



United States
CONSUMER PRODUCT SAFETY COMMISSION
Washington, D.C. 20207

MEMORANDUM

DATE: July 8, 2003

TO : Elizabeth Leland, EC *TAS*
Through: Todd A. Stevenson, Secretary, OS
FROM : Martha A. Kosh, OS
SUBJECT: Public Field Hearing Concerning All-Terrain Vehicles

ATTACHED ARE COMMENTS ON THE CA 03-1a

<u>COMMENT</u>	<u>DATE</u>	<u>SIGNED BY</u>	<u>AFFILIATION</u>
CA 03-1a-1	4/23/03	B. Sachau	15 Elm Street Florham Park, NJ 07932
CA 03-1a-2	4/24/03	Rob Zimmerman	Rob Zimmerman
CA 03-1a-3	4/24/03	Alex Ernst Communications Director	NYSOVA Inc. P.O. Box 250 Clarksville, NY 12041
CA 03-1a-4	4/24/03	Sharon Arnold	Grassy Meadows, WV
CA 03-1a-5	4/24/03	Ronald D. Courts Environmental Services Officer	City of Roswell
CA 03-1a-6	4/26/03	Gloria & Pat	<u>gloriag@ntcnet.com</u>
CA 03-1a-7	4/27/03	Rich Piazza	<u>cbr6speed@yahoo.com</u>
CA 03-1a-8	4/27/03	Thomas Murden	498 Jenny Brook Road Napanoch, NY 12458
CA 03-1a-9	4/27/03	Ron Ford	<u>ford@charter.net</u>
CA 03-1a-10	4/29/03	Joseph Bellinger	<u>racers@twcny.rr.com</u>
CA 03-1a-11	4/30/03	Carl Holttum	Carl Holttum
CA 03-1a-12	5/01/03	Robert Bolte	<u>bolte@med.utah.edu</u>
CA 03-1a-13	5/01/03	Nathan Clark	Nathan Clark

Public Field Hearing Concerning All-Terrain Vehicles

CA 03-1a-14	5/05/03	Mike Adams	Fwcoinc@aol.com
CA 03-1a-15	5/06/03	Paul Nusbaum Secretary	Department of Health And Human Resources State Capitol Complex, Building 3, Room 206 Charleston, WVA 25305
CA 03-1a-16	5/07/03	Rod Slings Recreation Safety Programs Supervisor	Department of Natural Resources Wallace State Office Building 502 East 9 th Street Des Moines, IA 50319
CA 03-1a-17	5/12/03	John Meerritt Exec. Director	WorkSafe Victoria Victorian Workcover Authority GPO Box 4306, Melbourne 3001
CA 03-1a-18	5/16/03	Ryan Devries	Consumer
CA 03-1a-19	5/17/03	Rhonda Treadaway	Consumer
CA 03-1a-20	5/17/03	Phil Smith	Consumer
CA 03-1a-21	5/19/03	Martin Blair	Consumer
CA 03-1a-22	5/19/03	R. Otterstedt Chairman	Pine Barrens Law Enforcement Council P.O. Box 587 3525 Sunrise Highway 2 nd Floor Great River, NY 11739
CA 03-1a-23	5/23/03	William Walton	Consumer
CA 03-1a-24	5/23/03	Larry Partridge	Consumer
CA 03-1a-25	5/26/03	Jethro Moyer	quadracer5487@hotmail.com
CA 03-1a-26	5/27/03	Jeremy McCord	209 East Chestnut St. Puryear, TN 38251
CA 03-1a-27	5/27/03	Glenda Gallimore Kenny Gallimore	Box 173 Hazel, KY 42049
CA 03-1a-28	5/28/03	Matt Peltzer	11101 SW Highway 59 Rushville, MO 64484
CA 03-1a-29	5/28/03	James Chiga	jchiga@goteam.ws

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CA 03-1a-30	5/29/03	Robert Birkinshaw	5762 River Park Drive Murray, UT 84123
CA 03-1a-31	5/30/03	Mike Blume	Lebanon Fire Department <u>Lebfire@in-motion-net</u>
CA 03-1a-32	5/31/03	Mark Ferran	<u>mferran@nycap.rr.com</u>
CA 03-1a-33	6/01/03	Consumer	<u>Funkmaster0089@aol.com</u>
CA 03-1a-34	6/01/03	Don Browning	9463 Shennadoah Dr.
CA 03-1a-35	6/02/03	Brenda Lusher	<u>brendalee 1982@juno.com</u>
CA 03-1a-36	6/02/03	Jason Wisniewski	<u>jwisniew06@hotmail.com</u>
CA 03-1a-37	6/02/03	Jason buttars	<u>jason buttars@hotmail.com</u>
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CA 03-1a-39	6/03/03	Andy Hogz	<u>hogz@optonline.net</u>
CA 03-1a-40	6/03/03	Dan Southar	<u>dsouthar@stny.rr.com</u>
CA 03-1a-41	6/04/03	Al DeJong	13901 Yakima Valley
CA 03-1a-42	6/04/03	Curtiss Vice	<u>cdvice@copper.net</u>
CA 03-1a-43	6/04/03	Jay Jackson	<u>muddnlife@yahoo.com</u>
CA 03-1a-44	6/04/03	Alexander Lindsay	Alexander Lindsay
CA 03-1a-45	6/04/03	Robb Whelchel	<u>robbkaty@ipa.net</u>
CA 03-1a-46	6/04/03	Ronnie Meadows	<u>rons67@charter.net</u>
CA 03-1a-47	6/04/03	Consumer	<u>GEG660@attbi.com</u>
CA 03-1a-48	6/04/03	Allan Lynch	<u>allanelynch@yahoo.com</u>
CA 03-1a-49	6/04/03	Brody Campbell	Brody Campbell
CA 03-1a-50	6/05/03	Luke Peterson	<u>mudboggin luke@hotmail.com</u>
CA 03-1a-51	6/05/03	Consumer	<u>Asphltscr8pr@aol.com</u>
CA 03-1a-52	6/05/03	Ron McDaniel	<u>mcdaniel@vtc.net</u>
CA 03-1a-53	6/05/03	Bobby Oxner	Bobby Oxner
CA 03-1a-54	6/05/03	Mike Toraason	Grantsburg, WI 54840
CA 03-1a-55	6/06/03	Scott Kovarovice	<u>scott Kovarovics@tw.s.org</u>
CA 03-1a-56	6/06/03	Gary Myers	<u>glm@mpinet.net</u>

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CA 03-1a-57	6/06/03	Darren Larkin	<u>wooly boogers@hotmail.com</u>
CA 03-1a-58	6/06/03	Jonathan Groner	Children's Hospital Columbus, OH
CA 03-1a-59	6/06/03	Bennett Norris	Culloden, GA 31016
CA 03-1a-60	6/07/03	Luke Johnson	Luke Johnson
CA 03-1a-61	6/07/03	Ernest Martinson	<u>emartinson1@yahoo.com</u>
CA 03-1a-62	6/07/03	April Ross	<u>atvmadness@hotmail.com</u>
CA 03-1a-63	6/07/03	Gary Surdyke	<u>gary@surdyke.com</u>
CA 03-1a-64	6/07/03	Frank Merriman	<u>outrider@atbi.com</u>
CA 03-1a-65	6/08/03	Scott Wilke	<u>z400scott@aol.com</u>
CA 03-1a-66	6/09/03	Michael Shute	<u>family shute@msn.com</u>
CA 03-1a-67	6/09/03	Dennis Hines	<u>dennis.hines@medibuy.com</u>
CA 03-1a-68	6/09/03	Ernest Aguilar	<u>erniejr@mindspring.com</u>
CA 03-1a-69	6/09/03	Roland Thompson	Roland Thompson
CA 03-1a-70	6/09/03	Andrea Liske	Andrea Liske
CA 03-1a-71	6/09/03	Jonathan Dellaira	<u>tejas10@aol.com</u>
CA 03-1a-72	6/09/03	Craig Baumann	<u>djbaumann@mchsi.com</u>
CA 03-1a-73	6/09/03	David Hughes	<u>cherokee180@comcast.net</u>
CA 03-1a-74	6/09/03	Mike Podhorecki	Rochester Microsystems Incorporated 90 air Park Drive, Suite 300 Rochester, NY 14624
CA 03-1a-75	6/09/03	Bobby Weiser	<u>bore13x@yahoo.com</u>
CA 03-1a-76	6/09/03	Jeffrey Wright	<u>jeffrey.wright@leggett.com</u>
CA 03-1a-77	6/09/03	G. Zahariadis	<u>gurrreggerg@aol.com</u>
CA 03-1a-78	6/09/03	Paul Thornton	<u>pmthorn@concentric.net</u>
CA 03-1a-79	6/09/03	E. Pucciarelli	Ellen Pucciarelli
CA 03-1a-80	6/09/03	Chase Thompson	<u>thompson chase@hotmail.com</u>
CA 03-1a-81	6/09/03	Erik Dubb	<u>dubber97@msn.com</u>

Public Field Hearing Concerning All-Terrain Vehicles

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CA 03-1a-104	6/09/03	Justin Wenzel	shiznikchik69@hotmail.com
CA 03-1a-105	6/09/03	Tegan W.	shiznikchik69@hotmail.com
CA 03-1a-106	6/09/03	Bill West	Westtrx107@wmconnect.com
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CA 03-1a-133	6/09/03	Ben	frank316@bright.net
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CA 03-1a-139	6/09/03	Caleb Anderson	<u>blueblast02@yahoo.com</u>
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CA 03-1a-142	6/09/03	Nancy Stewart	<u>nstewart@usadatanet.net</u>
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CA 03-1a-144	6/09/03	Danny Hinton	<u>dannyhinton@hotmail.com</u>
CA 03-1a-145	6/09/03	Ryan Therriault	<u>redrizza@hotmail.com</u>
CA 03-1a-146	6/09/03	Evan Davis	<u>davis4g@metrocast.net</u>
CA 03-1a-147	6/09/03	Martin Blair	<u>hnquadin@yahoo.com</u>
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CA 03-1a-151	6/09/03	Tim Ausburn	<u>lrdrider101@yahoo.com</u>
CA 03-1a-152	6/09/03	McHale Jones	<u>mchale2020@hotmail.com</u>
CA 03-1a-153	6/09/03	Marc Choquette	<u>adora95@sbcglobal.net</u>
CA 03-1a-154	6/09/03	Case	<u>cweldoll@hotmail.com</u>
CA 03-1a-155	6/09/03	John Bearden	<u>bearden@oudrs.net</u>
CA 03-1a-156	6/09/03	Richard Sain	<u>cosmo_kramer1@email.msn.com</u>
CA 03-1a-157	6/09/03	Tom Tibberino	<u>tom.t@emireequity.com</u>
CA 03-1a-158	6/10/03	Phil Brayment	<u>dmoreland@earthlink.net</u>
CA 03-1a-159	6/10/03	Tim Koenigseder	<u>mxquad294@cox-internet.com</u>
CA 03-1a-160	6/10/03	David Overman	<u>daveo2006@hotmail.com</u>
CA 03-1a-161	6/10/03	Pierre Gagnon	<u>pierre_remi@hotmail.com</u>
CA 03-1a-162	6/10/03	James Eckroat	<u>jim@mcallenconstruction.com</u>

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CA 03-1a-163	6/10/03	Jason Jenson	sobeahonda@hotmail.com
CA 03-1a-164	6/10/03	Ben Boles	Smpmotorcross2488@aol.com
CA 03-1a-165	6/10/03	Gray Steward	gshilltop@yahoo.com
CA 03-1a-166	6/10/03	Tony Madrid	Tmadrid@pcjcc.co.pima.az.us
CA 03-1a-167	6/10/03	Garrett Graves	tasmith68@earthlink.net
CA 03-1a-168	6/10/03	Joseph Raffiee	Durber515@aol.com
CA 03-1a-169	6/10/03	Jason McCune	Duncan400ex@att.net
CA 03-1a-170 Ltr dated 5/22	6/10/03	Samuel Speck Director	Ohio Department of Natural Resources 1930 Belcher Dr, Bldg D3 Columbus, OH 43224
CA 03-1a-171 Ltr dated 5/29	6/10/03	James Foose Chief	Pennsylvania Department of Conservation and Natural Resources Rachel Carson State Office Building P.O. Box 8552 Harrisburg, PA 17105
CA 03-1a-172	6/11/03	Matt Peltzer	mpeltzer@journey.com
CA 03-1a-173	6/11/03	Mike Lewis	Mlewis@interpower.com
CA 03-1a-174	6/11/03	Tom Waldron	Tom Waldron
CA 03-1a-175	6/11/03	Randy Martin	rmartin@net66.com
CA 03-1a-176	6/12/03	Andrew Phelps	S220431@mail.nwmissouri.edu
CA 03-1a-177	6/12/03	Carl Blechschmidt	CarlBlech@aol.com
CA 03-1a-178	6/12/03	Jason LaBelle	extracer416@hotmail.com
CA 03-1a-179	6/12/03	Scott	Skaterp2333@aol.com
CA 03-1a-180	6/12/03	Charlie B.	live2ride300@yahoo.com
CA 03-1a-181 Ltr dated 6/9	6/12/03	David Scheffler ATV Outdoors Administrator	153 CR 235 Falls City, TX 78113
CA 03-1a-182	6/12/03	Gary Surdyke	802 Weaver Road Festus, MO 63028
CA 03-1a-183	6/13/03	T. Prendergast	tprender@hotmail.com

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CA 03-1a-165	6/10/03	Gray Steward	<u>gshilltop@yahoo.com</u>
CA 03-1a-166	6/10/03	Tony Madrid	<u>Tmadrid@pcjcc.co.pima.az.us</u>
CA 03-1a-167	6/10/03	Garrett Graves	<u>tasmith68@earthlink.net</u>
CA 03-1a-168	6/10/03	Joseph Raffiee	<u>Durber515@aol.com</u>
CA 03-1a-169	6/10/03	Jason McCune	<u>Duncan400ex@att.net</u>
CA 03-1a-170 Ltr dated 5/22	6/10/03	Samuel Speck Director	Ohio Department of Natural Resources 1930 Belcher Dr, Bldg D3 Columbus, OH 43224
CA 03-1a-171 Ltr dated 5/29	6/10/03	James Foose Chief	Pennsylvania Department of Conservation and Natural Resources Rachel Carson State Office Building P.O. Box 8552 Harrisburg, PA 17105
CA 03-1a-172	6/11/03	Matt Peltzer	<u>mpeltzer@journey.com</u>
CA 03-1a-173	6/11/03	Mike Lewis	<u>Mlewis@interpower.com</u>
CA 03-1a-174	6/11/03	Tom Waldron	Tom Waldron
CA 03-1a-175	6/11/03	Randy Martin	<u>rmartin@net66.com</u>
CA 03-1a-176	6/12/03	Andrew Phelps	<u>S220431@mail.nwmissouri.edu</u>
CA 03-1a-177	6/12/03	Carl Blechschmidt	<u>CarlBlech@aol.com</u>
CA 03-1a-178	6/12/03	Jason LaBelle	<u>extracer416@hotmail.com</u>
CA 03-1a-179	6/12/03	Scott	<u>Skaterp2333@aol.com</u>
CA 03-1a-180	6/12/03	Charlie B.	<u>live2ride300@yahoo.com</u>
CA 03-1a-181 Ltr dated 6/9	6/12/03	David Scheffler ATV Outdoors Administrator	153 CR 235 Falls City, TX 78113
CA 03-1a-182	6/12/03	Gary Surdyke	802 Weaver Road Festus, MO 63028
CA 03-1a-183	6/13/03	T. Prendergast	<u>tprender@hotmail.com</u>

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CA 03-1a-186	6/16/03	Brian Potter	<u>bkp2@attbi.com</u>
CA 03-1a-187	6/17/03	Bill Stinson	Arizona ATV Riders, Inc <u>Bstinson@blackboard.com</u>
CA 03-1a-188	6/18/03	Brian Mclaughlin	<u>trx300exnj@hotmail.com</u>
CA 03-1a-189	6/18/03	James Naccarato	<u>jim@nacs racing.com</u>
CA 03-1a-190	6/19/03	Ben Learned	<u>stonyledgefarm@ricconnect.com</u>
CA 03-1a-191 Ltr dated 6/15	6/19/03	Matthew Grant	2108 Skylark Dr. Waco, TX 76712
CA 03-1a-192 Ltr dated 6/12	6/19/03	Dustin Young President	All-Terrain Vehicle Association of Minnesota P.O. Box 557 Osseo, MN 55369
CA 03-1a-193	6/20/03	Jack Kress	869 South Hewitt Washington, PA 15301
CA 03-1a-194	6/24/03	Pam Falcioni	<u>mail@powroll.com</u>
CA 03-1a-195 Ltr dated 6/13	6/25/03	Johnny Thompson	218 Jackson Mangum, OK
CA 03-1a-196	6/25/03	L.A. Amundson	P.O. Box 1270 Sioux Falls, SD 57101
CA 03-1a-197	6/25/03	Shelby Moore Judy Moore	8410 Chipita Park Rd. Cascade, CO 80809
CA 03-1a-198 Ltr dated 6/20	6/25/03	Angela Rovnak	1885 S. Turner Rd. Austintown, OH 44515
CA 03-1a-199 Ltr dated 6/22	6/25/03	Adrienne Schiele	4809 W Gail Dr. Chandler, AZ 85226
CA 03-1a-200	6/26/03	Jennifer Lindberg	862 85 th Lane, NW Coon Rapids, MN 55433
CA 03-1a-201	6/27/03	Ken Davis	<u>adgadg10@aaahawk.com</u>

Public Field Hearing Concerning All-Terrain Vehicles

CA 03-1a-202	6/25/03	Rick Collignon Director	Idaho Department of Parks & Recreation P.O. Box 83720 Boise, Idaho 83720
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CA 03-1a-209	6/27/03	Cary Richardson	cary@jacobyhomes.com
CA 03-1a-210	7/01/03	Mary Nutting	marynutn@localnet.com
CA 03-1a-211	7/01/03	Rich Duncan President	Castle Duncan Inc. 6655 M Amberton Dr. Elkridge, MD 21075
CA 03-1a-212	7/01/03	Dale Slagley	dslagley@charter.net
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CA 03-1a-214	7/03/03	Thomas Yager Vice President	Specialty Vehicle Institute of America 2 Jenner St, Ste 150 Irvine, CA
CA 03-1a-215	7/03/03	Doug Morris Director Approximately 2,943	All Terrain Vehicle Association P.O. Box 800 Pickerington, OH 43147
CA 03-1a-216	7/07/03	Rod Slings	Rod.Slings@dnr.state.ia.us
CA 03-1a-217	7/02/03	Cheryl Pearre Legislative Coordinator	Abate of Illinois 2403 Susan Curve Cortland, IL 60112
CA 03-1a-218	6/24/03	David Wells	12 Stark Road Pittsford, NY 14534
CA 03-1a-219	6/25/03	Jim Boltz Chairperson	Washington State Motor- Sports Dealers Assoc. P.O. Box 1335 Lynnwood, WA 98046

Public Field Hearing Concerning All-Terrain Vehicles

CA 03-1a-220	6/25/03	Dr. L. Dolecki Chair	West Virginia Traumatic Brain and Spinal Cord Injury Rehabilitation Fund Board 955 Hartman Run Road Morgantown, WV 26505
CA 03-1a-221	6/25/03	T. Stefanko, Sr.	44 Salt Court Rittman, OH 44270-
CA 03-1a-222	6/30/03	David Kryzer Lisa Kryzer	8017 Russell Ave. N Brooklyn Park, MN 55444
CA 03-1a-223	6/30/03	Jason Souders	757 Columbine Way Central Point, OR 97502
CA 03-1a-224	7/02/03	Mark Phillips	1165 Oakes Drive Iowa City, IA 52245
CA 03-1a-225	6/25/03	David Fisher	<u>djent4@bresnan.net</u>
CA 03-1a-226	7/08/03	Joshua Mackenroth	6549 Mission Gorge Rd., #270 San Diego, CA 92120
CA 03-1a-227	7/09/03	Derek Hadfield	Belpre, OH

Stevenson, Todd A.

From: jean public [jeanpublic@yahoo.com]
Sent: Wednesday, April 23, 2003 7:54 PM
To: Stevenson, Todd A.
Subject: comments on ATV's

1. they should be banned.
2. if not banned, they should not be allowed to be manufactured if they do not reduce the pollution they spew by 99%.
3. they should not be manufactured if they cannot meet noise standards. these machines make a sound that is enough to drive people crazy with their hum. they are too loud. we need standards to make sure these machines are quieter.
4. no one should be allowed to ride an atv unless they are at least 18 years old. we have far too many maniacs who ride these machines. The far reaching negative effects of the use of these machines are horrific.
5. these atv' machines are a negative effect on the environment. please consider these remarks as public comment on the use of atv's in our present day world.

b. sachau
15 elm st
florham park nj 07932
15

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2

Hammond, Rocky

From: Rob Zimmerman**Sent:** Thursday, April 24, 2003 8:45 PM**To:** Hammond, Rocky

I would like to comment on the safety of ATVs. ATVs are as safe as a drill. It is just that if they are not used for what they are mintended for they can be harmful. I have been riding and racing ATVs since I was eight years old. I have never once had a problem with the atv being dangerous, and I even started on the 3-wheelers. I think you are seeing an increase in the number of injuries and deaths because there is an increase in the number of sold. I think the injuries/deaths should be compared to another consumer product such as automobiles. I have a feeling you will see close to the same injury/sales rate between the both of them. I just ask not to hinder the factories in their production of new machines. Thanks for your time.

Rob Zimmerman

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Hammond, Rocky

From: NYSORVA [nysorva@nycap.rr.com]
Sent: Thursday, April 24, 2003 3:50 PM
To: Hammond, Rocky
Subject: ATV safety hearing

Please accept my comment with regard to the upcoming ATV safety hearings in DC.

Please do not use this matter to limit consumer choice under the guise of reducing risk as promoted by Natural Trails and Waters Coalition, the Bluewater Network and others. They simply do not have safety at heart but are interested in seeing ATV recreation diminish and disappear as a recreational choice for Americans. It is not their right to impose their sense of recreational morality on OHV enthusiasts.

What is necessary is better education. Though ASI does a great job, I'll bet they can be helped to do a better job yet, primarily by the States to get more people to take the courses. But this might take legislation and funding, which might be done through the upcoming T-3 process.

Please don't let this process be taken over by the anti-access crowd. Let consumers choose well by making sure they understand all the choices.

Thank you,
Alex Ernst
Communications Director
NYSORVA Inc.
PO Box 250
Clarksville, NY 12041
518-768-8192
Fax 775-361-1342
www.nysorva.org
www.nyatvsafety.net

Stevenson, Todd A.

From: Cohn, Murray S.
Sent: Thursday, April 24, 2003 8:00 AM
To: Stevenson, Todd A.
Subject: RE: ATV's WEST VIRGINIA

Todd, this is a comment regarding ATV's that I received in response to sending a message to one of our listserver lists. I don't know if you are going to compile a list of such comments (given the meeting in West Virginia) but if you are, this should be included. Thanks, Murray

-----Original Message-----

From: D Arnold's [mailto:dabluesplayer@yahoo.com]
Sent: Wednesday, April 23, 2003 11:13 PM
To: Cohn, Murray S.
Subject: Re: ATV's WEST VIRGINIA

As a West Virginian living in a rural area, I can tell you that ATV's are a nuisance. People turn their children loose on them like they are toys. They ride the main roads in the country as if they are licensed vehicles.

They ride in residential areas as one would ride a bicycle. I am not against the use for hunting, farm work, but these people are out of control and it doesn't surprise me to read the figures you show. I know many people who own them and many of them have had injuries and missed work for days to weeks. Please do something to change the laws in WV and make people more aware that these are not toys. I moved from my last home, as due to illness, I am in bed most of the time. I could not sleep for the constant buzzing of these things. Our neighbors but in trails in our residential section in their yard, as they owed about 5 acres. All the homes were nice, brick homes with 4 to 5 acres. We could not sit on our gazebo and enjoy it, for the buzz of the kids on the AT toys. It made me against them. We sold our home and moved to an area with more restrictions, but unfortunately, there are none about ATV's on our private road. My neighbor has one and takes it to the mailbox at the end of the street, which I find acceptable. Our new neighbors pulled up one day with 4 Toyota with ATV's in the back, they loaded up and took off down the mail road and came back that evening. Are they licensed to ride on highways like that? No helmets, nothing. If I drove my car without insurance, seat belts, etc., then I would receive a ticket, which I would be due. It's all accepted in this area. We pass them on the road as if they are legal cars in passing. Thank you for listening. Sharon Arnold, Grassy Meadows, WV 304-392-5958

"Cohn, Murray S." <MCohn@cpsc.gov> wrote:

This message consists of the following:

1. Fisher-Price Recall of Little People Animal Sounds Farms
2. CPSC To Hold Regional ATV Safety Hearing in West Virginia

NEWS from CPSC
 U.S. Consumer Product Safety Commission

Office of Information and Public Affairs
Washington, DC 20207

For Immediate Release

April 23, 2003

Release #03-111

Fisher Price Recall Hotline: (866) 259-7873

CPSC Consumer Hotline: (800) 638-2772

CPSC Media Contact: Nychelle Fleming, (301) 504-7908

Fisher-Price Media Contact: Laurie Oravec, (716) 687-3395

CPSC, Fisher-Price Announce Recall of Little People Animal Sounds Farms

WASHINGTON, D.C. - In cooperation with the U.S. Consumer Product Safety Commission, (CPSC), Fisher-Price, of East Aurora, N.Y., is voluntarily recalling about 67,000 Little People(r) Animal Sounds Farms manufactured from June 17, 2002 through July 31, 2002. Two small metal screws that hold the toy "stall doors" in place can come off, posing an aspiration or choking hazard to young children.

Fisher-Price has received 33 reports of the screws coming off of the toy, including four reports where a screw was found in the child's mouth and one report of a child that aspirated a screw into his lung. The latter case required the child to be hospitalized and undergo emergency surgery to remove the screw from his lung.

The recalled Little People(r) Animal Sounds Farms are shaped like a barn and make animal sounds when the doors of the cow or horse stall are opened. The recalled toys have a model number of 77973 or 77746 and a six-character manufacturing date code that begins with 168 through 212, followed by the number 2 as the fourth digit. Both the model number and date code can be found on the underside of the green ramp. The Fisher-Price logo appears at the top of the tallest side of the barn in red and white. The recalled toys were manufactured in Mexico.

Mass merchants and toy stores nationwide sold these toys between July 2002 and December 2002 for about \$30.

Consumers should take the toy away from young children immediately and contact Fisher-Price toll-free at (866) 259-7873 anytime to receive a free repair kit. Consumers also can log on to www.service.mattel.com to determine if their product is among the recalled models and to order the free repair kit online.

To see a picture of the recalled product, please go to CPSC's web site: <http://www.cpsc.gov/cpsc/pub/prerel/prhtml03/031111.html>

The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death

from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$500 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard or can injure children. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270, or visit CPSC's Web site at www.cpsc.gov/talk.html. Consumers can obtain this release and recall information at CPSC's website at www.cpsc.gov.

NEWS from CPSC
U.S. Consumer Product Safety Commission
Office of Information and Public Affairs
Washington, DC 20207

For Immediate Release
April 23, 2003
Release # 03-112

CPSC Media Contact: Bruce Richardson, (301) 504-7908

CPSC To Hold Regional ATV Safety Hearing in West Virginia;
ATV Injuries Double in Five-year Period, Deaths Continue To Climb

WASHINGTON D.C. -- All-terrain vehicle safety is the focus of a regional public hearing the U.S. Consumer Product Safety Commission will hold in Morgantown, W. Va., on June 5, 2003. ATV-related injuries in the U.S. have doubled in a recent five-year period and deaths also continue to climb.

"We recognize the growing popularity and diversity of uses for ATVs by the American public, but we are concerned about the disproportionate increase in the number of deaths and injuries associated with their use in recent years," said Hal Stratton, CPSC chairman.

ATV injuries requiring an emergency room visit increased by 104 percent from an estimated 54,700 in 1997 to more than 111,000 in 2001. In 2001, about a third of these victims were under 16 years old. In this same period the estimated number of ATV drivers increased 36 percent, driving hours grew by 50 percent and the number of ATVs increased by 40 percent, according to a recent CPSC analysis.

For 1999, the last year for which death records are substantially

complete, CPSC has reports of 357 people who died as a result of ATV use, up from 251 in 1998 and 241 in 1997.

"We want to hear from people who use ATVs for recreation, on their farms or ranches and in industry. We want to understand their motivations. We also want to hear the perspectives of medical professionals and emergency service providers, state and local public health and safety professionals, distributors and dealers, and any others who feel they have a stake in this important issue," Stratton said.

Interested persons from Maryland, Ohio and Pennsylvania also are invited to participate in the West Virginia hearing.

"West Virginia and Pennsylvania ranked in the top six states for ATV-related deaths between 1982 and 2001," Stratton said, "so it makes sense to hold a hearing in that area." (Pennsylvania and West Virginia recorded 264 and 194 deaths, respectively, in that period. Ohio recorded 124 deaths and Maryland 25 deaths.)

"The field hearing gives local people a voice and an opportunity to participate when they otherwise might not have been able if we limited our hearings to Washington D.C.," Stratton said.

The Consumer Federation of America and other groups petitioned the CPSC in September 2002 requesting a ban on the sale of adult-size 4-wheel ATVs sold for the use of children under the age of 16. The commission sought written public comments on the petition from October through March 16, 2003. The West Virginia hearing will provide an additional opportunity for the public to express its views about this petition.

Requests to make oral presentations at the regional hearing and the text of the presentation must be submitted to the CPSC, Office of the Secretary, no later than May 29, 2003. The hearing is from 10 a.m. to 7 p.m. at the Robert C. Byrd Health Sciences Center, West Virginia University Health Sciences Campus, in Morgantown.

ATV Facts

* In the 1980s the CPSC held hearings in several locations around the country to address hazards associated with ATVs, namely as they related to the then-popular three-wheeled vehicles.

* In 1987, the commission filed a lawsuit under section 12 of the Consumer Product Safety Act to declare ATVs an imminently hazardous consumer product. The lawsuit was settled in 1988 by consent decrees between the commission and ATV distributors. The consent decrees expired in 1998. The consent decrees contained provisions addressing both three-wheel and four-wheel ATVs, and led to the elimination of the manufacture of

three-wheeled ATVs.

* After the consent decrees expired, the commission entered into "ATV Action Plans" with individual distributors who had been subject to the original consent decrees and three other distributors who had subsequently entered the market. In the consent decrees and action plans, ATV distributors agreed to use their best efforts to see that adult-size ATVs (vehicles with engines larger than 90 cc) would not be sold for use by children under 16 years of age.

* Since the expiration of the consent decrees, the commission has continued to study and gather information about ATV-related injuries and deaths. It also continues to monitor the ATV dealer market to make sure that industry complies with the agreement not to sell adult-size ATVs for children.

* From 1997 to 2001, ATV-related injuries rose 104 percent, from an estimated 54,700 to 111,700. Over the same five years:

- * the number of drivers rose 36 percent from 12.0 to 16.3 million;
- * the number of driving hours rose 50% from 1,575 to 2,364 million; and
- * the number of ATVs rose 40 percent from 4.0 to 5.6 million.

None of these exposure measures accounts completely for the rise in injuries.

* Subgroups that have been associated with greater risk for injury continue to be at greater risk in 2001; for example, drivers under the age of 16, drivers with less than one year of driving experience, and recreational drivers.

* CPSC was petitioned by consumer organizations in September 2002 to ban the sale of adult-size 4-wheel ATVs sold for use by children under age 16.

* CPSC will consider its recent injury/exposure studies and all other information, including that obtained at the regional hearing in West Virginia, in responding to the petition.

You are currently subscribed to the email list "releases" as:
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- (3) go to the following link:

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Stevenson, Todd A.

From: Cohn, Murray S.
Sent: Thursday, April 24, 2003 8:07 AM
To: Stevenson, Todd A.
Subject: RE: News from CPSC - Recall, Press Release, and the Public Calendar

Here's another one. Thanks, Murray

-----Original Message-----

From: Ronald D. Courts [mailto:enviroindc_rosnm@yahoo.com]
Sent: Wednesday, April 23, 2003 6:35 PM
To: Cohn, Murray S.
Subject: Re: News from CPSC - Recall, Press Release, and the Public Calendar

RE: ATV Safety Hearings

I have concerns about where you are headed with this. Since I'm a mere 1,800 miles away from your public meeting here are a few thoughts from New Mexico.

I cannot disagree with what happened with the 3-wheelers in the past. My opinion, they were just a bad design idea and unstable for general use, albeit they were fun to some degree.

Here in the West I am not familiar with a single rancher that does not use the four wheel ATV's as multiple purpose replacement vehicles for both larger and smaller 'other' vehicles. They even replace the horse for range work, that should make the animal activist people happy anyway.

The ATV serves the rancher for stock round-up, utility work around the ranch, and hauling feed for the livestock. In this capacity fuel is saved and there is far less wear and tear to the ranch land than with larger/heavier vehicles. So they are good for the environment, which should appease the tree-huggy crowd.

Safety is purely a matter of education. My children had the option, at age 13 here in New Mexico, to get their motorcycle licenses and were allowed to upon completing an instructional course. So far, daughter-27, and son-23, have neither, ever, been injured on either motorcycles or ATV's (Thank You, Lord). My point is, it is not government, judicial or outside agency responsibility, to safeguard my children...it was mine.

A nincumpoop on an ATV is no different from the same idget swinging a golf club inside a crowded pro-shop, tossing bowling balls down the foul line, or a drunk behind the wheel. Stupid people do stupid things, but the inanimate ATV isn't responsible for any of these problems.

Yes, the injuries are up as your statistics point out, but, as they also point out, so are the numbers of users and ATVs. Can you say education? I could, that is why my children "learned" how to use an impliment of destruction so that it 'served' instead as a useful tool. You remember...man uses tools, that makes us different

from the animals.

We save valuable dollars using the dirt bikes and ATV's to herd livestock, rather than feeding horses on a full time basis to do the same job. Ranching does not support a family like it did in days past. These savings are important to the ranch's bottom line. Don't try to make life more difficult for the motorcycle and ATV manufacturers, or for us, the consumers, by doing something to change the status quo.

Do something useful like offering educational information, programs, clinics, courses, things that will help people make good decisions when they don't have a responsible parent like my children had.

Educate, don't Legislate.
Thank You,
Ronald D. Courts
Environmental Services Officer, City of Roswell.
When I'm not working on the ranch.

"Cohn, Murray S." <MCohn@cpsc.gov> wrote:

This message consists of the following:

- 1. Fisher-Price Recall of Little People Animal Sounds Farms
- 2. CPSC To Hold Regional ATV Safety Hearing in West Virginia
- 3. CPSC Public Calendar

NEWS from CPSC
U.S. Consumer Product Safety Commission
Office of Information and Public Affairs
Washington, DC 20207

For Immediate Release
April 23, 2003
Release #03-111

Fisher Price Recall Hotline: (866) 259-7873
CPSC Consumer Hotline: (800) 638-2772

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CPSC Media Contact: Bruce Richardson, (301) 504-7908

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CPSC PUBLIC CALENDAR
Vol. XXX, No. 28
U.S. Consumer Product Safety Commission
Washington D.C. 20207

April 23, 2003
CPSC Hotline: 1-800-638-CPSC(2772)
CPSC's Web Site: <http://www.cpsc.gov>

Environmentalservices@naldDCourts, RowellNM@valtra.com

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Hammond, Rocky

6

From: Gloria & Pat [gloriag@ntcnet.com]
Sent: Saturday, April 26, 2003 11:27 PM
To: Hammond, Rocky
Subject: atv's

all atv industrys should not be allowed to make or sell any ATV with a engine over 400cc for pubic use you don't need anythig bigger for trail rideing. pat goggin ps .the same thing happened to snowmoibles you don't need all that horse power

Hammond, Rocky

7

From: rich piazza [cbr6speed@yahoo.com]
Sent: Sunday, April 27, 2003 10:39 PM
To: Hammond, Rocky
Subject: Don't take away our right!!

To whom it may concern,
I just wanted to let you know that I stand with and behind the AMA and the ATVA. I like the idea of helping to make the ATV community better and safer for us all but blocking us access and taking away our right to ride is just an absolut no no. It can not and must not happen. We won't go away and certainly we will never stop riding. Especially in the state of N.Y. As an avid ATV rider I mostly ride on legal race tracks. However I used to ride with my children in the local trails. Something we all did enjoy and we would like to enjoy this for many years to come but legally would be the way to go. I now have to go out of state to find somewhere legal to ride without looking over my shoulder and worrying about braking any laws. It seems that in the state of N.Y. especially Long Island that ALL the other states have legal riding places and legal state funded trail systems. This and you know it is just not right my friend and we won't stop till we have our fair share. I do thank you advance for your time. If you would just work with us and not against it would be better for us all.

Thank you,
Rich Piazza
macrp2001@yahoo.com

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8

Hammond, Rocky

From: Tom Nunyadambiznis
Sent: Sunday, April 27, 2003 10:26 PM
To: Hammond, Rocky
Subject: ATV Safety

May I offer these facts to be considered:

I own a 2003 Yamaha 450 Kodiak 4WD ATV. I use it for snow removal in the winter months, and now for recreational riding. Both it, and machines in its' class are capable, reliable, and safe when used for their intended use, and within their accepted use parameters. I further believe that a user under the age of 16, with the proper training and practice, could operate my machine without peril.

Further, although I have rode and raced motorcycles from 1966 to 1977 and raced cars from 1966 to 1987, I have had no ATV Safety Class as of yet. I will take one when available, but have relied on common sense and good judgment to get my machine and myself home from a day of riding, both in one piece. I did look at the safety tips in my owners' manual, and got and perused the CD on ATV operation from the ATVA, both provided welcome information.

I agreed with your ban on 3 wheelers, again common sense would tell the average person that they are unstable at best. 4 wheelers are only as dangerous as the operator.

I notice that the blanket statistics fail to address many aspects which I would consider vital to any investigation of this matter such as; type and condition of machine, type and condition of safety gear, activity at the time of accident, ground and weather conditions, age and physical condition of operator, training and experience of rider, alcohol/drug impairment, and many other contributing factors are missing from the indictment.

In my humble opinion, the coalition of anti-ATV groups is taking a shot at the ATV community in a first step effort of an all out ban.

Respectfully Submitted,

Thomas Murden
498 Jenny Brook Road
Napanoch, NY 12458

9

Hammond, Rocky

From: Ronnie Ford [ford@charter.net]

Sent: Sunday, April 27, 2003 10:18

To: Hammond, Rocky

To whom it may concern

I am a 46 year old pilot. I think that I can make my own decision about how safe it is for me to ride an ATV or if I wish to spend my hard earned money on one. You have to many groups with hidden agendas leading you down the wrong trail. I have had to wait many years for the ATV factories to build some good equipment and now these groups are back saying it is not safe for kids. I am no longer a kid and don't need or want their help. Thanks for listening and please protect my privilege to ride.

Sincerely

Captain Ron Ford

4/29/03

Stevenson, Todd A.

From: Joseph Bellinger [racers@twcny.rr.com]
Sent: Tuesday, April 29, 2003 1:33 PM
To: Stevenson, Todd A.
Subject: ATV Safe riding

Hi I thought I'd relate my thoughts on ATV safe riding . 1) People who allow children to operate atvs unsupervised or atvs not properly sized to their size and ability are just as guilty as someone lettting a child to use a gun . , Use STIFF penalties for such recklessness (2) The industry is PROFIT \$\$\$ driven I.ve seen dealers sell to people fully knowing their going to allow their children to drive a machine that is not small or slow enough for their abilities.3) I fully understand the dangers in operating ANY machinery ,I wouldn't allow my children to operate my metal turing lathe,or use the cutting torches ,etc. probably even with supervision . USE COMMON SENSE!! I ve crashed my ATV probably a dozen times in 15 + years of riding , but almost ALL of the incidents I've had were RIDER error in judgement or reckless bravado, not the atvs fault. (4)I know of several people hurt taking reckless chances trying to get away from police , because they were riding on land without permission . We need more areas to ride. In NYState we have no legal places to ride . ya their might be a small spot 100 miles or more away to ride but it is nowhere near the amount that ,let's say SNOWMOBILES have (how about SNOWMOBILE SAFTEY???) These guys go from saloon to saloon drinking alchol all over the country and you don't have hearings about their dangers . WE WANT Places to ride? We want manditory effective saftey training to new atv owners . Thanks Joe
Bellinger Liverpool NY

11

Hammond, Rocky

From: Carl Holttum
Sent: Wednesday, April 30, 2003 11:33 PM
To: Hammond, Rocky
Subject: A.T.V.'s

I have owned and ridden ATV's since 1985 and I have never had an ATV accident that I have been hurt bad enough to go to the doctors much less the hospital. I rode motor cycles for twenty years before that, when riding motorcycle I was in the hospital several times. That is why I went to ATV's because they are a lot safer than motorcycles, and before that I rode bicycles and ended up in the hospital a couple of times on them. But you don't want to ban either one of them. I know of eight people just this last snow season that ride snowboards that have broken arm's, legs, and ribs, just this year and I know more people that ride ATV's than I do snowboards. But I only herd of one death on an ATV(and he was in his fifty not a child.)and I know a lot more people that ride ATV's than I know snowboarder's.

I have four children that have grown up with ATV's they started as early as three years of age, they have broken arms and other parts in sports like snowboarding, roller-skating, foot ball, basket ball, baseball, but nothing ridding ATV's.

I do agree that small children should not ride an ATV that they can not reach the foot pegs without stretching, and cannot turn the handle bars all the way both ways sitting still without getting off the seat.

I think If a child has to go to the hospital with serious injuries the parents should be the ones that are fined. That is where the blame should rest not on the ATV's or the manufactures, they have already met the law.

I do think that the law on age vs. cc. on an ATV is dumb, because a lot of children are to large for the old reg. . My two sons at 14 yrs. were well over 5' and their knees got in the way of the handle bars on the 90cc ATV they were suppose to be on and it was dangerous to ride that way, so they rode 230cc quads, they are more the norm than not.

I think that it should be figured on the child's height and weight, not just the age of the child.

There are more children killed by car and trucks than on ATV's in this country every day, than there are in years on ATV's. But you will not ban car's and truck's from sales.

I hope you will look at the stats. of how many people have ATV's in this country, and do the figures and not just the incidents of children's death's.

Stevenson, Todd A.

ATV Hearing

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From: Robert Bolte [bolte@med.utah.edu]
Sent: Thursday, May 01, 2003 12:16 PM
To: Stevenson, Todd A.
Subject: ATV injuries and children

As a pediatric emergency physician with 20 years of experience in a children's hospital serving the entire Intermountain West, I've seen numerous tragic injuries involving children and ATV's. It is inherently ludicrous that any child less than 16 years of age (with judgment at the same level) should be driving these powerful motorized vehicles.

Sane legislation on this issue would be a service to children.

Sincerely,
Robert Bolte, MD

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Hammond, Rocky

From: Nathan Clark
Sent: Thursday, May 01, 2003 2:13 PM
To: Hammond, Rocky
Subject: Let's ban politicians

I would just like congratulate you on not making any sense. Let's ban all atv's for what GOOD reason??? It's idiots like you that complain about these sorts of things and have probably never even ridden an atv in your entire life. Do you think it's the atv's that are killing people? Well since you can't figure out the correct answer to this question i'll have to answer it for you...NO!!! The atv is only as dangerous as the operator makes it. There are people that wreck cars and bicycles everyday but do you see idiots trying to place bans on these things??? Quit trying to ruin the fun that so many people have riding their ATV's. Believe it or not that can be ridden RESPONSIBLY. But you don't care to view things from both sides , you just want to pick apart the bad things. Get a life and waste your energy elsewhere

Do you Yahoo!?
[The New Yahoo! Search](#) - Faster. Easier. Bingo.

ATV comment /4

Hammond, Rocky

From: Fwcoinc@aol.com
Sent: Monday, May 05, 2003 10:11
To: Hammond, Rocky
Subject: really how safe are they ?

my name is Mike Adams i live in Arizona and was injured in a quad wreck that almost killed me IM 34 years old and had been riding motorcycles atc and quad for 20 years. i can say that some of the bigger quad are getting to big i had a 700 cc Polaris tip over a smash me into the ground i had several injuries from this accident i spent 2 days in the trauma unit. this quad seems to tip over very easy when it's in 4 wheel drive even at low speeds i was only going about 10-15 mph i know of two other friends that this has happen to as well with less injuries do you know of any other people that has had the same problem i was NOT wearing a helmet [my bad] but i felt safe at the time. we now will not let any of the kids ride these quads anymore. i don't think these quads should be banned but when they sell one they should let you know ALL the safety problems i feel the safety course is good but i have a lot of years riding and still own a yz 250 so it's not just expeirance issue.thanks for listening if this saves one live then i feel better served because i have two young children that almost had to grow up without there to be there for them.

thanks,
Mike Adams

5/5/03



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Bob Wise
Governor

Office of the Secretary
State Capitol Complex, Building 3, Room 206
Charleston, West Virginia 25305
Telephone: (304) 558-0684 Fax: (304) 558-1130

Paul L. Nusbaum
Secretary

May 6, 2003

Mr. Hal Stratton, Chairman
United States Consumer Product Safety Commission
Washington, D.C. 20207

Dear Mr. Stratton:

Thank you for your recent letter concerning all-terrain vehicles (ATVs). The West Virginia Department of Health and Human Resources regards ATV injuries and deaths as a true public health concern in our State.

According to the enclosed report from West Virginia University's Center for Rural Emergency Medicine, statistics show there have been an average of 21 deaths per year (January 2000-September 2002), with 25% of these deaths among children 16 years of age or younger. Nineteen percent of the incidents involved alcohol, one-third of the crashes involved passengers, 40% of the crashes occurred on streets and roads, and 95% of the victims were not wearing a helmet. Fatalities from ATV crashes cost our State between \$10 million and \$34 million annually. Although this is a great financial burden to our State, the mental anguish and devastation it brings to the victims, their families, friends, and employers are as equally devastating.

With the emergence of the Hatfield and McCoy Trail in our southern counties, ATV safety is even more relevant than before. Legislation to promote safety and place restrictions on the use of ATVs has failed to become reality up to this point (see enclosed Senate Bills No. 104 and No. 656). It is the Department's hope that new legislation will be passed in the near future to promote the use of helmets and protective gear, prohibit children under the age of 16 from operating an ATV with an engine size greater than 90 cubic centimeters, prohibit the use of ATVs on roads or paved surfaces that their manufacturers deem unsafe, prohibit the use of alcohol or drugs when operating an ATV, and prohibit the carrying of a passenger on ATVs that are not suitable for two persons.

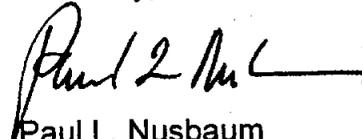
A combination of education and the ability to enforce safety standards will assure that those who ride ATVs in West Virginia are riding in a healthy safe environment. If you

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Mr. Hal Stratton
May 6, 2003
Page Two

have any additional questions or concerns, please feel free to write or call Penny Byrnside, Trauma Coordinator, Office of Emergency Medical Services, 350 Capitol Street, Room 515, Charleston, West Virginia 25301-3716, telephone (304) 558-3956, email pennybyrnside@wvdhhr.org.

Sincerely,



Paul L. Nusbaum
Secretary

PLN/jf

Enclosures

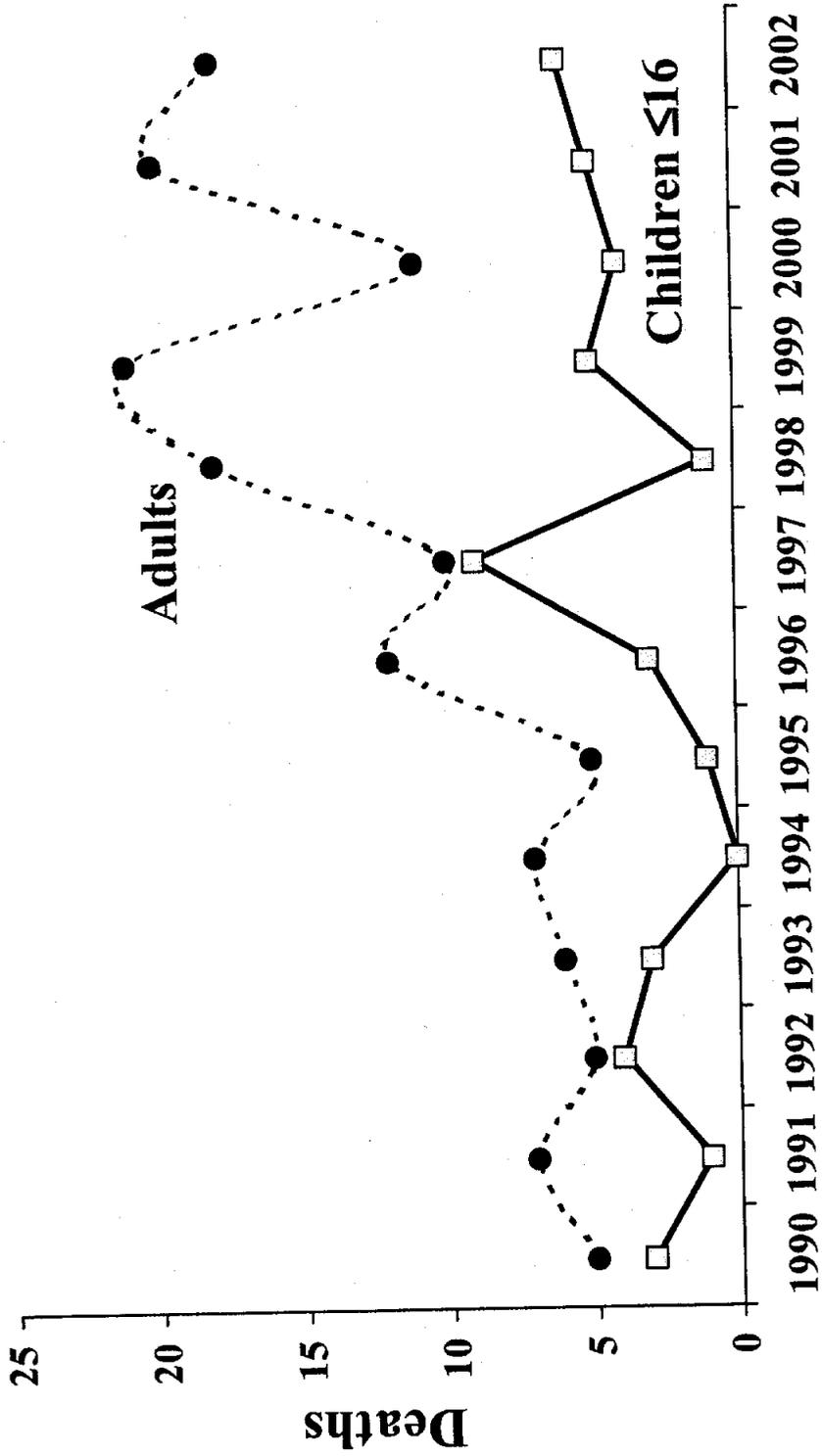
cc: Chris Curtis, M.P.H.
Nancye Bazzle, M.P.H.
Mark King
Penny Byrnside

**West Virginia ATV Deaths
2000-2002**

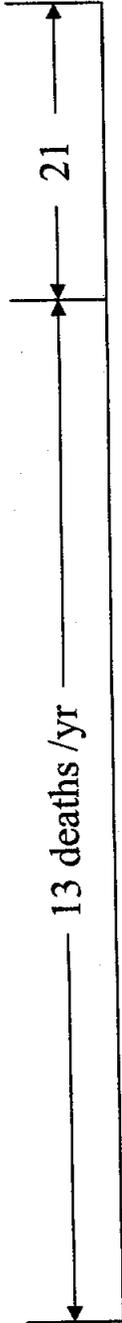


**Center for Rural Emergency Medicine
West Virginia University**

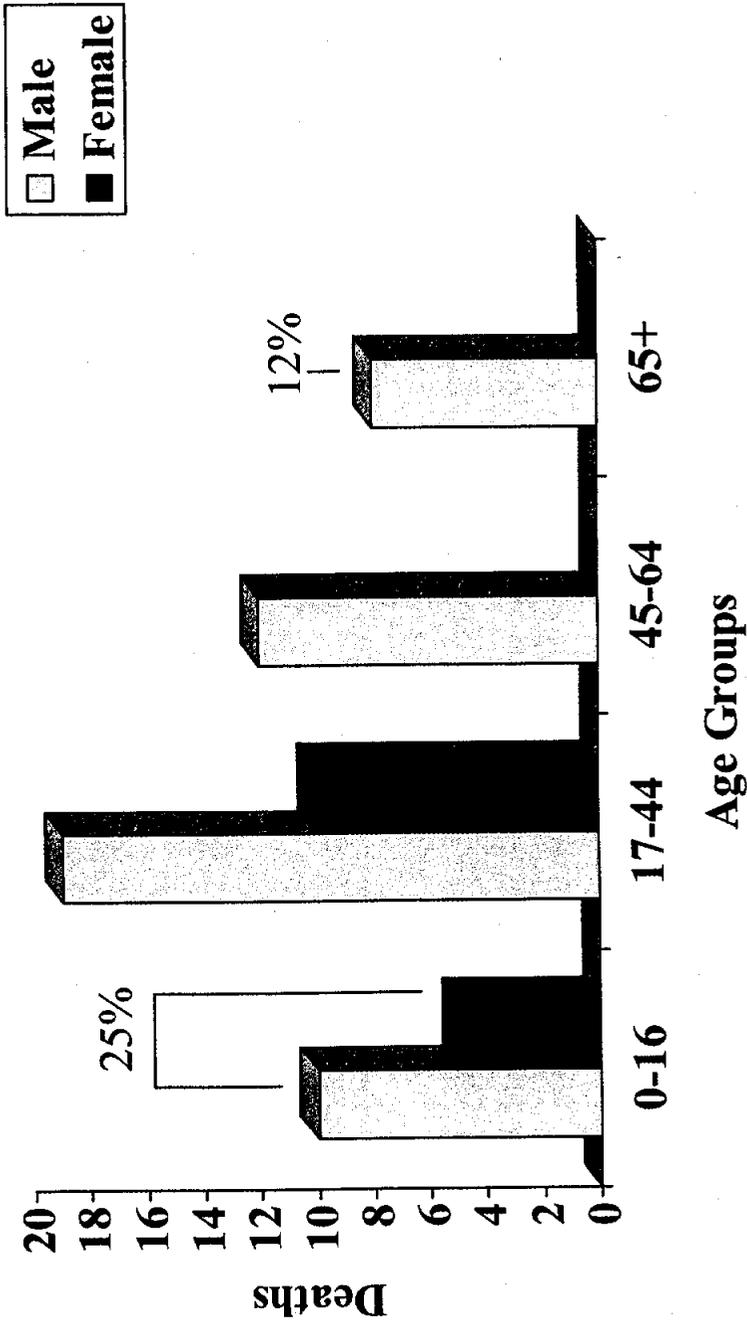
Time
Temporal Trends



Year



**Person
Age and Gender**

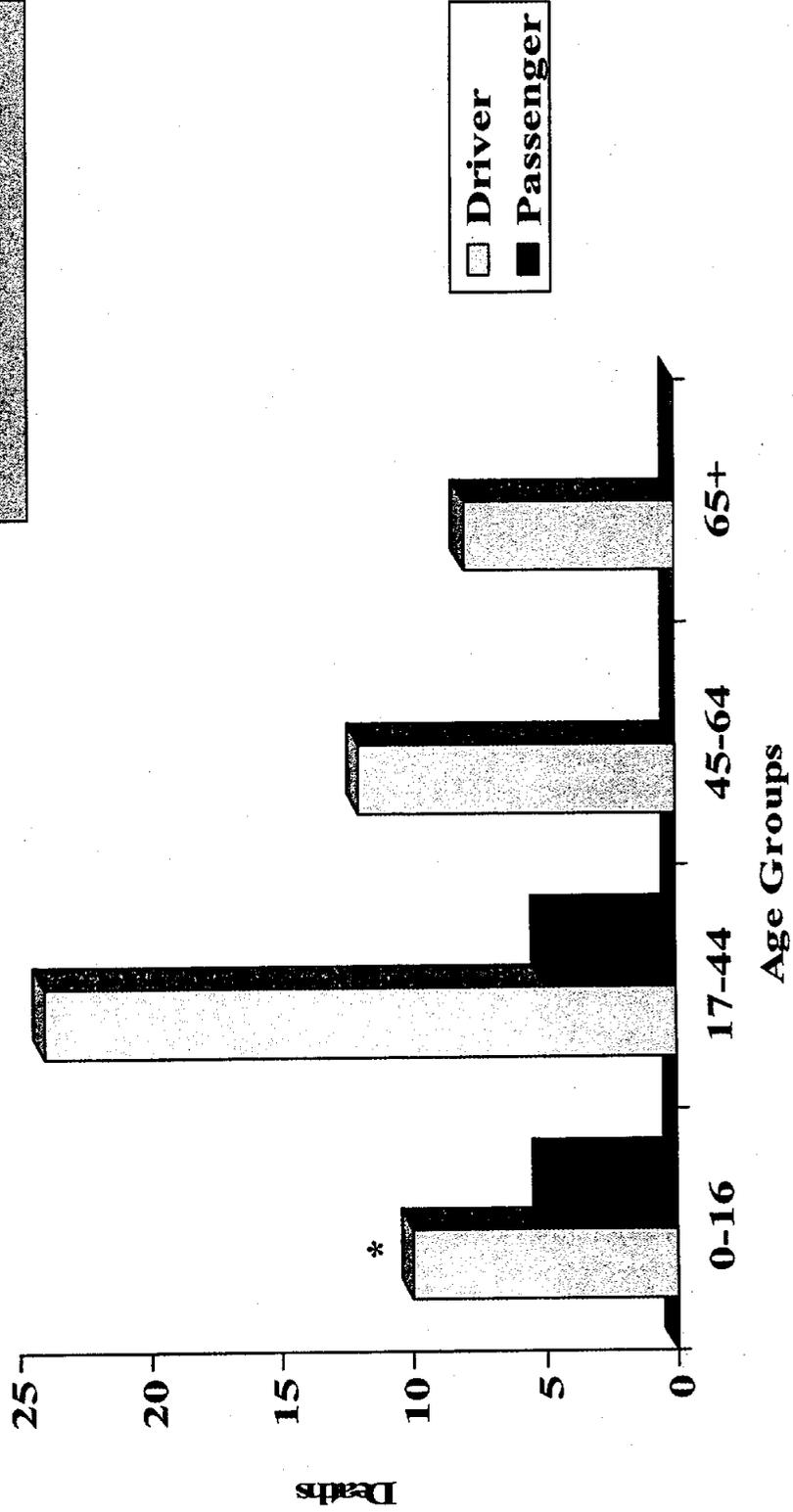


**Youngest: 2 year-old male
Oldest: 81-year-old male**

**Mean Ages: male - 38
female - 21**

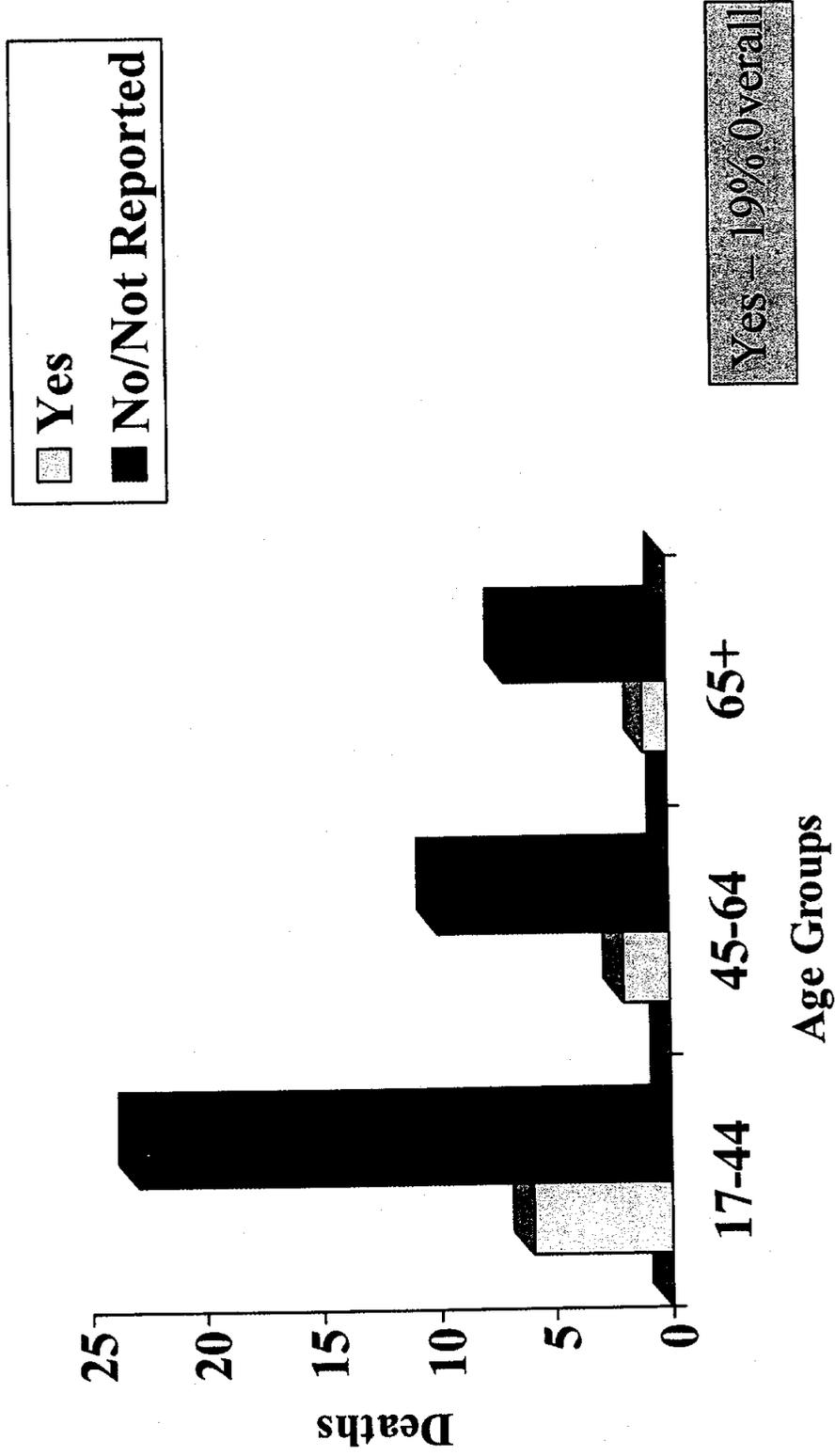
Position of Victim

Youngest drivers:
male - 12, female - 14



* 13 year old boy riding motorbike killed by ATV

Alcohol and Drug Use

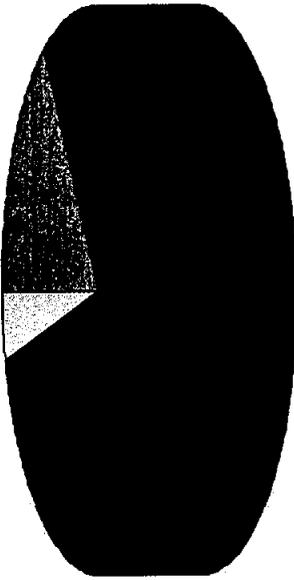


Helmet Use

Children

Unknown/Not Reported (16%)

Yes (4%)

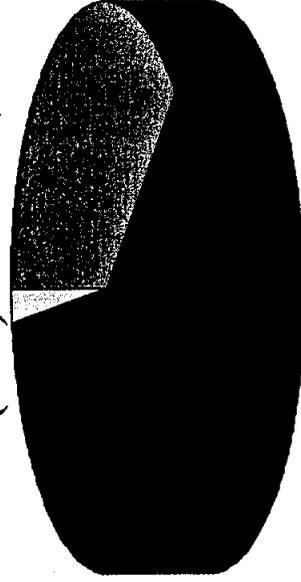


No (80%)

Adults

Unknown/Not Reported (38%)

Yes (2%)



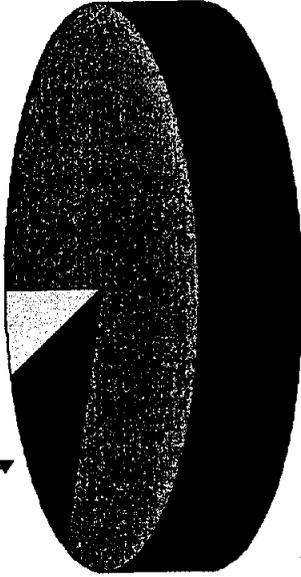
No (60%)

Trauma Site

Children

Abdomen/chest (13%)

Other (5%)

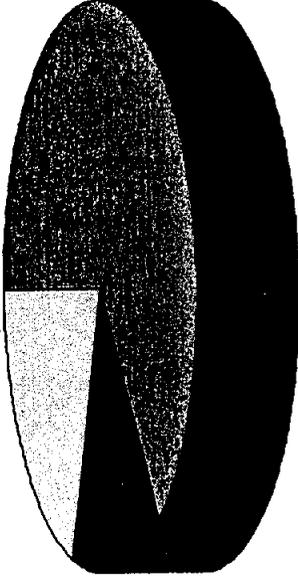


Head/neck/spine (82%)

Adults

Abdomen/chest (15%)

Other (20%)



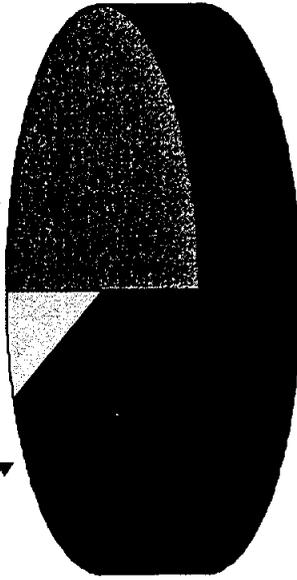
Head/neck/spine (65%)

Incident Event

Children

Collision (44%)

Other (6%)

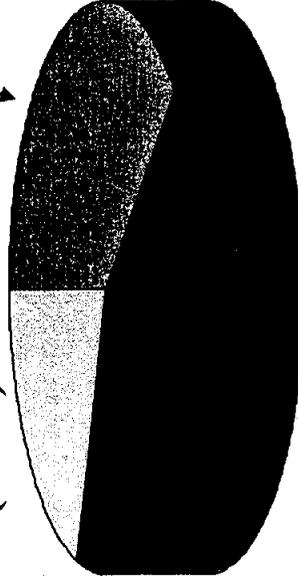


Rollover/overturn (50%)

Adults

Rollover/Overturn (38%)

Other (20%)

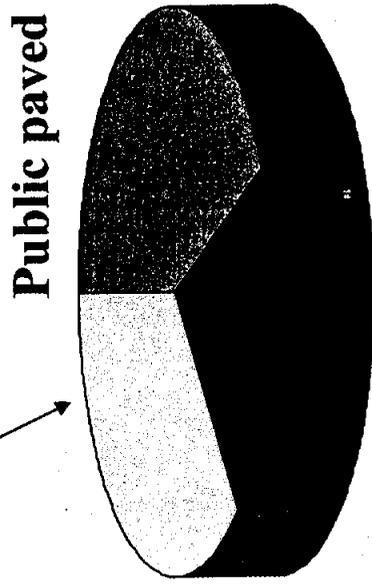


Collision (42%)

Location of Incident

Children

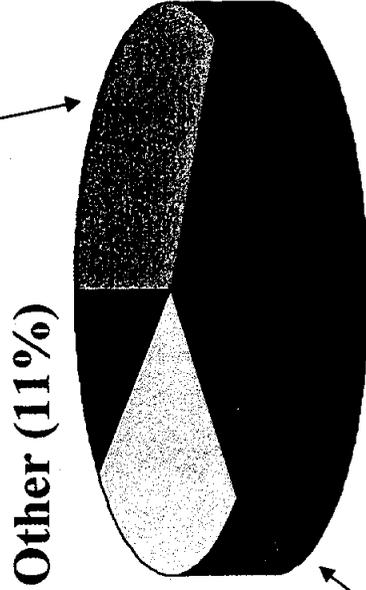
Unpaved road/trail (36%)



Private property (21%)

Adults

Public paved road (33%)

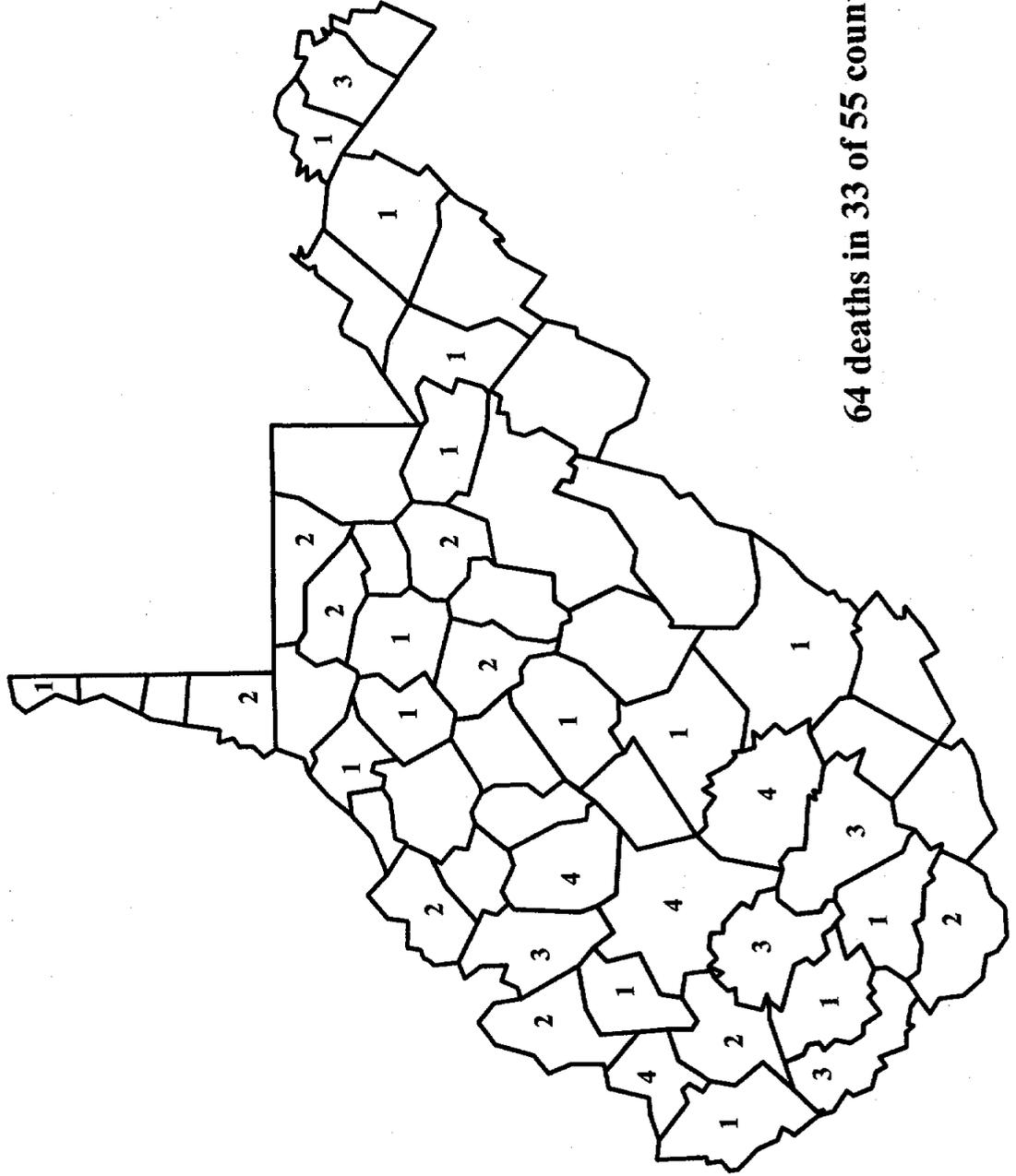


Private property (30%)

Unpaved road/trail (26%)

Place - Time

Statewide Distribution of ATV-related Deaths, 2000-2002



64 deaths in 33 of 55 counties

Historical ATV Facts for West Virginia

- ✓ **During the 1990s, the rate of death among female children was 11 times higher in WV than in the U.S. while the rates among male children was 5 times higher in WV than in the U.S.**
- ✓ **Based on ATV sales in the 1990s, WV had a death rate 2.9 times higher than the national rate and 2.6 times higher than 5 contiguous states (MD, PA, VA, KY, OH).**
- ✓ **WV is one of 7 states (HA, MS, NC, SC, AL) and Washington DC without some level of ATV safety legislation. These states have a death rate twice that of the 44 other states which have safety laws.**
- ✓ **While fatality data is readily available, data on ATV-related injuries across the state is generally poor and inconsistent.**
- ✓ **Fatalities cost the state between \$10 and 34 million annually.**
- ✓ **On average, about 13 deaths per year from 1990 through 1999.**

Current ATV Facts for West Virginia

- ✓ **From January 2000 through September 2002, and average of 21 deaths per year.**
- ✓ **25% of the deaths were among children 16 years of age or younger and 12% in men 65 or older.**
- ✓ **19% of the incidents involve alcohol and drugs.**
- ✓ **More than 95% of victims not wearing a helmet.**
- ✓ **One-third of crashes involve passengers.**
- ✓ **About 40% of crashes occur on streets and roads.**
- ✓ **Crash dynamics differ among adults and children resulting in different injuries.**
- ✓ **Very little reliable information is available on non-fatal injuries throughout the state.**

Common Sense ATV Safety Strategies

The U.S. Centers of Disease Control and Prevention, the Consumer Product Safety Commission, the ATV Safety Institute, the American Academy of Pediatrics, the Consumer Federation of America, and the American Academy of Orthopedic Surgeons strongly recommend the following regarding the safe use of ATVs:

- ✓ **Never operate an ATV without proper training or instruction.**
- ✓ **Never carry a passenger.**
- ✓ **Never use an ATV on public roads and other paved surfaces.**
- ✓ **Never use alcohol or drugs when operating an ATV.**
- ✓ **Always wear an approved helmet and other protective gear.**
- ✓ **Children under age 16 should not operate an ATV with an engine size greater than 90 cc.**
- ✓ **Parents and adults should be role models for children.**

Senate Bill No. 656

(By Senators Oliverio, Rowe, Kessler, Snyder, Minard, Hunter, Jenkins, McKenzie and Ross)

[Originating in the Committee on the Judiciary;

reported February 28, 2003.]

A BILL to amend chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article twenty-four, relating to requiring persons who operate all-terrain vehicles who are under the age of eighteen years to wear helmets; prohibiting persons under the age of eighteen from riding on an all-terrain vehicle that is operated by another person under the age of eighteen; providing penalties for violation; exempting commercial and farm use from application of article; and providing for local or county regulation or prohibition of all-terrain vehicles.

Be it enacted by the Legislature of West Virginia:

That chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article twenty-four, to read as follows:

ARTICLE 24. ALL-TERRAIN VEHICLES.**§17C-24-1. Regulation of all-terrain vehicles.**

All-terrain vehicles, as defined by section one, article one, chapter seventeen-a of this code, owned by residents of this state and located within this state may not be operated within the state in violation of either of the following provisions:

(a) No person under the age of eighteen may operate or ride on an all-terrain vehicle unless he or she is wearing a protective helmet of a type approved by the United States department of transportation.

(b) No person under the age of eighteen may operate an all-terrain vehicle while another person under the age of eighteen is a passenger.

§17C-24-2. Penalties for violations.

Any person violating the provisions of section one of this article is guilty of a misdemeanor and, upon conviction thereof, for a first offense, shall be fined not more than fifty dollars and, for a second or subsequent offense, shall be fined not more than one hundred dollars.

§17C-24-3. Local and county regulation of all-terrain vehicles.

Any county commission or city council of this state may regulate or prohibit the operation of all-terrain vehicles within their geographical jurisdiction.

§17C-24-4. Exemption for farm and commercial use.

Nothing in this article may be construed to preclude the use or operation of all-terrain vehicles for lawful nonrecreational commercial purposes, including, but not limited to, farm use.

(NOTE: The purpose of this bill is to: (1) Require that persons who operate all-terrain vehicles who are under the age of eighteen wear helmets approved by the U. S. department of transportation; (2) prohibit persons under the age of eighteen from riding on an ATV that is operated by another person under the age of eighteen; (3) provide misdemeanor penalties; and (4) expressly provide that cities and counties may regulate or prohibit the operation of ATVs within their respective jurisdictions. The bill provides an exemption for farm and commercial use.

This article is new; therefore, strike-throughs and underscoring have been omitted.)

Senate Bill No. 104

(By Senators Oliverio, Bowman, Prezioso, Hunter, Unger, Snyder, Jenkins, Minear, McKenzie, Guills, Plymale, Weeks and Sharpe)

[Introduced January 10, 2003; referred to the Committee on Transportation; and then to the Committee on the Judiciary .]

A BILL to amend chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article twenty-four, relating to requiring persons who operate all-terrain vehicles who are under the age of eighteen years to wear helmets; prohibiting persons under the age of sixteen from operating all-terrain vehicles with motors of two hundred fifty cubic centimeters or greater; prohibiting passengers on all-terrain vehicles unless a vehicle is made to accommodate additional passengers pursuant to manufacturer's recommendations; and prohibiting all-terrain vehicles from operating on state roads or highways with some exceptions.

Be it enacted by the Legislature of West Virginia:

That chapter seventeen-c of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article twenty-four, to read as follows:

ARTICLE 24. ALL-TERRAIN VEHICLES.**§17C-24-1. Regulation of all-terrain vehicles.**

All-terrain vehicles, as defined by section one, article one of this chapter, owned by residents of this state and located within this state, may not be operated within the state in violation of any of the following provisions:

(a) Any person under the age of eighteen may not operate or ride on an all-terrain vehicle unless he or she is wearing a protective helmet of a type approved by the United States department of transportation.

(b) No person under the age of sixteen may operate any all-terrain vehicle having a motor the size of two hundred fifty cubic centimeters or greater.

(c) No person may ride as a passenger on an all-terrain vehicle unless the all-terrain vehicle's manufacturer's prescribed usage includes the express representation that the vehicle can accommodate a passenger.

(d) No person may operate an all-terrain vehicle on any road or highway in this state unless crossing the road or highway or unless the road is unpaved.

§17C-24-2. Penalties for violations.

Any person violating the provisions of section one of this article is guilty of a misdemeanor and,

upon conviction thereof, shall be fined or imprisoned, or both fined and imprisoned, under the provisions of section one, article eighteen of this chapter.

NOTE: The purpose of this bill is to provide various requirements and prohibitions regarding the operation of ATVs. Specifically the bill provides for the following: (1) Requiring persons who operate all-terrain vehicles who are under the age of eighteen years to wear helmets; (2) prohibiting persons under the age of sixteen from operating all-terrain vehicles with motors of two hundred fifty cubic centimeters or greater; (3) prohibiting passengers on all-terrain vehicles unless a vehicle is made to accommodate additional passengers pursuant to manufacturer's recommendations; and, (4) prohibiting all-terrain vehicles from operating on state roads or highways with some exceptions.

This article is new; therefore, strike-throughs and underscoring have been omitted.



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STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
JEFFREY R. VONK, DIRECTOR

May 7, 2003

Dennis Wilson
US CPSC
Room 722
4330 East West Highway
Bethesda, MD 20814-4408

Dear Mr. Wilson:

Enclosed you will find a copy of the **2002 Iowa Recreation Activities Incident Report**. You will find the 2002 statistics concerning ATV incidents included in our report. The Iowa Department of Transportation also collects ATV crash information that is NOT included in this document. We feel we are getting only a small percentage of incidents reported that actually takes place.

Iowa is still dependent on the ASI Training program to provide safety training education to ATV riders. Due to the recent increased fee for this training, a number of people are choosing not to take it. Iowa law under 321G of the Iowa code does require ATV training for ages 12 -17 on public lands or ice.

The increase in sales here in Iowa has risen steadily over the past several years. I am sure at this time Iowa has more ATV's spread over its landscape than farm tractors. They are being used not only as implements on farms and acreage's as well as for transportation and recreation. The crash trends that are developing based on our department's investigations are of great concern.

I hope the enclosed document will assist you and your commission in the mission of safety for our citizens and help in public awareness.

Best regards,

A handwritten signature in black ink, appearing to read "Rod Slings".

Rod Slings
Recreation Safety Programs Supervisor
Law Enforcement Bureau
Iowa Department of Natural Resources



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John Merritt
Executive Director - WorkSafe Victoria
Level 23, 222 Exhibition Street
Melbourne 3000
GPO Box 4306 Melbourne 3001
Tel: 03 9641 1490
Fax: 03 9641 1711
www.workcover.vic.gov.au

Mr Hal Stratton
Chairman
US Consumer Product Safety Commission
4330 East-West Highway
Bethesda
MD 20814
United States

12 MAY 2003

Dear Mr Stratton

REVIEW OF ALL-TERRAIN VEHICLE SAFETY

I understand from your website that your Commission is conducting regional hearings into the safety of all-terrain vehicles (ATVs). This is an issue of great interest to us in Australia, where the number of deaths and injuries connected with ATVs is rising steadily. In this country use of ATVs is predominantly occupational (particularly on farms), rather than recreational.

WorkSafe Victoria is the agency in the State of Victoria that is responsible for administering occupational health and safety legislation. Recently, in conjunction with the Victorian State Coroner's Office we commissioned research from the respected Monash University Accident Research Centre into the epidemiology of ATV deaths and injuries, and engineering solutions to design shortcomings in ATVs. We believe that this research could be an important input into your consideration of the risks arising from the design and operation of ATVs.

The key findings of the research report are –

- ATV rollovers are the major cause of ATV-related deaths.
- Current ATV safety philosophy is erroneously based on a motorcycle rider-centred perspective: this approach is ill-conceived and dangerous for ATV riders.
- Stability analyses of the benefits of active riding show these to have quite limited effects (about 20% or less), and overall would appear to be overrated as a means of enhancing the control of ATVs.
- Virtually all of the previous international research on fitting rollover protective structures (ROPS) to ATVs to date have been predicated on having an unrestrained (or ineffectively restrained) rider, so as to maintain active riding. This has led to designs with very poor effectiveness and in many cases designs that could well increase severe injury risk. Recommendations for ROPS designs or standards for ATVs in the United Kingdom and New Zealand are ill-conceived and potentially dangerous.

- The computer modelling carried out in this study has demonstrated that it is possible to design a practical ROPS for an ATV that will protect a rider against serious injury in a rollover, and other collision modes.
- The provision of ROPS on currently-designed ATVs will reduce their stability. To regain the original stability ratings, such ATVs would require either increased track width or lowering of gravity height.

I have pleasure in enclosing a copy of the research report for your information.

WorkSafe Victoria would be most interested in receiving any information you may have available that would assist in our common endeavour to reduce the number of deaths and injuries connected with ATVs.

If you require any further information, please contact Michael Little (Program Manager, Work-Related Deaths) on telephone +61 3 9641 1210 or e-mail michael_little@workcover.vic.gov.au

Yours sincerely



John Merritt
Executive Director

MONASH
UNIVERSITY

ACCIDENT RESEARCH CENTRE

**ALL TERRAIN VEHICLE INJURIES
AND DEATHS**

by
George Rechnitzer
Lesley Day
Raphael Grzebieta
Roger Zou
Shane Richardson

March 19th 2003

MONASH UNIVERSITY ACCIDENT RESEARCH CENTRE
REPORT DOCUMENTATION PAGE

Date	Pages
19 th March 2003	111

Title and sub-title:

All Terrain Vehicle Injuries and Deaths

Author(s):

George Rechnitzer, Lesley Day, Raphael Grzebieta, Roger Zou, Shane Richardson

Sponsoring Organisation(s):

Victorian WorkCover Authority
Office of the State Coroner

Abstract:

This study was carried out at the request of the Victorian WorkCover Authority and the State Coroner with the aim of presenting a review of previous research relating to ATV fatalities and serious injuries and to examine the feasibility of fitting effective occupant protection systems, particularly regarding rollover.

The study involved three main activities: a review of the epidemiology of ATV incidents; a detailed literature review of previous ATV rollover research; the design and evaluation, using MADYMO computer modelling, of a proposed *Rollover Protective System* comprising a protective structure and occupant restraint system (seat and 4-point seatbelts), considering both moderate and severe lateral rollovers. The study findings include:

- ATV rollovers are the major cause of fatalities.
- ATV safety philosophy is erroneously based on a motorcycle rider-centred perspective: this approach is ill conceived and dangerous for ATV riders.
- Stability analyses of the benefits of active riding show these to have quite limited benefits (about 20% or less), and overall would appear to be overrated as a means of enhancing the control of ATVs.
- Virtually all of the previous international research on fitting rollover protective structures on ATVs (commonly called ROPS) to date has been predicated on having an unrestrained (or ineffectively restrained) rider so as to maintain active riding. This has led to designs with very poor effectiveness and in many cases designs that could well increase severe injury risk. Recommendations for rollover protective structure designs or standards for ATVs in the UK and NZ are ill-conceived and potentially dangerous.
- The computer modelling carried out in this study has demonstrated that it is possible to design a practical rollover protection system for an ATV that will protect a rider against serious injury in a rollover, and other collision modes.
- The provision of *Rollover Protective Systems* on currently designed ATVs will reduce their stability. To regain the original stability ratings, such ATVs would require either increased track width or lowering of centre of gravity height.

It is recommended that:

- Industry supported research be undertaken to design and test a *Rollover Protective System* based on the preliminary designs presented in this study.
 - ATV type vehicles with full *Rollover Protective Systems* be developed and redesigned based on a task and needs analysis of farming communities.
 - ATV recreational vehicles be further developed so that a full *Rollover Protective System* is incorporated, and the stability design enhanced so that active riding is not needed.
-

Key Words:

All Terrain Vehicles, ATVs, Rollover, Injuries, Fatalities, ROPS, Rollover Protective Systems, Rollover Protective Structures, stability, handling, injury prevention

Disclaimer

This report is disseminated in the interest of information exchange. The views expressed here are those of the authors, and not necessarily those of Monash University

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Building 70, Clayton Campus, Victoria, 3800, Australia.
Telephone: +61 3 9905 4371, Fax: +61 3 9905 4363

Preface

This study was carried out at the request of the Victorian WorkCover Authority and the State Coroner with the aim of presenting a review of previous research relating to ATV fatalities and serious injuries and to examine the feasibility of fitting effective occupant protection systems, particularly regarding rollover. The study was limited in scope to providing directions for feasible solutions rather than fully developed and tested designs.

Project Manager / Team Leader:

Dr Lesley Day

Research Team:

- Mr George Rechnitzer, DVExperts Pty Ltd
- A/Prof Raphael Grzebieta, Department of Civil Engineering, Monash University
- Dr Roger Zou, Department of Civil Engineering, Monash University
- Mr Shane Richardson, DVExperts Pty Ltd

Acknowledgements

We are grateful to Honda Australia and Mr Ray Newlands Motorcycle Manager of the Federal Chamber of Automotive Industries (FCAI) for the provision, on loan, of a Honda all terrain vehicle for the purposes of this research.

Various members of the State Coroner's Office have been very helpful in providing data relating to all terrain vehicle deaths.

The assistance of Glenda Cairns from MUARC, Helen Keramidias and Peter Franks from DVExperts, in the preparation of this report is gratefully acknowledged.

Mr Chris Brennan and Dr Ajith Gunatilaka from MUARC for assistance with the literature review and report preparation.

Mr Graeme Rundle, Mr Chris Powell, Mr Peter Dunbar, Mr Alan Taylor and Mr Kevin Nievaart from the Department of Civil Engineering for assistance with the ATV tilt tests and the suspension strut tests.

Ms Shauna Sherker for providing head strike ground compliance data and photographs.

Mr Keith Ferguson of the Queensland Department of Industrial Relations provided data on all terrain vehicle deaths on farms in Queensland.

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Enclosures

CDRom containing the Madymo simulations (referred to in Chapter 6) of the ATV rollovers:

- Case 1: 30 degree slope, 7km/h no protective structure.
- Case 2: 30 degree slope, 7km/h with Rollover Protective System
- Case 3: 30 degree slope, 30km/h no protective structure
- Case 4: 30 degree slope, 30km/h with Rollover Protective System
- Case 5: 30 degree slope, 20km/h no protective structure
- Case 6: 30 degree slope, 20km/h with Rollover Protective System.

EXECUTIVE SUMMARY

This study was carried out at the request of the Victorian WorkCover Authority and the State Coroner with the aim of presenting a review of previous research relating to ATV fatalities and serious injuries and to examine the feasibility of fitting effective occupant protection systems, particularly regarding rollover.

The study involved three main activities:

1. A review of the epidemiology of ATV related fatalities and serious injuries in Australia, USA, UK and New Zealand;
2. A detailed literature review examining previous research on ATV safety and proposed improvements to handling and fitment of Rollover Protective Systems;
3. The design and evaluation of a proposed Rollover Protective System comprising a protective structure and occupant restraint system (seat and 4-point seatbelts), considering both moderate and severe lateral rollovers.

The main findings from the study were:

- ATV rollovers are the major cause of fatalities in Australia, with crushing of the rider by the ATV, or ejection with impact with the ground or objects being the primary injury causal mechanism. Most serious incidents occur in agricultural settings.
- ATVs although based on motorcycle structures with two extra wheels added, have significant differences in handling, usage and collision modes. Despite these major differences, ATV safety philosophy retains and promotes, *quite inappropriately*, a motorcycle based and rider-centred perspective on safety, rather than a vehicle one. That is, ATV safety is considered to depend on rider separation from the vehicle and the addition of protective clothing and helmet. Simply put, such safety philosophies are ill conceived and dangerous for ATV riders. They do not offer any protection in the most common modes of injury with ATVs – rollovers, nor collisions.
- The design of ATVs in terms of their short wheel base, relatively narrow track and high centre of gravity positions, and lack of a differential, result in adverse handling characteristics, which are intended to be compensated by active-riding techniques. Such techniques require shift in position of the rider's body to increase stability during manoeuvring. Stability analyses of the benefits of active riding show these to have quite limited benefit (about 20% or less), and overall would appear to be overrated as a means of enhancing the control of ATVs.
- Virtually all of the previous international research on fitting Rollover Protective Systems on ATVs to date has been predicated on having an unrestrained (or ineffectively restrained) rider so as to maintain active riding. This has led to Protective Structure designs with very poor effectiveness and in many cases designs that could well increase severe injury risk. Similarly, the Protective Structure designs suggested through the NZ ROPS guide and those of UK HSE are ill

conceived, totally inadequate, indeed dangerous, as they provide inadequate survival space and do not require proper restraint systems.

- To ascertain the benefits and feasibility of fitting an effective Rollover Protective System, three crash scenarios were modelled, with and without the Rollover Protective System. The first scenario was an ATV travelling at 7km/h across a 30-degree slope in which the ATV rolls due to hitting a rock. The second scenario involved the ATV travelling at 30km/h across a 30-degree slope and rolling due to hitting a rock. The third scenario was the same as the second, but with the ATV travelling at 20km/h. In the case of the ATV without the Rollover Protective System, in the first scenario, the ATV rolled onto the rider, and in the second and third scenarios the rider was ejected striking the ground resulting in severe injury levels (fatal in the 2nd scenario). In the three scenarios where the ATV was fitted with the Rollover Protective System, the occupant received low injury levels.
- It is possible to design a practical rollover protection system for an ATV that will protect a rider against serious injury in a rollover, and other collision modes. Such a system requires a lightweight but high strength structure that protects the occupant survival space, together with a high backed seat with side bolsters, and seatbelt system to effectively restrain the occupant within the protected zone.
- The provision of Rollover Protective Systems on currently designed ATVs will result in reduced stability. To regain the original stability ratings, such ATVs would require either increased track width or lowering of centre of gravity height.

Recommendations

1. That industry-supported research is undertaken to design and test a Rollover Protective System based on the preliminary designs presented in this study.
2. That ATV type vehicles be developed and redesigned based on a task and needs analysis of farming communities. Such a vehicle should incorporate an effective occupant protection system for rollover and collisions.
3. That ATV recreational vehicles be further developed so that a Rollover Protective System is incorporated, and the stability design enhanced so that active-riding is not needed.