



Washington University Physicians

Washington University School of Medicine in St. Louis

December 28, 2005

Chairman Hal Stratton, Commissioners Thomas Moore and Nancy Nord, Project Manager Elizabeth Leland and the Commission:

Children are dying in record numbers from All Terrain Vehicle (ATV) accidents. While manufacturers are designing smaller, less powerful ATVs specifically for children, we're seeing a dramatic increase in the number of children in the St. Louis Children's Hospital Emergency Department with ATV-related injuries - and their ages are remarkably low! In the 11 years that we have been collecting data on ATV-related injuries in children treated at our hospital<sup>1</sup>, nearly 40 percent of our patients are 10 years old or younger. Based on our research through Washington University School of Medicine, we recommend a multifaceted approach – including requiring manufacturers to improve their vehicles and educate their customers about safety.

Few consumers realize the high level of risk of serious injury and death their children are subject to while riding an ATV. In our study, 90 percent of children injured in ATV accidents were admitted to the hospital. Comparatively, in a study we published two years ago on children wounded by gunshots, 55 percent of victims were admitted to the hospital.<sup>2</sup>

Our study compared ATV injuries in children treated at our hospital during two time periods: from 1993 to 1998 and from 1998 to 2003. The injuries ranged from lacerations to fractures to abdominal organ injuries to intracranial hemorrhages. Between the first and second periods, the number of patients treated jumped 318 percent, and there was a trend toward increasingly severe injuries. Among patients treated during the second period:

- More than a third (36 percent) had serious injuries
- More than a third (34 percent) had neurological injuries
- 17 percent required an immediate operation
- Nearly half (52 percent) required surgery

- For those patients requiring surgery, 48 percent had more than one operation
- Nearly two-thirds (63.6 percent) sustained multiple injuries

Only about a third (35 percent) of the children wore a helmet, which we found offered some protection. Those who wore a helmet suffered less severe injuries and were 1.6 times less likely to have a neurological injury (28 percent vs. 45 percent) than those who didn't.

In light of our experience, we suggest the following approach to reducing ATV injuries and deaths in children.

### **Mandatory User Education**

ATV customers need to be educated about the extent of ATV injuries and of the risks to their children. Armed with this knowledge, we believe a significant number of parents would choose not to allow their children to ride the vehicles or would insist on safety features on vehicles made for children. An ATV traveling a mere 20 miles per hour is moving at 30 feet per second. If the ATV hits a ditch, fence or wall, the child can be thrown or land underneath a vehicle that can weigh up to 750 pounds. Ninety-five percent of patients in our study suffered blunt injuries.

Parents who choose to allow their children to ride ATVs need to know the importance of helmet use. Thirty years ago, neither children nor adults wore helmets while riding bicycles. Now, most children do, according to the Consumer Product Safety Commission (CPSC), thanks to a nationwide public awareness campaign that could be duplicated for the ATV market. Helmet laws are a good first step: helmet use is higher in states that have a helmet law than in states that don't have such a law, but it still lags far behind the ideal.

Parents need to know that children younger than 12 should not be driving an ATV. In our study, 13 percent of the injured children were 5 or younger - some of whom were driving - and another 26 percent were 6 to 10 years old. Parents also need to know that children should not be passengers, hanging on to their parents or sitting on their laps. ATVs are made for lone riders but about 30 percent of the children we treated were passengers. In fact, 90 percent of the children under 5 we treated were passengers.

## **The Manufacturer's Role**

Manufacturers should be required to improve their ATVs with features such as roll bars and safety belts. They have a primary responsibility to educate people about the potential dangers of ATV use, particularly in younger children. Further, they should offer safety courses specifically aimed at children.

ATV injuries in children undoubtedly will continue to increase unless a comprehensive approach is implemented. We support the measures being considered by the CPSC, including pre-sale training and certification requirements, enhanced warning labels, formal notification of safety rules by dealers to buyers and written notification of child injury data at the time of sale. Further, manufacturers need to be required to make their vehicles safer. It's time to curtail the tragedy.

Sincerely,



**Robert Foglia, M.D.**

Surgeon-in-Chief, Medical Director, Trauma and Burn Program, St. Louis Children's Hospital

Associate Professor, Surgery, Washington University School of Medicine

Missouri State Chairman for the American College of Surgeons Committee on Trauma

1. Kelleher CM, Metze SL, Dillon PA, Mychaliska GB, Keshen TH and Foglia RP. Unsafe at any speed – kids riding all-terrain vehicles. *J Pediatric Surgery* 2005 June, 40(6) 929-935.
2. Snyder AK, Chen LE, Foglia RP, Dillon PA and Minkes RK. An analysis of pediatric gunshot wounds treated at a level I pediatric trauma center. *J Trauma Injury, Infection and Critical Care* 2003 June, 54(6).

November 27, 2005

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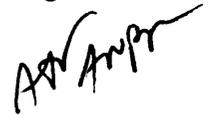
Dear Secretary Stevenson,

In view of the thousands, mainly young people, killed in ATV accidents, I am joining the growing number of people genuinely concerned about the lack of regulations regarding the use of these vehicles.

We are asking the Safety Commission to address this problem. I realize that the Commission has a full agenda. But this problem is crying for attention for the sake of all of us.

Thank you for your attention to this matter.

Sincerely,  
Ski/Bot



**Stevenson, Todd A.**

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**From:** Klein, Camille [kleinc@erie.gov]  
**Sent:** Monday, November 28, 2005 11:04 AM  
**To:** Stevenson, Todd A.  
**Subject:** ATV (All-Terrain Vehicles) Stricter Laws

Dear Secretary Stevenson:

This email is in regards to the use of ATV (All-Terrain Vehicles) more regulated, stricter guidelines and age limits....and detailed instructions...and warnings to parents. If it saves one life, it's worth it.....too many children as well as adults are getting seriously injured and killed. The figures are staggering...in an average month, 12,000 people are injured or killed in ATV accidents. 60% of those under 16 years old.

If this doesn't get on their agenda this year, it can be tabled for another 5 years or so please take action on this matter as it is very important.

Camille Klein

11/29/2005

ATV  
anpr**Stevenson, Todd A.**

**From:** Maria LaMalfa [arteest2@optonline.net]  
**Sent:** Monday, November 28, 2005 11:33 AM  
**To:** Stevenson, Todd A.  
**Subject:** Potential Spam: Death by ATV

28 November 2005

Office of the Secretary  
 U.S. Consumer Product Safety Commission  
 Washington, DC 20207

Regarding: ANPR for ATVs

Dear Secretary Stevenson:

I am writing because I personally know of three people killed in ATV accidents, all adults. I am writing regarding the U.S. Consumer Product Safety Commission's (CPSC) issuance of an Advance Notice of Proposed Rulemaking (ANPR) concerning all-terrain vehicles (ATV's). Based upon the growing and horrifying statistics on injuries and deaths it is clear that the system in place is not effectively protecting people, especially children under 16 years old. The increasing death and injury statistics demand that the CPSC take strong action and make demonstrable changes to the current manner in which ATVs are regulated for health and safety to protect the public.

While ATV regulation and usage is complex, I propose several rather straightforward steps to significantly reduce the risks of serious injury and death from ATVs. In no particular order, I respectfully offer the following recommendations:

1. To the fullest extent of the CPSC's legal jurisdiction, the sale or rental of adult-sized ATVs to anyone under 16 should be prohibited. This should be effective towards ALL ATV dealers, manufacturers, and rental agencies operating in the U.S.
2. In connection with the purchase or rental of an ATV, it should be mandatory that any prospective buyer or renter be advised IN ADVANCE of the death and injury statistics regarding ATV's, including and especially as it relates to children under the age of 16. Such disclosure should be done both orally and in writing, and it should be done in a very straightforward and conspicuous manner. Compliance will be critical to the success of this recommendation and so it should be mandatory that a formal signature always be secured from the purchaser or renter on a document containing such disclosures and that document should be maintained by the dealer or rental agency for compliance testing. Furthermore, there should be very stiff consequences and penalties imposed on any entity that fails to comply with the mandatory disclosure requirement.
3. Concerning the marketing of ATVs, a national and regionally-targeted public awareness campaign should be undertaken that promotes safe and responsible ATV operation and such campaign should advise of the prohibition of children under age 16 riding adult-sized ATV's. In addition, it should be made mandatory that all print, broadcast and internet-based sales and marketing materials for manufacturers, dealers, rental agencies and trade associations include disclosures of the extreme safety risks from ATV operation, including the most recent death and injury statistics and especially noting those involving children under the age of 16. The material should overtly and responsibly advocate safe ATV operation and moreover, all related ad copy for such should be very conspicuous, clearly written, and the font size and bolding should be comparable to all the other language included in the ad copy.
4. While CPSC is considering a broad range of options in this ANPR, we urge CPSC not to take any action that would permit children to operate any ATV that is larger than 90 cc's. Any effort to place children on a vehicle that is larger, heavier or faster than what is currently defined as an "adult-sized" ATV would most certainly be a step backward that would only serve to put our children at an even greater risk of death and injury.

11/29/2005

The present voluntary system is failing. People are being seriously injured and killed at an average of nearly 12,000 per month. A disproportionate number of these victims are young children. Children who not only lack the strength and coordination to physically operate these machines in a safe manner but who also lack the maturity and judgment to operate these vehicles with the appropriate amount of restraint.

A large, unaware and unsuspecting public needs the federal agency with authority over ATVs -- the CPSC -- to step up and take a leadership role in protecting them. The fact that over a hundred thousand deaths and injuries occur every year demands it. The CPSC must take strong, meaningful, and demonstrable actions to stem the annual increase in ATV deaths and injuries. The CPSC must implement steps that are compulsory, not voluntary, and steps that, as appropriate, are required of ATV manufacturers, dealers, rental agencies and trade associations.

Thank you for the opportunity to comment and provide suggestions regarding this important matter.

Respectfully,

Maria LaMalfa

PO Box 2005

St. James, NY 11780

11/29/2005

**Stevenson, Todd A.**

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**From:** George Alderson [george7096@comcast.net]  
**Sent:** Wednesday, November 30, 2005 9:42 AM  
**To:** Stevenson, Todd A.  
**Subject:** ATV ANPR

To the Consumer Product Safety Commission:

We commend the CPSC for initiating this rulemaking to deal with the deaths and injuries caused by the use of all-terrain vehicles (ATV). We understand your focus is particularly on users under the age of 16. We are concerned because we have nieces and nephews in this age group. Everything possible should be done to protect young people from these dangerous vehicles.

We urge the commission to move forward on two fronts: (1) setting requirements for the manufacture and sale of ATVs to reduce the casualties, and (2) recommending to the states that they adopt laws incorporating minimum age limits for riders of ATVs and requiring licensing, registration, training and safety equipment, and barring passengers from ATVs.

We urge CPSC to adopt the following concepts in a rulemaking:

1. A rule that bars the sale of adult-size ATVs for use by children under 16.
2. CPSC should bar the development of "transitional ATVs," the larger and faster vehicles intended for children between 12 and 15. These vehicles would only increase the injuries and death of young people.
3. CPSC should look into why the ATV training program is not getting results, and why so few ATV riders get the training. The new rulemaking should strengthen the training program so all riders would receive the training.
4. CPSC should mandate that sellers of ATVs give data on ATV-related deaths and injuries to anyone buying a vehicle, incorporating information from the CPSC annual report on this subject.

In addition, CPSC should prepare a model bill for state legislatures containing requirements for age limits, licensing, registration, training and safety equipment, and prohibiting the carrying of passengers.

Thank you for considering our views.

Sincerely,

George & Frances Alderson  
112 Hilton Ave.  
Baltimore, MD 21228-5727  
Tel. 410-788-7096  
Email: [george7096@comcast.net](mailto:george7096@comcast.net)

11/30/2005

**Stevenson, Todd A.**

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**From:** Jackie Branch [jbranch@gelia.com]  
**Sent:** Wednesday, November 30, 2005 9:11 AM  
**To:** Stevenson, Todd A.  
**Subject:** ATV ANPR

<<CPSCATVCommentLetter.doc>>

Jackie Branch  
Project Manager  
Gelia Wells & Mohr  
11342 Main St.  
Clarence, NY 14031  
716-629-3238  
716-759-0961

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11/30/2005

**Stevenson, Todd A.**

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**From:** Donna Dilley-Neyman [quad14mom@yahoo.com]  
**Sent:** Wednesday, November 30, 2005 10:53 AM  
**To:** Stevenson, Todd A.  
**Subject:** ATV ANPR

My name is Donna Dilley-Neyman. I am the mother of a 15 yo girl, who races ATV's. I writing this because I am afraid that because ATV riders & their families are basically quiet people who do not want to cause chaos and other people who are unfamiliar with ATV's other than what is portrayed in the media will cause this family sport to be banned.

Let me begin by telling you our story. My daughter has always been fascinated w/ATV's. My family did not have an ATV. We did not race anything. By the age of 5 that is all she wanted to discuss, i.e.engine sizes, steering stabilizers, etc. This not something we pushed she pursued this all on her own.

Finally, when she turned 11 her father bought her a TRX 90. I was not pleased but have always stood behind my children in their interests and have never told them that they could not do anything. The deal she made with her father was he would purchase the ATV, but she had to use her birthday-Christmas money to buy her safety equipment. She bought a helmet, chest protector, kidney belt, boots, pants & shirt. We later purchased a neck brace & knee pads. We felt that if she commented her own money that meant she was truly serious about this sport.

She began practicing on a local race track. Then she became totally smitten with the sport (me, not so much). As we went to more practices and races, I meet other mothers. I learned that ATV racing is a family sport.

After I begun to feel more comfortable with my daughters ability on the ATV, I started to pay more attention to what was happening around me. What I saw were families grilling hot dogs, growing together. We have met the nicest people from all over the country. My daughter now races all over the country. This has truly become a family sport. I change motors & tires between motos. I know more about engines than I ever wanted, but my family is together every weekend. My daughter is not hanging out at the mall. She is not involved with drugs or alcohol. At the National races they even have church service on Sunday mornings.

Sure accidents happen. Yesterday I was watching on TV where a tennis player hit his head on the steel net pole and damaged his spine. A parent at one of the races, who works in the emergency room told me about a teenager who was hit in the head playing golf with a golf ball and his face was paralyzed. My oldest daughter was a cheerleader and was dropped on her neck. Thank god she was ok. My point is accidents happen in every sport. If you go to a race track you will see the extremes that parents go to protect their kids. You'll see the nice families and watch long term friendships develop.

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Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>

11/30/2005

**Stevenson, Todd A.**

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**From:** Tom Weber [tweber@gelia.com]  
**Sent:** Wednesday, November 30, 2005 9:53 AM  
**To:** Stevenson, Todd A.  
**Subject:** CPSCATVCommentLetter

Please take action. Kids are being killed and YOU can stop it.

TOM WEBER

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11/30/2005

**Stevenson, Todd A.**

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**From:** Shirleyann716@aol.com

**Sent:** Wednesday, November 30, 2005 10:37 AM

**To:** Stevenson, Todd A.

**Subject:** No Subject

Dear Secretary Srevenson,

It is imperative that manufacturers have guidelines as to the manufacture of ATVs, and more instructions for parents as to use and age limits, for safety reasons.

Shirleyann Van Dette

11/30/2005

## Stevenson, Todd A.

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**From:** Deborah Shalaby [deshalaby@yahoo.com]  
**Sent:** Wednesday, November 30, 2005 5:23 PM  
**To:** Stevenson, Todd A.  
**Subject:** ATV-ANPR

In response to your article on ATV safety regulations dated October 16, 2005. I don't think enhanced warning labels will do anything, they probably won't be read. Safety rules from dealers to buyers I know that in my area they already do that and they won't sell an ATV to a person if they know that they are under age. Presale training might be good if an adult has to bring the minor child in to complete a safety course.

I am the father of Jeremy Shalaby and the paper was wrong about his age, he was 14 not 17, his brother Josh was 16. Jeremy lived with his mother; we have been divorced for many years. Me and my current wife both own and ride several motorcycles and we both completed a riding safety course. By riding we both know of the dangers that exist when riding and by taking the course it teaches you how to react to different situations.

Jeremy had two friends, which were also brothers, who had bad ATV accidents at different times. So his mother and Jeremy were aware of what could happen. The only way to have prevented Jeremy's accident was to have had the keys put away so the boys could not ride it without supervision. The accident happened because of high speed. This was a one person ATV and there were two on it, the only way to prevent more than one person on a single rider ATV would be to have a seat actuator on it. If another person were to sit on the seat it would have cut off, like a riding mower if the blade is engaged and you get off of the seat it cuts off.

The ATV was bought used through a private party, so a lot of the rules and regulations wouldn't have been enforced on that type of sale. I know other adults that have bought ATV's for small children but when they bought them the dealer was told it was for themselves (the adult). We know of an adult who bought a 50cc dirt bike, from a dealer, for his 3 year old son (this 3 year old couldn't even steer a power wheels, battery operated car, by himself), he told the dealer it was for a 12 year old child, if you have to bring the child in for a safety course this would help eliminate younger driver accidents. If the parents aren't truthful with the dealers, it would be hard to enforce safety courses for minors.

Jeremy had another ATV, it was a 250 which was probably big enough for a 14 year old, the one that he was killed on was a 400 which was more for an adult not a 14 year old. Parents are a big part of the problem, in warm weather in our area there are ATV's out on public roads until 2 or 3 o'clock in the morning the people operating these are usually minors. Where are the parents at or do the parents even care?

Start your day with Yahoo! - Make it your home page!  
<http://www.yahoo.com/r/hs>

## Stevenson, Todd A.

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**From:** Corinne Punturiero [cpunturiero@gelia.com]  
**Sent:** Thursday, December 01, 2005 10:37 AM  
**To:** Stevenson, Todd A.  
**Subject:** ATV ANPR



CPSCATVComment  
Letter.doc (590 ...

Corinne Punturiero

Art Director  
Gelia Wells & Mohr  
(716) 759.0930 ext: 3103  
cpunturiero@gelia.com

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**Stevenson, Todd A.**

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**From:** Karen Rushford [krushford@gelia-media.com]  
**Sent:** Friday, December 02, 2005 10:22 AM  
**To:** Stevenson, Todd A.  
**Subject:** ATV Safety Concerns  
**Importance:** High

Also they are motorized vehicles - institute mandatory driver safety classes for all ages.  
Thank you.

<<CPSCATVCommentLetter.doc>>

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12/2/2005

**Stevenson, Todd A.**

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**From:** JCrinzi@aol.com  
**Sent:** Sunday, December 04, 2005 4:33 PM  
**To:** cpsec-os@cpsec.gov.  
**Cc:** JCrinzi@aol.com  
**Subject:** Potential Spam: ATV ANPR

We appreciate anything you can do for this.

12/6/2005

**Stevenson, Todd A.**

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**From:** Amy Wilson [ajwilson@gelia.com]  
**Sent:** Monday, December 05, 2005 4:21 PM  
**To:** Stevenson, Todd A.  
**Subject:** ATV ANPR

<<CPSCATVCommentLetter.doc>>

Amy Wilson  
Gelia Wells & Mohr  
11342 Main Street  
Clarence NY 14031  
716-629-3211  
716-759-0933 (fax)

The information contained in this message is privileged and/or confidential and is intended only for the use of the individual or entity to whom it is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination or copying of this message is strictly prohibited. If you have received this message in error, please notify my office immediately by reply e-mail to the sender or legal@gelia.com and delete this message. Thank you.

12/6/2005

**Stevenson, Todd A.**

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**From:** ATV Watch [Andrew@ATVWatch.com]  
**Sent:** Monday, December 05, 2005 10:58 AM  
**To:** Stevenson, Todd A.  
**Subject:** ATV Safety

December 3, 2005

Office of the Secretary  
U.S. Consumer Product Safety Commission  
Washington, DC 20207

Regarding: ANPR for ATVs

Dear Secretary Stevenson:

I am director of an organization called ATV Watch. Our group monitors the use of ATVs on public lands. We are concerned with ATV use due to the safety and environmental issues and the resulting social and economic consequences.

Two months ago a 6 year old child was killed while riding an ATV less than a mile from my office. He was with his father (on a separate ATV). When they approached a road crossing the 6 year old simply did not stop. He was hit by two cars. At 6 years of age one does not even allow their child to cross the street without holding their hand, yet they are allowed on ATVs out of reach of their parent's guidance. We see the tragic results every day across the nation.

I urge the CPSC to fulfill its responsibility to protect public health and safety with strong and effective rulemaking. Specifically, I recommend the commission take the following steps to reduce the incidence of ATV deaths and injuries suffered by a largely unaware and unsuspecting public:

1. Prohibit, to the fullest extent of the CPSC's jurisdiction, the sale or rental of adult-sized ATVs for use by anyone under 16 years of age by **ALL** ATV dealers, manufacturers, and rental agencies operating in the U.S.
2. Require mandatory disclosure of death and injury statistics regarding ATV's, especially as related to children under the age of 16, to any prospective buyer or renter **IN ADVANCE** of the purchase or rental of an ATV. **There is simply no reason that people should not be provided with information regarding the safety issues related to ATV use.** Disclosure should be done orally and in writing in a very straightforward and conspicuous manner. The dealer or rental agency should be required to secure a signature from the purchaser or renter on a disclosure document and maintain a copy for compliance testing. There should be serious penalties for failure to comply with the mandatory disclosure requirement.

12/6/2005

3. Require an industry-funded national campaign to raise public awareness of the death and injury risks and of the prohibition of children under age 16 riding adult-sized ATV's. Additionally, make mandatory that all print, broadcast and internet-based sales and marketing materials **from manufacturers, dealers, rental agencies and trade associations** include disclosure of the safety risks, especially emphasizing the extreme risks to children under the age of 16. The material should explicitly disclose the risks associated with ATV use and should be conspicuous, clearly written, and with the font size and bolding comparable to all other language included in the ad copy.

Thank you for the opportunity to comment and provide suggestions regarding this important matter.

Respectfully,  
Andrew Walters, Director  
ATV Watch  
PO Box 34  
Fitzwilliam, New Hampshire 03447  
[www.ATVWatch.com](http://www.ATVWatch.com)

12/6/2005

**Stevenson, Todd A.**

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**From:** Haynez2@aol.com  
**Sent:** Tuesday, December 06, 2005 8:35 PM  
**To:** Stevenson, Todd A.  
**Subject:** ATV-ANPR

Hello,

My name is Bill Gilbert, I am the Program Director for the Michigan ATV Safety Association. We instruct the safe and responsible use of ATVs to those from ages 6 on up to 96 yrs old.

I have reviewed the ANPR and would like to make some recommendations based on my experience of over 23 yrs on 3-4 wheelers and being in the ATV safety and sales industry myself for many years. The Consent Decree was a good start back in 1988, however, having actually worked in ATV sales myself, I find that most ATV Dealerships could care less about the safety of what they sell. And being a safety specialist, the age/cc guidelines are not practical guidelines. We should instead use a proper size/fit method.

Because of my business as an ATV safety Instructor, I frequent about 30 different ATV related dealerships and repair facilities on a regular basis. During my visits, I answer any questions that the sales staff may have regarding local laws, ect. I volunteer my time, my fuel, all at my expense, to form safety meetings with the entire sales staff of any interested dealership to cover these ATV safety laws. The problem as I see it is that MOST dealers do not want to give safety instructors the time of the day to speak to them. And this is terrible since about 90% of all ATV sales staff I visited in the last 5 years are very ignorant to local ORV safety laws and regulations.

I have left business cards with many dealers, requesting that EVERY person and potential buyer, know HOW to reach me, and I come back a month or so later to the same dealership and ask them how ATV sales were for the month?, and they answer "GREAT" we sold 50 this month. I then look to the table that I laid out my business cards at last month and there they lay [business cards] in the same amount/stack that I left them with the last month. Of the 30 or so dealers and ORV repair facilities that I frequent-----Two of them give out safety information to their customers on HOW to reach the LOCAL safety instructor on a regular basis. MOST sales staff do NOT take the time to PROPERLY read the ATV RIDER TRAINING certificate that accompany each new ATV when they close the deal with the buyer. In simple terms, there is NO \$\$ gains for the sales staff to give such information, therefore, most don't care and most won't until they are busted by the manufacture for not abiding by the voluntary Consent Decree agreement.

Problem number two is,

Lack of PARENTAL involvement. Most parents or guardians do NOT understand the inerrant dangers of allowing their youth to operate an ATV because they were NOT properly informed about the dangers and risks at the time they closed the deal with the salesman at their dealership. I have personally WITNESSED sales staff close ATV deals and NOT explain one word in regards to the risks involved in their purchase. A POORLY informed buyer or parent will almost always breed a high injury risk to the operator, whether young or old.

I already know first hand that the voluntary agreement to pass this safety information to new buyers does NOT work to the masses of ATV operators that purchase ATVs.

When youth come to my safety classes, it is MANDIDTORY that at least one parent or guardian sit thru the safety class with their kid if they are under the age of 18 years old. It is my belief after training 1000s of students thru the years, that a WELL INFORMED parent [or gaurdian] will almost always make for a well trained youth, thus reducing injuries. In my classes, we strive to inform the parents of the risks involved with unsafe riding practices.

At the end of my safety classes, I let the PARENT know that the minute they leave the door of this ATV safety class, that their youth do not have instructor Bill to follow them around the training track anymore to tell their kids what they are doing wrong on their ATVs.. I remind the parents that because THEY took an interest in this class to become educated on the risks involved with operating an ATV improperly, that THEY are now their kids INSTRUCTOR. It is my experience that a well INFORMED parent will almost always make for a safe and

12/7/2005

responsible ATVer,thus reducing injuries and deaths .Dealerships do NOT pass on this safety information anything like a properly trained instructor does,if at all!

It is my suggestion that in order to significantly reduce injuries and deaths on ATVs,that all youth under the age of 16 yrs old and at least one of their parent or gaurdian, attend a ORV safety class taught by a properly trained instructor licensed by their home State,[ATV Safety Institute is to restrictive] and once this class is completed,that ALL youth under the age of 16 be under the direct visual supervision of an adult while operating.. I am further recommending that ALL ATV operators[ regardless of age] have at least one ATV safety class certificate before they can ride on public property.

Watch the injury rate decrease dramatically.

Sincerely,

Bill Gilbert  
Michigan ATV Safety Association-DIRECTOR  
810-249-0398  
[haynez2@aol.com](mailto:haynez2@aol.com)

12/7/2005

## Stevenson, Todd A.

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**From:** Pat Flanagan [paflanagan@verizon.net]  
**Sent:** Tuesday, December 06, 2005 8:42 PM  
**To:** Stevenson, Todd A.  
**Subject:** OHV safety for children

To: Office of the Secretary  
Consumer Products Safety Commission by email cpsc-os@cpsc.gov

From: Pat Flanagan P.O. Box 1313 Twentynine Palms, CA 92277 paflanagan@verizon.net

Subject: OHV safety for childre

I live on one of the thousands of dirt roads in San Bernardino County, CA. I am compelled to write because of the many times I have seen very young children riding alone on an OHV that is way too big and powerful. Frequently there is no adult supervision--supervision is provided by an "older" (but old enough?) friend or relative.

I am also writing as a parent and grandparent who clearly sees that kids younger than 16 are not qualified to drive off highway vehicles of any kind. It does not matter if the vehicles have 2,3, or 4 wheels, they all have powerful engines and the drivers and passengers are totally vulnerable in the case of an accident. Generally, society anticipates that parents will use their knowledge and experience to guide their children safely through their sometimes reckless growing up years. In the case of children riding quads, that is just not happening, and it is past time for CPSC to take a stand.

This past Thanksgiving weekend 5 people were killed in traffic collisions while recreating at the Imperial Sand Dunes in California. One, a 5-year-old boy without seatbelts, was ejected when his father's vehicle flipped over an embankment. The Highway Patrol will seek child endangerment charges.

Unfortunately, similar charges are not being considered for Michael Smith, the father of Jayden Smith, 3. Both had a wonderful time, without mishap fortunately, whipping along the dunes, each in their own ATV. Jayden has been riding since he was 10 months old and soon, according to proud Michael, so will Jayden's 10-month-old brother.

These stories are not unique but are recent examples of a spiraling epidemic of parental foolishness. According to CPSC statistics, nationally in 2002, 37,100 children under 16 were treated in hospital emergency rooms for ATV related accidents. Locally, in Children's Hospital and Health Center in San Diego 383 children under 16 were traumatically injured by ATVs from January 2000 to August 2004--117 in the past 11 months. Two hundred injured children were 11 or younger.

Doctor's from Children's Hospital issued a formal plea to parents of children under 16: "Don't let you kids ride all-terrain vehicles. Not under any circumstances."

Dr. Susan Duthie, a pediatric intensive-care specialist at the hospital was quoted: "It is all about life-threatening and life injuring head and cervical spine injuries and broken bones. It is all about parents who say afterward, 'If only I had known.'"

The parents certainly know enough not to put their children behind the wheel of the family car, or to hand them a loaded gun to play with. Children expect their parents to protect them even if they fight against the restraints. But, when it comes to OHVs, parents, in increasing numbers, are not protecting their children. In 2001 97% of all injured children younger than 16 were operating ATVs that were larger than the size recommended for their age group.

The CPSC have long been aware of this OHV abuse and child endangerment yet appear to have difficulty issuing safety regulations for four-wheelers (and why only them?). These regulations are long overdue. Obviously, more education is not the answer, although it could help. According to published statistics, only 13% of the injured ATV riders were aware of a warning label about vehicle size for children under 12 while 38% remembered a warning label for children under 16. And, only 7% of all ATV drivers reported ever

- receiving training from "an organized training program, dealer, or salesman" at any point since they first began driving an ATV. The information is not difficult to find, and training programs are available, why did the parents not seek it out?
- I suggest you compare this problem to the voluntary recall of 522,000 children's folding chairs (Release #05-234) because a faulty safety lock can fail. There were three incidents of injury. Or, the voluntary recall of 1.1 million children's folding chairs (Release #05-233), again with safety lock problems, which can result in severe lacerations and fingertip amputations, with again, three injuries. Or, the voluntary recall of 75,200 kiddy sling chairs at Wal Mart (Release #03-166) with the plastic bolt covers which could pose a choking hazard to small children--no injuries yet reported. We all expect the parents of children at risk from these chairs to return them and the stores to cheerfully refund their money.

We, however, know enough not to expect the parents of the previously outlawed three wheel OHVs to turn them in--those vehicles are still in the news killing children. Nor was their any voluntary buy back program by the manufacturers, following your lawsuit, quite the contrary. If today you fulfill your mission to protect the public from improperly manufactured goods, there will be a great uproar. But, at least, all the kids complaining will be alive to do it.

In lieu of any real reform I suggest there is only one educational message that parents should see. In January 2005, doctors at Pioneer Hospital in Brawley (they treat the children injured or killed in the Imperial Sand Dunes) posted an ATV ad with altered wording:

"Thinking about an ATV for your child?  
Why not just beat him in the head with a baseball bat and cut out the middleman."

**Stevenson, Todd A.**

---

**From:** Wendy Pomerantz [wendy.pomerantz@cchmc.org]  
**Sent:** Thursday, December 08, 2005 10:50 AM  
**To:** Stevenson, Todd A.  
**Subject:** ATV ANPR

Wendy Pomerantz  
3333 Burnet Avenue, ML 2008  
Cincinnati, OH 45229

December 8, 2005

Chairman U.S. Consumer Product Safety Commission  
U.S. Consumer Product Safety Commission  
Washington, DC 20207-0001

Dear Chairman U.S. Consumer Product Safety Commission:

The Honorable Hal Stratton  
Chairman  
U.S. Consumer Product Safety Commission  
Washington, D.C. 20207-0001

Dear Chairman Stratton:

As a Pediatric Emergency Medicine Physician, I would like to take this opportunity to comment on the Advance Notice of Proposed Rulemaking on All-Terrain Vehicles (ATVs) that appeared in the Federal Register on October 6, 2005.

ATVs are extremely dangerous to children. Between 1982 and 2004, over 2,000 children under age 16 were killed in ATV crashes. Injuries sustained by children riding ATVs are often very serious, including severe brain, spinal, abdominal, and orthopedic injuries. Children simply lack the judgment, coordination, and strength to operate these powerful vehicles, just as they do not have the skills needed to safely operate a car.

As the federal agency with jurisdiction over these products, the CPSC must take strong action and lead the nation in efforts to reduce ATV deaths and injuries. The ineffectiveness of past CPSC actions in protecting children is demonstrated by the steady rise in deaths and injuries related to ATV use every year. I echo the longstanding recommendation of the American Academy of Pediatrics that children under 16 not be allowed to operate ATVs of any size. Failing that, the CPSC could protect children by:

-- prohibiting the sale of adult-size ATVs for use by children under age 16; -- requiring all ATVs to be sold with a helmet; and -- discouraging efforts to develop a new generation of ATVs for older children, the so-called "transitional ATV," which would be larger, faster and more powerful than those currently marketed for children.

In general, the CPSC should pursue a multi-pronged approach of banning the sale of ATVs for children, educating retailers and consumers, engaging in meaningful enforcement, and requiring engineering and design changes that will improve ATV safety.

In conclusion, I urge the CPSC to place substantial restrictions on children operating ATVs. If no further action occurs this year, we can expect that next year over 130 children will die and over 40,000 will be injured seriously enough on ATVs to need treatment in the emergency

department. We can and must do better. With decisive action on ATVs, the CPSC can save children's lives and preserve their health.

Sincerely,

Sincerely,

Wendy J. Pomerantz, MD, MS  
513-636-7153

## Stevenson, Todd A.

---

**From:** Gwen McIntosh [gkmcinto@wisc.edu]  
**Sent:** Thursday, December 08, 2005 10:46 AM  
**To:** Stevenson, Todd A.  
**Subject:** ATV ANPR

Gwen McIntosh  
600 Highland Avenue  
Madison, WI 53792-4108

December 8, 2005

Chairman U.S. Consumer Product Safety Commission  
U.S. Consumer Product Safety Commission  
Washington, DC 20207-0001

Dear Chairman U.S. Consumer Product Safety Commission:

The Honorable Hal Stratton  
Chairman  
U.S. Consumer Product Safety Commission  
Washington, D.C. 20207-0001

Dear Chairman Stratton:

As a pediatrician, I would like to take this opportunity to comment on the Advance Notice of Proposed Rulemaking on All-Terrain Vehicles (ATVs) that appeared in the Federal Register on October 6, 2005.

As you may know, ATVs are highly dangerous to children. Between 1982 and 2004, over 2,000 children under age 16 were killed in ATV crashes. Injuries sustained by children riding ATVs are often very serious, including severe brain, spinal, abdominal, and orthopedic injuries. As a physician practicing in Wisconsin, I personally have seen 3 children sustain severe, permanently disabling head and spine injuries due to roll over accidents on ATVs. Children simply lack the judgment, coordination, and strength to operate these powerful vehicles, just as they do not have the skills needed to safely operate a car.

As the federal agency with jurisdiction over these products, the CPSC must take strong action and lead the nation in efforts to reduce ATV deaths and injuries. The ineffectiveness of past CPSC actions in protecting children is demonstrated by the steady rise in deaths and injuries related to ATV use every year. I echo the longstanding recommendation of the American Academy of Pediatrics that children under 16 not be allowed to operate ATVs of any size. Failing that, the CPSC could protect children by:

-- prohibiting the sale of adult-size ATVs for use by children under age 16; -- requiring all ATVs to be sold with a helmet; and -- discouraging efforts to develop a new generation of ATVs for older children, the so-called "transitional ATV," which would be larger, faster and more powerful than those currently marketed for children.

In general, the CPSC should pursue a multi-pronged approach of banning the sale of ATVs for children, educating retailers and consumers, engaging in meaningful enforcement, and requiring engineering and design changes that will improve ATV safety.

In conclusion, I urge the CPSC to place substantial restrictions on children operating ATVs. If no further action occurs this year, we can expect that next year over 130 children will die and over 40,000 will be

• injured seriously enough on ATVs to need treatment in the emergency department. We can and must do better. With decisive action on ATVs, the CPSC can save children's lives and preserve their health. Thank you for your attention to this issue

Sincerely,

Sincerely,

Gwen McIntosh, MD, MPH  
608-265-4864

**Stevenson, Todd A.**

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**From:** Rosemary Nabaweesi [rnabawe1@jhmi.edu]  
**Sent:** Thursday, December 08, 2005 8:40 AM  
**To:** Stevenson, Todd A.  
**Subject:** ATV ANPR

Rosemary Nabaweesi  
600N.Wolfe Str / Harvey 302B  
Baltimore,, MD 21287

December 8, 2005

Chairman U.S. Consumer Product Safety Commission  
U.S. Consumer Product Safety Commission  
Washington, DC 20207-0001

Dear Chairman U.S. Consumer Product Safety Commission:

The Honorable Hal Stratton  
Chairman  
U.S. Consumer Product Safety Commission  
Washington, D.C. 20207-0001

Dear Chairman Stratton:

As a pediatrician, I would like to take this opportunity to comment on the Advance Notice of Proposed Rulemaking on All-Terrain Vehicles (ATVs) that appeared in the Federal Register on October 6, 2005.

ATVs are highly dangerous to children. Between 1982 and 2004, over 2,000 children under age 16 were killed in ATV crashes. Injuries sustained by children riding ATVs are often very serious, including severe brain, spinal, abdominal, and orthopedic injuries. Children simply lack the judgment, coordination, and strength to operate these powerful vehicles, just as they do not have the skills needed to safely operate a car.

As the federal agency with jurisdiction over these products, the CPSC must take strong action and lead the nation in efforts to reduce ATV deaths and injuries. The ineffectiveness of past CPSC actions in protecting children is demonstrated by the steady rise in deaths and injuries related to ATV use every year. I echo the longstanding recommendation of the American Academy of Pediatrics that children under 16 not be allowed to operate ATVs of any size. Failing that, the CPSC could protect children by:

-- prohibiting the sale of adult-size ATVs for use by children under age 16; -- requiring all ATVs to be sold with a helmet; and -- discouraging efforts to develop a new generation of ATVs for older children, the so-called "transitional ATV," which would be larger, faster and more powerful than those currently marketed for children.

In general, the CPSC should pursue a multi-pronged approach of banning the sale of ATVs for children, educating retailers and consumers, engaging in meaningful enforcement, and requiring engineering and design changes that will improve ATV safety.

In conclusion, I urge the CPSC to place substantial restrictions on children operating ATVs. If no further action occurs this year, we can expect that next year over 130 children will die and over 40,000 will be injured seriously enough on ATVs to need treatment in the emergency department. We can and must do better. With decisive action on ATVs, the CPSC can save children's lives and preserve their health.

Sincerely,

Sincerely,

Rosemary

## Stevenson, Todd A.

---

**From:** Barry Markovitz [markovitz@wustl.edu]  
**Sent:** Thursday, December 08, 2005 11:07 AM  
**To:** Stevenson, Todd A.  
**Subject:** ATV ANPR

Barry Markovitz  
One Childrens Place  
St. Louis, MO 63110-1002

December 8, 2005

Chairman U.S. Consumer Product Safety Commission  
U.S. Consumer Product Safety Commission  
Washington, DC 20207-0001

Dear Chairman U.S. Consumer Product Safety Commission:

The Honorable Hal Stratton  
Chairman  
U.S. Consumer Product Safety Commission  
Washington, D.C. 20207-0001

Dear Chairman Stratton:

As a pediatric ICU physician, I would like to take this opportunity to comment on the Advance Notice of Proposed Rulemaking on All-Terrain Vehicles (ATVs) that appeared in the Federal Register on October 6, 2005.

ATVs are highly dangerous to children and unfortunately, I have personally cared for many such children in our pediatric ICU at St. Louis Children's Hospital. Each story was tragic - an "unavoidable accident" - so we are told. Nearly all of these "accidents" were, in fact, preventable.

Nationwide, between 1982 and 2004, over 2,000 children under age 16 were killed in ATV crashes. Injuries sustained by children riding ATVs are often very serious, including severe brain, spinal, abdominal, and orthopedic injuries. Children simply lack the judgment, coordination, and strength to operate these powerful vehicles, just as they do not have the skills needed to safely operate a car.

As the federal agency with jurisdiction over these products, the CPSC must take strong action and lead the nation in efforts to reduce ATV deaths and injuries. The ineffectiveness of past CPSC actions in protecting children is demonstrated by the steady rise in deaths and injuries related to ATV use every year. I echo the longstanding recommendation of the American Academy of Pediatrics that children under 16 not be allowed to operate ATVs of any size. Failing that, the CPSC could protect children by:

-- prohibiting the sale of adult-size ATVs for use by children under age 16; -- requiring all ATVs to be sold with a helmet; and -- discouraging efforts to develop a new generation of ATVs for older children, the so-called "transitional ATV," which would be larger, faster and more powerful than those currently marketed for children.

In general, the CPSC should pursue a multi-pronged approach of banning the sale of ATVs for children, educating retailers and consumers, engaging in meaningful enforcement, and requiring engineering and design changes that will improve ATV safety.

In conclusion, I urge the CPSC to place substantial restrictions on

- children operating ATVs. If no further action occurs this year, we can expect that next year over 130 children will die and over 40,000 will be injured seriously enough on ATVs to need treatment in the emergency department. We can and must do better. With decisive action on ATVs, the CPSC can save children's lives and preserve their health.

Sincerely,

Barry P. Markovitz, MD, MPH  
314-454-6215

## Stevenson, Todd A.

---

**From:** Bassam Gebara [bgebbara@beaumont.edu]  
**Sent:** Thursday, December 08, 2005 10:56 AM  
**To:** Stevenson, Todd A.  
**Subject:** ATV ANPR

Bassam Gebara  
3601 W 13 Mile Rd  
Royal Oak, MI 48073-6712

December 8, 2005

Chairman U.S. Consumer Product Safety Commission  
U.S. Consumer Product Safety Commission  
Washington, DC 20207-0001

Dear Chairman U.S. Consumer Product Safety Commission:

The Honorable Hal Stratton  
Chairman  
U.S. Consumer Product Safety Commission  
Washington, D.C. 20207-0001

Dear Chairman Stratton:

As a pediatrician, I would like to take this opportunity to comment on the Advance Notice of Proposed Rulemaking on All-Terrain Vehicles (ATVs) that appeared in the Federal Register on October 6, 2005.

ATVs are highly dangerous to children. Between 1982 and 2004, over 2,000 children under age 16 were killed in ATV crashes. Injuries sustained by children riding ATVs are often very serious, including severe brain, spinal, abdominal, and orthopedic injuries. Children simply lack the judgment, coordination, and strength to operate these powerful vehicles, just as they do not have the skills needed to safely operate a car.

As the federal agency with jurisdiction over these products, the CPSC must take strong action and lead the nation in efforts to reduce ATV deaths and injuries. The ineffectiveness of past CPSC actions in protecting children is demonstrated by the steady rise in deaths and injuries related to ATV use every year. I echo the longstanding recommendation of the American Academy of Pediatrics that children under 16 not be allowed to operate ATVs of any size. Failing that, the CPSC could protect children by:

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In general, the CPSC should pursue a multi-pronged approach of banning the sale of ATVs for children, educating retailers and consumers, engaging in meaningful enforcement, and requiring engineering and design changes that will improve ATV safety.

In conclusion, I urge the CPSC to place substantial restrictions on children operating ATVs. If no further action occurs this year, we can expect that next year over 130 children will die and over 40,000 will be injured seriously enough on ATVs to need treatment in the emergency department. We can and must do better. With decisive action on ATVs, the CPSC can save children's lives and preserve their health.

Sincerely,

Sincerely,

Bassam Gebara, MD

## Stevenson, Todd A.

---

**From:** Raj Aneja [rajaneja@pol.net]  
**Sent:** Thursday, December 08, 2005 11:31 AM  
**To:** Stevenson, Todd A.  
**Subject:** ATV ANPR

Raj Aneja  
Critical Care Medicine, Children's Hospital of Pittsburgh 3705 5th Ave Pittsburgh, PA  
15213

December 8, 2005

Chairman U.S. Consumer Product Safety Commission  
U.S. Consumer Product Safety Commission  
Washington, DC 20207-0001

Dear Chairman U.S. Consumer Product Safety Commission:

The Honorable Hal Stratton  
Chairman  
U.S. Consumer Product Safety Commission  
Washington, D.C. 20207-0001

Dear Chairman Stratton:

As a pediatrician, I would like to take this opportunity to comment on the Advance Notice of Proposed Rulemaking on All-Terrain Vehicles (ATVs) that appeared in the Federal Register on October 6, 2005.

ATVs are highly dangerous to children. Between 1982 and 2004, over 2,000 children under age 16 were killed in ATV crashes. Injuries sustained by children riding ATVs are often very serious, including severe brain, spinal, abdominal, and orthopedic injuries. Children simply lack the judgment, coordination, and strength to operate these powerful vehicles, just as they do not have the skills needed to safely operate a car.

As the federal agency with jurisdiction over these products, the CPSC must take strong action and lead the nation in efforts to reduce ATV deaths and injuries. The ineffectiveness of past CPSC actions in protecting children is demonstrated by the steady rise in deaths and injuries related to ATV use every year. I echo the longstanding recommendation of the American Academy of Pediatrics that children under 16 not be allowed to operate ATVs of any size. Failing that, the CPSC could protect children by:

-- prohibiting the sale of adult-size ATVs for use by children under age 16; -- requiring all ATVs to be sold with a helmet; and -- discouraging efforts to develop a new generation of ATVs for older children, the so-called "transitional ATV," which would be larger, faster and more powerful than those currently marketed for children.

In general, the CPSC should pursue a multi-pronged approach of banning the sale of ATVs for children, educating retailers and consumers, engaging in meaningful enforcement, and requiring engineering and design changes that will improve ATV safety.

In conclusion, I urge the CPSC to place substantial restrictions on children operating ATVs. If no further action occurs this year, we can expect that next year over 130 children will die and over 40,000 will be injured seriously enough on ATVs to need treatment in the emergency department. We can and must do better. With decisive action on ATVs, the CPSC can save children's lives and preserve their health.

Sincerely,

Sincerely,

Raj Aneja  
412-692-7366

## Stevenson, Todd A.

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**From:** Vikki Stefans [vstefans@george.ach.uams.edu]  
**Sent:** Thursday, December 08, 2005 2:39 PM  
**To:** Stevenson, Todd A.  
**Subject:** Potential Spam: ATV ANPR

Vikki Stefans  
Arkansas Children's Hospital, 800 Marshall St.  
Little Rock, AR 72204

December 8, 2005

Chairman U.S. Consumer Product Safety Commission  
U.S. Consumer Product Safety Commission  
Washington, DC 20207-0001

Dear Chairman U.S. Consumer Product Safety Commission:

The Honorable Hal Stratton  
Chairman  
U.S. Consumer Product Safety Commission  
Washington, D.C. 20207-0001

Dear Chairman Stratton:

As a pediatrician and physiatrist, I would like to take this opportunity to comment on the Advance Notice of Proposed Rulemaking on All-Terrain Vehicles (ATVs) that appeared in the Federal Register on October 6, 2005.

ATVs are highly dangerous to children. Between 1982 and 2004, over 2,000 children under age 16 were killed in ATV crashes; survivors often sustain severe brain and spinal cord injuries which then come to my attention requiring extensive inpatient rehabilitation and result in permanent disability. Children, particularly younger children, lack the judgment, coordination, and strength to operate today's larger and more powerful vehicles, and families in Arkansas often do not realize this. Some families in Arkansas permit underage unlicensed driving of automobiles, but even those which do not, typically fail to appreciate that the modern ATV is neither a toy or a safe, low-powered recreational item. Children may be permitted to ride, often unhelmeted, with a more experienced driver, or may even be permitted to drive without any real grasp of the risks involved. At times, children will access and attempt to drive a vehicle without permission, which in the case of younger children almost inevitably results in a crash situation in a short time.

As the federal agency with jurisdiction over these products, the CPSC must take strong action and lead the nation in efforts to reduce ATV deaths and injuries. The ineffectiveness of past CPSC actions in protecting children is demonstrated by the steady rise in deaths and injuries related to ATV use every year. I echo the longstanding recommendation of the American Academy of Pediatrics that children under 16 not be allowed to operate ATVs of any size, ride as a passenger on ATVs designed for single driver use, or ride in an capacity without helmets.

If this is not immediately politically feasible, then we should at least attempt to:

1. Prohibit the marketing and sale of adult-size ATVs for use by children under age 16.
2. Require all ATVs to be sold with a helmet.
3. Discourage efforts to develop the so-called "transitional ATV," which would be larger, faster and more powerful than those currently marketed for

CPSC can save children's lives and preserve their health.

Sincerely,

Sincerely,

Mary Aitken, MD MPH  
501 364-2716

## Stevenson, Todd A.

---

**From:** Laura Fitzmaurice [lfitzmaurice@cmh.edu]  
**Sent:** Thursday, December 08, 2005 4:48 PM  
**To:** Stevenson, Todd A.  
**Subject:** ATV ANPR

Laura Fitzmaurice  
4301 SW Hickory Ln  
Blue Springs, MO 64015-4518

December 8, 2005

Chairman U.S. Consumer Product Safety Commission  
U.S. Consumer Product Safety Commission  
Washington, DC 20207-0001

Dear Chairman U.S. Consumer Product Safety Commission:

The Honorable Hal Stratton  
Chairman  
U.S. Consumer Product Safety Commission  
Washington, D.C. 20207-0001

Dear Chairman Stratton:

As a pediatrician, I would like to take this opportunity to comment on the Advance Notice of Proposed Rulemaking on All-Terrain Vehicles (ATVs) that appeared in the Federal Register on October 6, 2005.

ATVs are highly dangerous to children. Between 1982 and 2004, over 2,000 children under age 16 were killed in ATV crashes. Injuries sustained by children riding ATVs are often very serious, including severe brain, spinal, abdominal, and orthopedic injuries. Children simply lack the judgment, coordination, and strength to operate these powerful vehicles, just as they do not have the skills needed to safely operate a car.

As the federal agency with jurisdiction over these products, the CPSC must take strong action and lead the nation in efforts to reduce ATV deaths and injuries. The ineffectiveness of past CPSC actions in protecting children is demonstrated by the steady rise in deaths and injuries related to ATV use every year. I echo the longstanding recommendation of the American Academy of Pediatrics that children under 16 not be allowed to operate ATVs of any size. Failing that, the CPSC could protect children by:

-- prohibiting the sale of adult-size ATVs for use by children under age 16; -- requiring all ATVs to be sold with a helmet; and -- discouraging efforts to develop a new generation of ATVs for older children, the so-called "transitional ATV," which would be larger, faster and more powerful than those currently marketed for children.

In general, the CPSC should pursue a multi-pronged approach of banning the sale of ATVs for children, educating retailers and consumers, engaging in meaningful enforcement, and requiring engineering and design changes that will improve ATV safety.

In conclusion, I urge the CPSC to place substantial restrictions on children operating ATVs. If no further action occurs this year, we can expect that next year over 130 children will die and over 40,000 will be injured seriously enough on ATVs to need treatment in the emergency department. We can and must do better. With decisive action on ATVs, the CPSC can save children's lives and preserve their health.

Sincerely,

Sincerely,

Laura Fitzmaurice MD

## Stevenson, Todd A.

---

**From:** MD MPH Mary Aitken [aitkenmarye@uams.edu]  
**Sent:** Thursday, December 08, 2005 12:38 PM  
**To:** Stevenson, Todd A.  
**Subject:** ATV ANPR

MD MPH Mary Aitken  
800 Marshall Street  
Little Rock, AR 72202-3510

December 8, 2005

Chairman U.S. Consumer Product Safety Commission  
U.S. Consumer Product Safety Commission  
Washington, DC 20207-0001

Dear Chairman U.S. Consumer Product Safety Commission:

The Honorable Hal Stratton  
Chairman  
U.S. Consumer Product Safety Commission  
Washington, D.C. 20207-0001

Dear Chairman Stratton:

As a pediatrician and injury prevention researcher, I would like to take this opportunity to comment on the Advance Notice of Proposed Rulemaking on All-Terrain Vehicles (ATVs) that appeared in the Federal Register on October 6, 2005.

ATVs are highly dangerous to children. Between 1982 and 2004, over 2,000 children under age 16 were killed in ATV crashes. Injuries sustained by children riding ATVs are often very serious, including severe brain, spinal, abdominal, and orthopedic injuries. Children simply lack the judgment, coordination, and strength to operate these powerful vehicles, just as they do not have the skills needed to safely operate a car.

As the federal agency with jurisdiction over these products, the CPSC must take strong action and lead the nation in efforts to reduce ATV deaths and injuries. The ineffectiveness of past CPSC actions in protecting children is demonstrated by the steady rise in deaths and injuries related to ATV use every year. I echo the longstanding recommendation of the American Academy of Pediatrics that children under 16 not be allowed to operate ATVs of any size. Failing that, the CPSC could protect children by:

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In general, the CPSC should pursue a multi-pronged approach of banning the sale of ATVs for children, educating retailers and consumers, engaging in meaningful enforcement, and requiring engineering and design changes that will improve ATV safety.

In conclusion, I urge the CPSC to place substantial restrictions on children operating ATVs. If no further action occurs this year, we can expect that next year over 130 children will die and over 40,000 will be injured seriously enough on ATVs to need treatment in the emergency department. We can and must do better. With decisive action on ATVs, the

children. 4. Greatly intensify efforts towards education of retailers and consumers. 5. Promote meaningful enforcement of any and all rules and restrictions, and require engineering and design changes that will improve ATV safety.

If we fail to act we can expect that next year over 130 children will die, over 40,000 will be injured seriously enough on ATVs to need emergency care and the proportion of these with severe life-changing injuries will continue to rise. We can and must do better. With decisive action on ATVs, the CPSC can save children's lives and prevent long-term disability.

Sincerely,

Sincerely,

Vikki Stefans M.D.  
501 364 4374

The Honorable Hal Stratton  
Chairman  
US Consumer Product Safety Commission  
Washington, D.C. 20207-0001

Dear Chairman Stratton:

We are writing to you as All-Terrain Vehicle riders and would like to take this opportunity to comment on the Advance Notice of Proposed Rulemaking on All-Terrain Vehicles (ATVs) that appeared in the Federal Register on October 14, 2005.

We support your efforts to make ATVs a safer activity for our youth. Research has shown that more than 92% of all ATV crashes involve one or more user behaviors that are strongly and visibly "warned against" by the industry. These risky and irresponsible behaviors include children riding adult sized ATVs, riding without a helmet, riding with a passenger, riding on public roads, and riding at excessive speed.

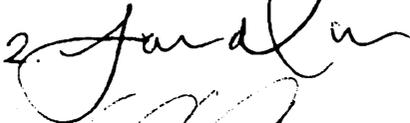
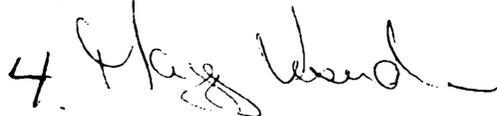
In Texas, the percentage of fatalities sustained by riders under 14 declined from 41% to 24% in 1988 once a Texas Law was enacted which required all ATV operators under 14 by accompanied by an adult and after enforcing safety certification.

The CPSC should protect children by:

1. Requiring protective gear including eye protection, chest protection and an approved safety helmet
2. Requiring adult supervision especially in children less than age 14
3. Promoting education on ATV safety and hands-on training for ATV operators
4. Establishing necessary safety certification for children operating an ATV
5. Prohibiting carrying of passengers
6. Ensuring parents are aware of operator age restrictions prior to purchase of ATV
7. Establishing media campaigns to increase ATV injury awareness among children and parents

Having children ride ATVs safely can be beneficial in that it fosters responsibility. We believe that it is a family oriented activity that deters our children from gangs and drugs.

State legislation, along with education, training and parental supervision are the keys to influencing rider behavior and decreasing ATV associated injuries. Thank you very much for your time.

1.   
2.   
3.   
4. 

5. Georgiana J. Moreno

6. Luis Alonzo

7. Chupre

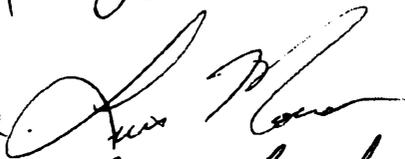
8. Simone y el C

9. Jim Burke

10. 



11. ~~Jesse~~ Compton

12. 

13. Gary Casella