

Highgate Selectboard
2996 VT Route 78
Highgate Center, VT 05459

February 14, 2018

Dear Selectboard Member:

As individuals and organizations dedicated to reducing deaths and injuries caused by off-highway vehicles (OHVs), we are writing in support of your efforts to ban the recreational use of OHVs on Highgate's streets and wanted to share information with you on the danger of OHV use on roads.

Tragically, we have identified 25 OHV-related deaths in Vermont from 2013-2017. Of these deaths, 11 (44%) occurred on-road, 13 (52%) occurred off-road, and 1 (4%) occurred in an unknown location. Unfortunately, these numbers may continue to rise as we gather more data.

There are two main categories of OHVs—neither of which are designed for roadway use and should not be allowed on public roads. All-terrain vehicles (ATVs) are “off-road, motorized vehicles having three or four low-pressure tires, a straddle seat for the operator, and handlebars for steering control.”¹ Recreational off-highway vehicles (ROVs) have “four or more wheels with low pressure tires; bench or bucket seating for two or more occupants; automotive-type controls for steering, throttle, and braking; rollover protective structures (ROPS); occupant restraint; and maximum speed capability greater than 30 mph.”²

ATV crashes on the road account for over 60% of ATV-related deaths and over 30% of serious ATV injuries.³ There is much less data on the number and nature of ROV crashes in comparison to ATVs, but from 2013-2017 our coalition identified 472 ROV fatalities. The crash site could be identified in 457 of the 472 deaths. Of those 457 fatalities, 267 (57%) occurred on-road and 190 (40%) occurred off-road. As our coalition continues to gather more data, these figures may rise.

Most importantly, OHVs are not designed to operate on paved or public roads. An OHV's narrow wheelbase and high clearance are designed for riding in pastures, fields and wooded areas. The high center of gravity increases the risk of rollovers, particularly at roadway speeds. In addition, OHV's knobby, low-pressure tires allow for operation on a variety of surfaces, but they do not grip roadway surfaces well (paved or unpaved). As tire-surface interaction deteriorates with increasing speed, the operator can lose control of the vehicle, endangering not only the OHV rider but also occupants of other vehicles, pedestrians, and bicyclists. In addition,

¹ CPSC, 2013 Annual Report of ATV-Related Deaths and Injuries, February 2015.

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

² CPSC Briefing Package. Pg. 91.

www.cpsc.gov/Global/Newsroom/FOIA/CommissionBriefingPackages/2014/SafetyStandardforRecreationalOff-HighwayVehicles-ProposedRule.pdf

³ Denning, Harland, Ellis, Jennissen, More fatal all-terrain vehicle crashes occur on the roadway than off: increased risk-taking characterizes roadway fatalities, Injury Prevention, 2012.

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3717765/>

many OHVs lack a rear differential which can compound on-road handling challenges. The lack of a rear differential results in the wheels on both the inside and outside of a turn rotating at the same speed even though the wheels on the outside of the turn cover more distance. This design problem is mitigated on off-road surfaces like dirt and grass but makes the machine much more difficult to control on-road.

The Specialty Vehicle Institute of America (SVIA), a not-for-profit association representing ATV manufacturers and dealers, has a strong policy statement against the use of ATVs on public roads. A training manual for ATV riders from the ATV Safety Institute, a division of SVIA, states:

Remember, ATVs are intended for off-road use only. Never operate an ATV on public roads, and always avoid paved surfaces. ATVs are not designed for use on public roads and other motorists may not see you. ATVs are not designed to be used on paved surfaces because pavement may seriously affect handling and control.”⁴

Further, the SVIA makes clear that:

ATVs are designed, manufactured and sold for off-road use only. On-road vehicles must be manufactured and certified to comply with U.S. Department of Transportation Federal Motor Vehicle Safety Standards (FMVSS). These safety standards consist of extensive and detailed compliance requirements. Since ATVs are not intended to be used on-road, they are not designed, equipped or tested to meet such standards.⁵

This statement shows that the manufacturers of these vehicles, those who know the vehicles better than anyone, are clear that they should not be operated on public roads.

In addition, the mandatory rules for OHVs require that all OHVs have a label indicating that OHVs should not be operated on paved roads or on public roads.

[Consumer Federation of America](#) and the [Insurance Institute for Highway Safety](#) released reports documenting the dangerous trends associated with OHV operation on public roads.

We support the ordinance to ban OHV use on public roads because such use places the public, including OHV operators, pedestrians, bicyclists, and all motor vehicle drivers, and their passengers, at unnecessary risk.

Thank you for your consideration. If we can be of further assistance, please feel free to contact Michelle Styczynski at Consumer Federation of America at mstyczynski@consumerfed.org or (202) 939-1000.

⁴ Available on the web at http://www.atvsafety.org/InfoSheets/ATV_Riding_Tips.pdf on page 7.

⁵ Specialty Vehicle Institute of America, “Position in Opposition to On-Road Operation of ATVs,” available on the web at <http://wisdotresearch.wi.gov/wp-content/uploads/tsratvlaws1.pdf>.

Sincerely,

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