusions

- States with some type of ATV safety regulation have death rates half that of states with no safety laws
- Nationwide, children under 16 make up 25-40% of deaths
- 68% of children injured or killed were passengers with adult drivers
 - Less than 80% were not wearing helmets

Conclusions

- Recommendations (CPSC)
 - Never operate ATVs without proper training or instruction
 - Never carry passengers
 - Stay off paved roads
 - Never use EtOH or other controlled substances
 - Always wear an approved helmet and other protective equipment

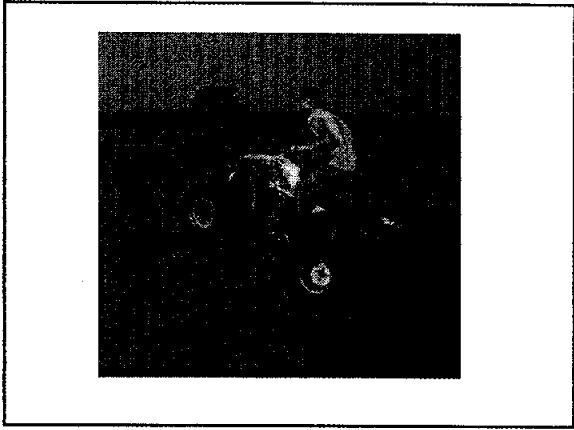
Conclusions

- American Academy of Pediatrics also recommends that no child under 16 should be licensed to drive ATVs



Conclusions

- It has been shown that safety legislation saves lives
- At the very least, basic standards recommended by the Consumer Product Safety Commission, Centers for Disease Control, American Academy of Pediatrics, and ATV manufacturers coupled with a community based and family oriented approach should be implemented



**CPSC ATV Safety Field
Hearings**

June 5, 2003

Jack M Bergstein, MD
Director, Surgical Critical Care
Associate Director, Jon Michael
Moore Trauma Center

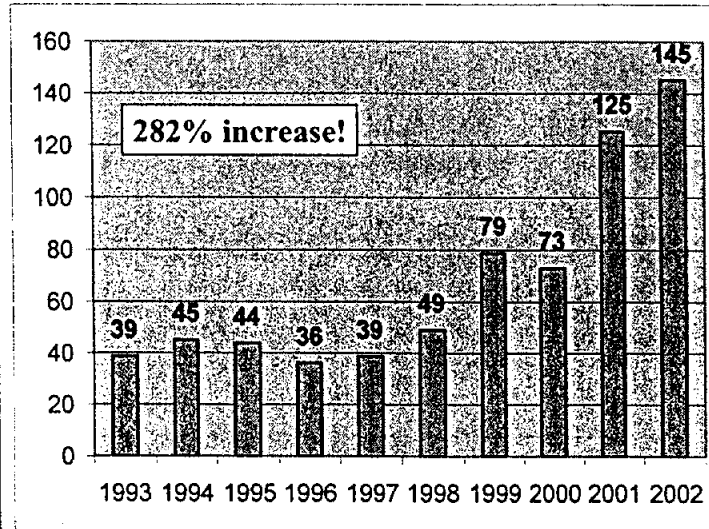


High Point!





ATV Injuries, JMMTC

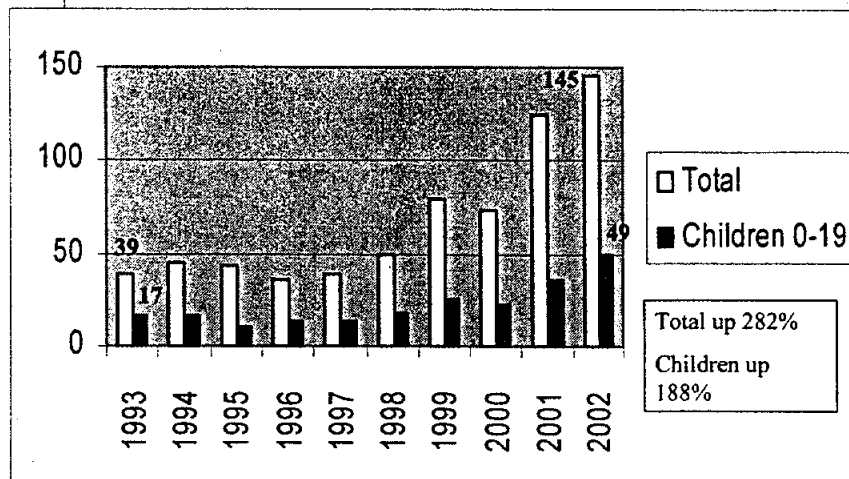


6/5/03

Jack M Bergstein, MD



ATV Injury admissions JMMTC

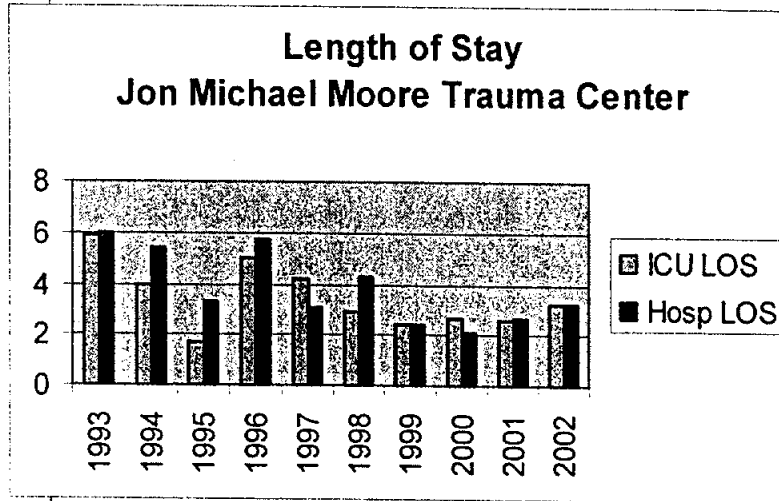


6/5/03

Jack M Bergstein, MD



ATV Injuries: LOS Improving

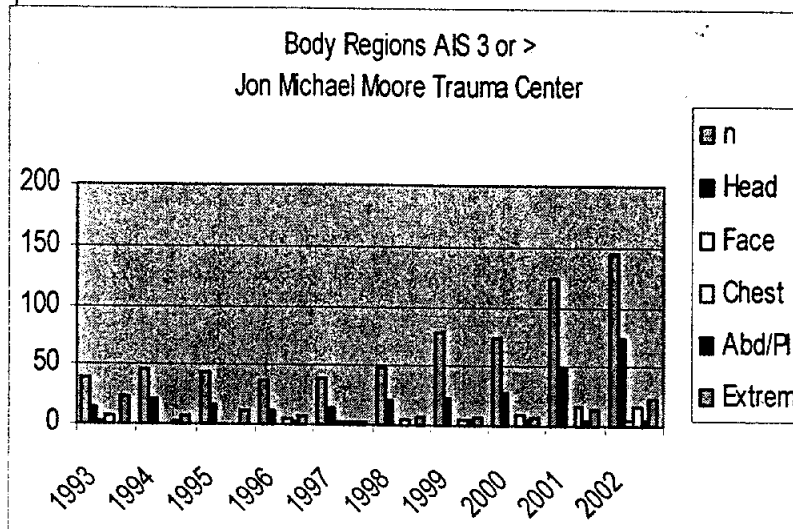


6/5/03

Jack M Bergstein, MD



Serious ATV Injuries

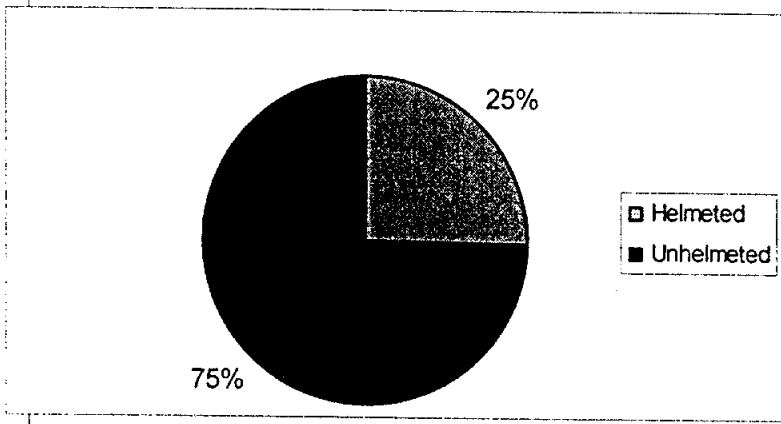


6/5/03

Jack M Bergstein, MD



Helmet Usage



ATV injuries admitted to JMMTC, 1993-2002

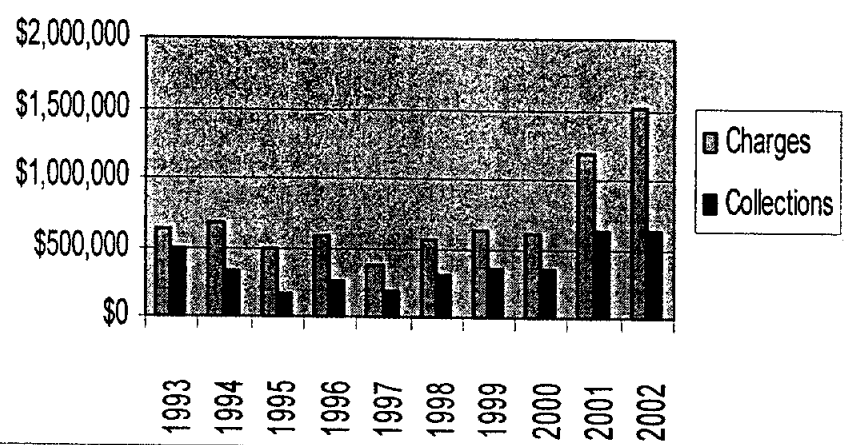
6/5/03

Jack M Bergstein, MD



Costs of ATV Injury

JMMTC

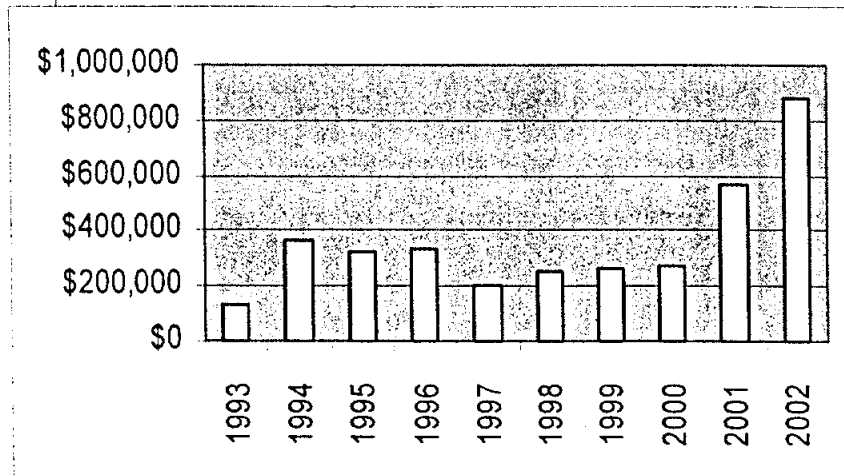


6/5/03

Jack M Bergstein, MD



ATV injuries: Annual losses, JMMTC

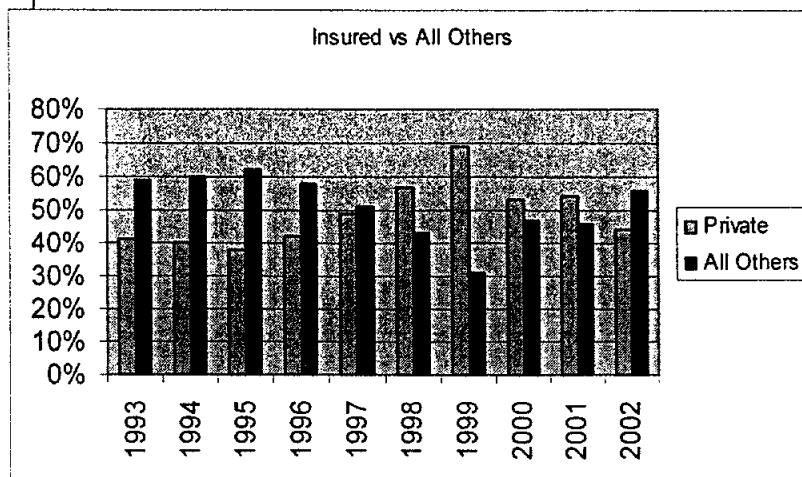


6/5/03

Jack M Bergstein, MD



Health insurance, ATV injuries, JMMTC



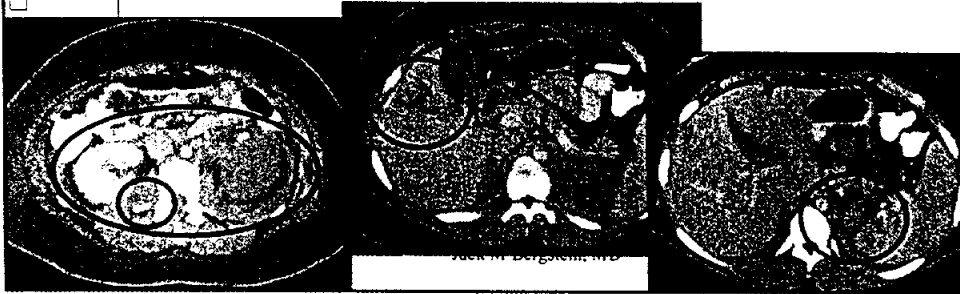
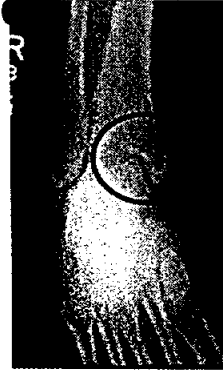
6/5/03

Jack M Bergstein, MD



W.H. – 24 y.o. ATV driver

- Moderate speed
- Traversed running water
- Thrown from vehicle, which landed atop her
- 12 days in hospital
- Home w/ walker, hospital bed, narcotics

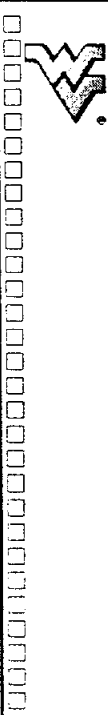


ATV Injuries: common causes

- Rollover on bank or going uphill
 - Thrown from vehicle (plowing, hydroplaning, striking rock)
 - ◆ Passenger
 - ◆ Driver
 - Striking fixed objects (trees)
 - Struck by other vehicle on road
- Loss of control

6/5/03

Jack M Bergstein, MD



ATV Injury Prevention

- **Reduce size and weight**
- **Reduce speed**
- **Consider eliminating children's ATV's**
- **Prevent children from operating**
- **Improve steering handling and stability**
- **Also: mandate helmets, keep off roads, register and track injuries**

6/5/03

Jack M Bergstein, MD

ATV HEARING

My name is Dr. Joan Phillips FAAP. I am a board certified Pediatrician. I have been in private practice for twenty years. I am currently the Vice-President of the WV Chapter of the AAP.

I have serious concerns on the safety of ATV use especially when children and adolescents drive them. Over the past 5 years I have seen an increase in the number of ATV related injuries. I have begun to ask at each well check up if an ATV is being ridden. I have been shocked to learn how many and at what young ages that ATVs are being used. Most are under 16 years of age, do not wear helmets, and ride double.

The injuries have ranged from cuts around the neck from hitting a fence to broken legs. One former patient that I did not directly see at time of injury, but that I have contact with was wearing a helmet that saved his life but he suffered a spinal cord injury that required much rehabilitation.

Though I recognize that the user causes a portion of these accidents, there is inherent problem with the ATV itself. It is a well-known fact that the ATV has a high center of gravity, poor or absent suspension system and no rear-wheel differential. This poses a high risk of rollover. With ATV weights of 600-800 pounds, rollover crush injuries are often fatal. This coupled with the ability to attain speeds of 30-50mph makes these vehicles deadly weapons when driven by children and adolescents. The AAP recommends roll bars be required and governors applied to limit maximum speed.

Riding as a passenger has caused many of the injuries I have seen. One of our local teens was the leading competitor in the state amateur golf tournament. After the day of competition he was riding on the back of an ATV and was thrown into a tree causing head injury. He spent the rest of the tournament in the ICU.

The AAP Policy on ATV Safety suggests that ATVs be designed so that they cannot carry passengers. Other safety features suggested are seat belts and headlights that automatically turn on when the engine is started to improve visibility by other vehicles.

Children under 16 years of age and especially those in the 11-13 age group often lack the cognitive ability to assess risk and use good judgement when driving an ATV. They also lack the motor ability and strength to operate such a heavy and powerful machine. The present approach to educating riders and parents of riders is not effective. I have loving and smart parents in my practice that just do not understand the potential for harm by an ATV. A quote from a parent whose son died in an ATV accident says, "Children are dying on these vehicles. They think they are invincible. They have no fear. They are children, and we need to take care of them."

It is our responsibility to advocate for these children and take care of them.