



Consumer Federation of America

All-Terrain Vehicle (ATV) Safety Crisis: America's Children at Risk

All-terrain vehicles (ATVs) are killing and injuring well over one hundred thirty thousand people every year and children younger than 16 are paying the heaviest price. The mounting number of injuries and deaths proves that the ATV industry's self-regulating approach to safety is failing to protect consumers, especially children. This fact sheet summarizes the most recent information available on ATV deaths and injuries from the U.S. Consumer Product Safety Commission and Consumer Federation of America.

ATVs are Bigger, Faster and More Dangerous than Ever

- Adult-size ATVs now weigh up to 850 pounds.
- Many ATVs travel up to 85 miles per hour.

Injuries and Fatalities are Rising

Major findings of CPSC's 2005 Annual Report on All-Terrain Vehicle (ATV)-Related Deaths and Injuries include:

- Serious injuries requiring emergency room treatment increased less than one percent, from 136,100 in 2004 to 136,700 in 2005. Since 2001, there has been a statistically significant 24% increase in serious injuries.
- The estimated number of ATV-related fatalities increased from 757 in 2003 to 767 in 2004.

Children Under 16 are at Risk

- Children under 16 suffered 40,400 serious injuries in 2005. Since 2001, there has been a statistically significant increase of 18% in the number of children under 16 seriously injured by ATVs.
- Children made up 30 percent of all injuries. This age group received more serious injuries than any other.
- In 2005, ATVs killed at least 120 children younger than 16 accounting for 26 percent of all fatalities.
- Between 1985 and 2005, children under 16 accounted for 36 percent of all injuries and 31 percent of all deaths.

Industry's Self-Regulating Approach to Safety is Not Working

A court-approved consent decree between ATV manufacturers and the U.S. Consumer Product Safety Commission, which forced the industry to end production of highly dangerous three-wheel ATVs, expired in 1998. Since that time, some manufacturers have been operating under voluntary, unenforceable "action plans." Others have not even gone that far. The self-regulating approach relies on fine print in ads, warning labels, and recommendations enforced at the discretion of manufacturers.

The CPSC's findings in 2006 mirror trends over a longer period of time. In 2003, CPSC issued the latest in a long line of studies documenting the dramatic increase in ATV injuries and deaths. In assessing trends between 1997 and 2001, the Commission provides compelling evidence that the industry is failing to protect consumers. CPSC concludes:

- ATV-related injuries requiring emergency room treatment increased 108 percent from 52,800 to 110,100 while the number of ATVs in use increased by less than 40 percent;

- Injuries suffered by children under 16 increased 66 percent to more than 34,000 in 2001. The proportion of these children among the driving population grew by 13 percent; and
- Injuries caused by bigger and more powerful ATVs, defined by the Commission as machines with engines bigger than 400 cc, shot up 567 percent from 3,662 to 24,437 while the number of these machines grew by less than half as much.
- Less than four percent of injured ATV drivers received formal safety training from a dealer, salesperson or organized training program. This proportion is unchanged since 1997;
- More than 40 percent of drivers injured in 2001 stated that their ATV did not have warning labels or they did not know if it did at the time of their accident; and
- Nearly 90 percent of children under 16 who were injured while riding ATVs were injured while riding *adult-size* ATVs in spite of the industry's voluntary policy not to sell these machines for use by children. This proportion is also unchanged since 1997.

ATVs Should be Regulated Under the Same Kind of Common Sense Rules Applied to Cars

- Every state has a comprehensive system to promote safety on America's roads and highways, including age limits and licensing and training requirements for every driver of a car. It's a different story for ATVs:
 - ⇒ 20 states have no minimum age requirement to drive an ATV, while 40 states allow 12 year old children to operate ATVs independently;
 - ⇒ 40 states do not require a license to drive an ATV, even to cross a highway; and
 - ⇒ 32 states have no safety education requirements of any kind.
- The American Academy of Pediatrics (AAP) and the American Academy of Orthopaedic Surgeons (AAOS) have issued formal policies recommending that children under 16 not be allowed to drive ATVs under any circumstance. This reflects their conclusion that the safe operation of ATVs requires the same or greater skill, judgment and experience as needed for cars.

Action Steps to Protect Children

While this problem is serious, there are promising solutions:

- Every state should pass laws that prohibit children under the age of 16 from operating or otherwise riding adult-size ATVs.
- The ATV industry should join doctors, consumer advocates and others in pressing every state to adopt model legislation developed by the AAP concerning licensing, training, protective equipment and other aspects of ATV safety.
- The CPSC should ban the use of adult-size ATVs for use by children under 16.
- CPSC should retreat from its current rulemaking which proposes defining the size of an ATV by its speed rather than engine size. This shift is not based upon credible evidence, fails to consider the weight of an ATV and fails to take into account the common failure of speed limiting devices.