

Senate Committee on  
Transportation and Veterans Affairs  
Wisconsin State Capitol, 2 East Main St.  
Madison, WI, 53703

1/4/16

Dear Senator,

As individuals and organizations dedicated to reducing deaths and injuries caused by off-highway vehicles (OHVs), we are writing to urge you to vote against Senate Bill 381. If enacted, that bill would allow younger children to operate larger, more powerful OHVs than has previously been allowed in Wisconsin by:

- changing the definition of small all-terrain vehicles (ATVs) that children under 12 can ride, if accompanied by an adult, by increasing the engine size from 90 to 130 cubic centimeters;
- defining a small utility vehicle as having an engine up to 200 cubic centimeters;
- and repealing the ban on children under 16 using utility vehicles (except for agricultural use) by allowing children 12 and older to drive small utility vehicles on ATV trails if accompanied by an adult.

These proposed changes endanger the children of Wisconsin. These changes are not supported by any scientific or medical data documenting that children have the developmental capability of safely using such powerful machines. In fact, the U.S. Consumer Product Safety Commission (CPSC), many consumer advocates, and the American Academy of Pediatrics, all recommend more stringent limits on child ATV riding than the proposed bill would allow. Importantly, data shows how dangerous ATV operation and riding are for children.

The CPSC released the 2013 Annual Report of ATV-Related Deaths and Injuries on March 3, 2015 which contains the most recent data on youth death and injuries from ATV use with 2009 being the most recent year for which complete fatality data is available.

- 96 children younger than 16 were killed on ATVs in 2009, and 43 percent of those children killed were younger than 12 years old.
- Children under age 16 suffered an estimated 25,000 ATV-related injuries requiring an emergency department visit in 2013, which represented 25 percent of all injuries.
- Children under age 12 suffered an estimated 13,100 ATV-related injuries requiring an emergency department visit in 2013 (an increase from 12,200 in 2012). This number represented 52% of all ATV-related injuries to children in 2013.<sup>1</sup>

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<sup>1</sup> CPSC 2013 Annual Report of ATV-Related Deaths and Injuries. <http://www.cpsc.gov//Global/Research-and-Statistics/Injury-Statistics/Sports-and-Recreation/ATVs/2013-ATV-Annual-Rpt-of-ATV-Related-Deaths--Injuries.pdf>

The report also contains state specific ATV-related fatality data by state with 273 reported deaths in Wisconsin from 1982-2009—placing Wisconsin in the top third of states with the highest ATV fatalities.

The Wisconsin Department of Natural Resources 2015 ATV/UTV fatality summary lists 4 out of 20 fatalities, or 20%, as juveniles. Some combination of inexperience or speed (in one incident the size of the UTV was explicitly cited) was cited as a factor in each fatality.<sup>2</sup>

<b>Cause/ Incident Factors</b>	<b>Age</b>
Roll Over / Inexperience	14
Collision with Fixed Object / Inexperience	10
Ejected / Speed, UTV Size	12
Roll Over/ Speed	12

In a 2013 report, the CPSC found that from 1982-2007 Wisconsin had 241 deaths associated with ATVs of which 75, or 31 percent, were children under 16.<sup>3</sup>

The CPSC and many consumer advocates recommend that children ages 12 through 15 not ride ATVs with engines larger than 90 cc's. The American Academy of Pediatrics recommends that no child under age 16 ride an ATV of any size.

There is no evidence that children are capable of safely operating such powerful machines and the Legislature should be wary of allowing younger children to operate more powerful vehicles without evidence that it is safe and without evidence that these changes will not lead to more deaths and injuries. In fact, the data from the Wisconsin Department of Natural Resources shows that inexperience, speed, and vehicle size are factors when children die on ATVs and UTVs.

Given the disturbing child injury and death data, expert recommendations that children not use ATVs (certainly not ATVs larger than 90cc's) and the lack of evidence showing that larger ATVs and UTVs are safe for children, we urge your opposition to Senate Bill 381.

Sincerely,

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General Counsel  
Consumer Federation of America

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Iowa ATV Injury Prevention Task Force

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<sup>2</sup> Wisconsin ATV/UTV fatality summary – 2015, Wisconsin Department of Natural Resources.

<http://dnr.wi.gov/topic/ATV/fatalitySummary/atvCurrent.html>

<sup>3</sup> Death Associated With ATVs by State. <http://www.cpsc.gov/en/Safety-Education/Safety-Education-Centers/ATV-Safety-Information-Center/Death-Associated-With-ATVs-by-State/>

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