



## Consumer Federation of America

January 18, 2018

Acting Chairman, Ann Marie Buerkle  
U.S. Consumer Product Safety Commission

4330 East-West Highway  
Bethesda, MD 20814

Dear Acting Chairman Buerkle,

We are writing to you regarding the December 19, 2017 joint statement from the U.S. Consumer Product Safety Commission (CPSC) and Polaris regarding Polaris RZR 900 and 100 Recreational Off-Highway Vehicles (ROVs).<sup>1</sup>

The statement informs consumers about fires that have been caused by two models of Polaris ROVs. The joint statement includes, “Most of the vehicles were voluntarily recalled by Polaris in April 2016 to address fire hazards. However, users of the vehicles that were repaired as part of the April 2016 recall, continue to report fires, including total-loss fires. The 2017 RZR’s were not included in the April 2016 recall, but these models have also experienced fires.” We applaud that the CPSC and Polaris are warning consumers of this fire hazard; however, the statement includes that fires have been associated with the recalled ROVs, ROVs that have been previously repaired as part of the recall, and ROVs that have not been subject to the recall.

We are very concerned that consumers do not have the information needed to protect themselves from the fire hazard identified in the joint statement. Consumers unwittingly are operating and riding ROVs that both Polaris and the U.S. Consumer Product Safety Commission (CPSC) know pose an unreasonable fire risk.

We urge the CPSC to immediately provide clear information to consumers about ROVs that are catching fire, as mentioned in the December 19, 2017 statement. We urge the Commission to immediately recall and stop sale of the ROVs mentioned in the statement that have been associated with fires but not previously subject to recall, and to re-issue recalls for the vehicles previously recalled and previously repaired as part of the recall program. That consumers are continuing to operate products that are known to have caused fires is creating a significant safety risk to consumers.

While the CPSC and Polaris mention in the joint statement that “these fires have caused death, serious injuries and property damage,” no specific information about the consequences of these fires was provided. CFA compiles off-highway vehicle fatality data. We have just completed our initial analysis for 2017 and have identified 509 fatalities in 2017. Of the 509 fatalities

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<sup>1</sup> <https://www.cpsc.gov/content/joint-statement-of-cpsc-and-polaris-on-polaris-rzr-900-and-1000-recreational-off-highway>

documented, it was possible to determine the vehicle type in 491 of those fatalities. Of those 491 fatalities, 130 or 26%, took place on an ROV—a significant amount of the total. This data is not complete and these fatalities may continue to rise as CFA gathers more data.

In addition, we are attaching recent CFA research of OHV recalls indicating that OHV recalls are increasing recently. These recalled OHVs have been involved in incidents resulting in at least two deaths and 61 injuries. After the serious concerns and information gaps are resolved regarding the Polaris ROVs, we urge the CPSC to carefully review the industry-wide incidents and recalls, evaluate the effectiveness of the ATV and ROV standards to address these safety problems, and, along with OHV manufacturers, work to prevent these tragedies and improve the safety of these vehicles.

We thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Rachel Weintraub". The signature is fluid and cursive, with a long horizontal stroke at the end.

Legislative Director and General Counsel

CC: Commissioner Robert Adler  
Commissioner Elliot Kaye  
Commissioner Marietta Robinson