

LOG OF MEETING
U.S. CONSUMER PRODUCT SAFETY COMMISSION
OFFICE OF COMMISSIONER NANCY A. NORD

CPSC 2011 CLASSIFIED BY: [redacted]
NO FRIS/PRVTL. S. BY
PRODUCTS IDENTIFIED 9/2/05
EXCEPTED BY: PETITION
RULEMAKING ADMIN. PROC. G
WITH PORTIONS REMOVED

SUBJECT: ATVs

DATE OF MEETING: August 09, 2005

PLACE: Room 714, CPSC Headquarters

LOG ENTRY SOURCE: Quin Dodd

DATE OF ENTRY: August 29, 2005

COMMISSION ATTENDEES:

Commissioner Nancy A. Nord
Roy Deppa
Quin Dodd
Mark Kumagai
Elizabeth Leland
Nicholas Marchica
Suad Nakamura
Rob Raffety
Howard Tarnoff
Tanya Topka Ivans

NON-COMMISSION ATTENDEES:

Bennett Morgan, President and Chief Operating Officer, Polaris
Mary McConnell, Vice President and General Counsel, Polaris
Joseph Eisert, Kirkland & Ellis, LLP (representing Polaris)
Scott Kovarovics, Natural Trails and Waters Coalition

SUMMARY OF MEETING:

Polaris representatives described the company, its operations, and its ATV product line, which is oriented more toward recreation and utility, rather than the higher performance "sports" line of ATV models. Polaris ATVs are sold at approximately 1500 dealers nationwide, and Polaris has to date been unique in the industry in requiring that all dealers have qualified personnel who can provide ATV safety training on-site at each dealership. However, due to liability, city ordinance, and other factors, Polaris is switching to encouraging buyers to take SVIA training, as is the case with the other, major ATV manufacturers. Mr. Morgan and Ms. McConnell also indicated that they continue to take action against dealers who fail to comply with youth use sales and other Polaris restrictions and policies. Polaris also does give a free helmet with every youth

model ATV sold. Nick Marchica of the CPSC indicated his support for and desire to see continued, on-site training as a means of improving ATV safety, particularly for first-time buyers.

Regarding possible improvements in safe ATV use, Mr. Morgan indicated he believes that the ATV industry can provide a “transitional” ATV model for older children for whom youth models may be too small, and indicated that they currently do provide a smaller, adult ATV, aimed primarily at women consumers. He also indicated his support for making the existing, voluntary ATV safety standards mandatory and for strong enforcement to make sure that all ATVs sold in the U.S. are in compliance with those standards. He also supports the SVIA model state legislation and believes the CPSC can and should support the enactment of such state laws and should consider a public information campaign aimed at improving ATV safety.