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ATV Injuries and Deaths Spiral Upward

CPSC Votes to Move Forward on ATV Rulemaking

Washington, DC – For the third year in a row, serious injuries caused by all-terrain vehicles (ATVs) topped record levels for all riders, and children under age 16 continued to suffer increasingly more injuries. As the toll on children continues to mount, the U.S. Consumer Product Safety Commission (CPSC) announced that it voted to issue an Advanced Notice of Proposed Rulemaking (ANPR) regarding the risks of injury and death posed by ATVs, and voted to defer a 2002 petition from Consumer Federation of America (CFA), American Academy of Pediatrics (AAP) and seven other organizations. The petition requested that CPSC ban the sale of adult-size ATVs for use by children.

“The profound increase in injuries and deaths caused by ATVs show how pervasive this national epidemic has become. This tragic problem is in need of an aggressive and immediate solution by CPSC and state governments,” stated Rachel Weintraub, Director of Product Safety for Consumer Federation of America. “We are cautiously optimistic that the ANPR issued today, which includes the substance of our petition as a possible solution, will begin a serious effort to curb the rising tide of injuries and deaths.”

“Pediatric emergency department physicians have learned to expect devastating injuries when a child crashes an ATV,” stated Gary Smith, MD, DrPH, FAAP, Chair of the AAP Committee on Injury, Violence and Poison Prevention. “In 2004, ATVs killed at least 130 children and injured over 44,000. This is the equivalent of two school buses full of children dying and the entire population of Palm Springs, California being severely injured. For almost 20 years, physicians and consumer advocates have been pressing the CPSC to pass meaningful regulations to reduce the carnage. It's time for real action.”

The CPSC released its 2004 Annual Report on ATV-related Deaths and Injuries yesterday. Major findings include:

- Serious injuries requiring emergency room treatment increased almost eight percent from 125,500 in 2003 to 136,100 in 2004.
- The estimated number of ATV-related fatalities increased from 617 in 2002 to 740 in 2003 - another gruesome record.
- In 2004, ATVs killed at least 130 children younger than 16 accounting for 28 percent of fatalities.
- Children under 16 suffered 44,700 serious injuries in 2004 – or 33 percent of all injuries. This is an almost 16 percent increase from 2003 when children suffered 38,600 serious injuries. This increase in 2004 is statistically significant.

- Between 1985 and 2004, children under 16 accounted for 31 percent of all injuries.

The CPSC data includes a risk estimate of ATV injuries per 10,000 four-wheel ATVs. The risk estimate for 2004 is 187.9 for 2004 as compared to 188.4 in 2003. According to CPSC, this slight reduction is not statistically significant.

More than three years after doctors, nurses, consumer advocates and others demanded action, through filing a petition with CPSC, the agency has commenced a rulemaking process to formally study the problem and potential solutions. In June, CPSC Chairman Hal Stratton directed Commission staff to explore several issues. This “broad review” has now been issued as an Advanced Notice of Proposed Rulemaking (ANPR) and could ultimately lead CPSC to take regulatory or non-regulatory action to protect consumers from ATV deaths and injuries. An ANPR is the first stage of multi stage rulemaking process. There is no timeline for the full process, though the public has 60 days to respond to this ANPR.

While the ANPR sets out many issues to evaluate, one in particular is of concern to consumer and practitioner advocate – the development of a “transitional ATV” for children 14 and older. These ATVs would likely have engines larger than those currently recommended for children under 16. The CPSC, industry 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.

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Consumer Federation of America is a non-profit association of 300 consumer groups, with a combined membership of more than 50 million people. CFA was founded in 1968 to advance the consumers' interest through advocacy and education. www.consumerfed.org

American Academy of Pediatrics is an organization of 60,000 primary care pediatricians, pediatric medical subspecialists and pediatric surgical specialists dedicated to the health, safety and well being of infants, children, adolescents and young adults. www.aap.org