

Bluewater Network * Consumer Federation of America * Kids in Danger
National Association of Orthopaedic Nurses
Natural Trails and Waters Coalition * U.S. PIRG

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As ATV Deaths Mount, U.S. Consumer Product Safety Commission
Sits on Sidelines

Doctors, Nurses and Safety Advocates Renew Call for Action

Washington, DC – Two years after doctors, nurses, consumer and safety advocates, and others formally requested that the U.S. Consumer Product Safety Commission (CPSC) issue national safety standards to protect children under 16 from the dangers posed by adult-size all-terrain vehicles (ATVs), CPSC has failed to take significant action in response to this request and a growing public health crisis. The petitioning groups wrote to CPSC Chairman Hal Stratton today urging the Commission to act without further delay in response to this problem.

“Children being killed and injured by ATVs is a serious public health crisis with a solution,” said Rachel Weintraub, Assistant General Counsel at Consumer Federation of America. “However, the government agency with the authority to solve the problem has let America’s children and adolescents down. The Consumer Product Safety Commission has neglected to take action to implement a solution that will save children’s lives.”

“Over the past two years the CPSC has studied ATV’s horrific safety record to death, unfortunately during this time countless Americans have died as well,” said Sean Smith Bluewater Network’s Public Lands Director. “How many more will be killed and injured before the agency stops considering the problem and takes action?”

In August 2002, the Consumer Federation of America (CFA), Bluewater Network (BWN) and seven other medical, consumer and safety groups submitted a petition to CPSC requesting that it initiate a rulemaking process to develop and issue national safety standards that would bar the sale of adult-size ATVs (defined by industry and CPSC as vehicles with engines larger than 90 cc) for use by children under 16. Although the Commission held field hearings in West Virginia, Alaska and New Mexico in 2003, it has failed to move aggressively to address this problem or respond to the petition in a substantial way.

Since the petition was submitted, newspaper reports demonstrate that children continue to be killed by ATVs in alarming numbers. Although CPSC has not released fatality information for 2003 or 2004, it reported that at least 99 children under 16 years old were killed by ATVs in 2002. According to CPSC, these children suffered 28 percent of all ATV-related fatalities that year.

Evidence from annual surveys and comprehensive reports by CPSC documents an ATV safety crisis that has become increasingly more severe over the past decade. In many cases, children under 16 suffer disproportionately:

- Between 1993 and 2002, serious ATV-related injuries to children under 16 more than doubled from 17,900 to 37,100. During this same period, children under 16 suffered more injuries than any other age group every year except one;
- During this period, all serious ATV injuries increased more than 128 percent from 49,800 to 113,900. In 2002, ATV-related deaths and injuries broke records; and
- Between 1985 and 2002, children under 16 accounted for 37 percent of all injuries and 33 percent of all deaths.

“The phrase ‘paralysis by analysis’ could not be more appropriate in this case,” said Scott Kovarovics, Director of the Natural Trails and Waters Coalition. “Rather than act based on years of research by its staff and doctors that consistently documents a serious and growing problem, CPSC maintains that it needs more information while children and families suffer.”

National leadership by CPSC is imperative in part because the industry’s voluntary approach is failing and most states do not regulate ATV use in a manner comparable to other motor vehicles. Currently, ATV manufacturers voluntarily agree to follow certain guidelines developed in conjunction with CPSC. This voluntary approach relies on recommendations against the sale of adult-size ATVs for use by children under 16, warning labels and offers of training to purchasers of new ATVs. However, comprehensive analysis by CPSC and investigations by major media outlets clearly demonstrate that this approach is failing in almost every respect:

- More than 95 percent of children continue to be injured adult-size ATVs;
- More than 40 percent of injured riders report that their ATV did not have warning labels or they don’t know if it did;
- Less than 10 percent of all ATV drivers have ever received safety training; and
- Investigations by Good Morning America in 2002 and the CBS Evening News in 2004 found that dealers routinely agree to sell adult-size ATVs with full knowledge that such vehicles are being purchased for use by children under age 16.

Rather than acknowledge the problem and redouble efforts to comply with voluntary guidelines, some representatives of the ATV industry advocate that age limits be abolished and bigger, faster ATVs be sold for use by some children.

While every state has set minimum age, licensing and training requirements to drive a car, few states utilize the same approach for ATVs. According to the Specialty Vehicle Institute of America, 24 states and the District of Columbia do not have a minimum age to operate an ATV, 40 do not require licensing, and 34 do not require safety training to operate these vehicles.

“For over fifteen years, we have urged CPSC to ban the sale of adult-size ATVs for use by children,” said Lindsey Johnson, consumer advocate for U.S. Public Interest Research Group (U.S. PIRG). “Children continue to die needlessly because CPSC has instead pursued a failed plan relying on voluntary manufacturer and dealer compliance with worthless marketing guidelines.”

In addition to Consumer Federation and Bluewater Network, the August 2002 rulemaking petition was submitted by: American Academy of Pediatrics, American College of Emergency Physicians, Center for Injury Research and Policy, Danny Foundation, Kids in Danger, National Association of Orthopaedic Nurses, and U.S. PIRG.

A copy of the letter follows this release.

To view the petition, comprehensive reports about the problem and industry's failure, and other background information, visit:

Consumer Federation of America: <http://www.consumerfed.org/backpage/csafety.cfm>

Bluewater Network: www.bluewaternetnetwork.org

Natural Trails and Waters Coalition: <http://www.naturaltrails.org/issues/ATVSafety/index.html>

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