



MEMBER



OFF-ROAD BUSINESS ASSOCIATION, Inc.

August 8, 2005

## **ATV INDUSTRY UNDER ATTACK!**

**IF YOUR BUSINESS WOULD SUFFER IF SALES OF ATV'S FOR USE BY KIDS UNDER 16 YEARS OF AGE WERE TERMINATED – YOU NEED TO READ THIS DOCUMENT CAREFULLY AND IN ITS ENTIRETY!**

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*There is a major effort underway in this country to pass legislation making it illegal for children under sixteen years of age to drive All Terrain Vehicles (ATV's). Consider the following examples:*

**Attack in Washington, DC** (July, 2005) – ORBA's President, Roy Denner, testified at a Congressional Oversight Hearing in Washington, DC on "Motorized Recreation on Public Lands." Also testifying on the same panel was Doctor Mary Dowd, emergency room physician and chief of injury prevention for Children's Mercy Hospital in Kansas City. Dr. Dowd provided statistics on the number of injuries and deaths she had witnessed resulting from kids riding ATV's. She went into vivid detail – for the benefit of the Congressional Subcommittee members – about a case where a child's "head was impaled on the handlebar of a second vehicle." She stated that "part of the ATV brake handle protruded from the left side of his face, near his cheekbone, with brain extruding from the wound." Obviously, the testimony is an example of the good doctor's idea of what is important about Motorized Recreation on Public Lands. She testified on behalf of the American Academy of Pediatrics. Her organization's goal is to get legislation passed making it illegal for any child under 16 to drive an ATV anywhere! The American Academy of Pediatrics, the American College of Emergency Physicians and a half-dozen other medical, conservation and consumer groups are supporting this effort.

As part of his testimony, Denner submitted the results of a study done by Stanford Sports Injury Statistics that compares injuries and deaths to children under 14 resulting from all forms of sports that kids participate in. Considering football, soccer, baseball, bicycling, skateboarding, trampolines, and many other physically active sports, injuries resulting from ATV use were found to be very low in comparison! The Consumer Product Safety Commission (CPSC) quietly released a study in the fall of 2002 that shows, on a per capita basis, ATV-related injuries were lower than most other recreational activities. When put into the proper context, kids riding ATV's (with the proper protective equipment and the proper training) appears to be a relatively safe form of recreation.

On July 6<sup>th</sup> of this year, the CPSC announced the formation of an ATV Safety Review Team to look into improving the ATV safety of young riders. The team will look into evaluating a number of ATV safety-related proposals. This is partly in response to a petition filed by a number of special interest groups lobbying to ban the sale of adult-

sized ATV's to riders under 16. Those groups include the Bluewater Network, Consumer Federation of America and the Natural Trails and Waters Coalition. The Specialty Vehicle Institute of America is supporting the CPSC's contention that the problem has to do with the proper **use** of ATV's, not the improper **sale** of those products.

With his Congressional Hearing testimony, Denner also submitted a copy of an article run in USA TODAY titled "[Childhood Pastimes are Increasingly Moving Indoors.](#)" The author cites surveys done by the Kaiser Family Foundation and the Center for Disease Control that conclude that a child is six times more likely to play a video game on a typical day than to ride a bike. [Video games and the Internet are making our kids indoor couch potatoes!](#)

**Attack by CBS TV** (March, 2005) - During March, 2005 Dan Rather hosted a TV series on CBS suggesting that ATV's are killing our kids. The series featured a ten year-old who was killed while riding an ATV on his parents' farm. The announcer stated that he was killed when his ATV rolled over on him and crushed him. Obviously, there had to be extenuating circumstances that were not described. It is unlikely that the weight of an ATV sitting on top of a 10-year-old would crush his body. Of course, they played up the suffering of the child's parents who admitted that they made a mistake letting the boy ride the large ATV.

CBS showed pictures of a small child riding a large quad on his knees through a stream - over and over again. They cited the fact that the number of children killed on ATV's has doubled since 1993. They don't say that the number of kids riding ATV's has probably increased by a factor of 10 over that time period. [In reality, the safety record is improving significantly!](#)

The second part of the Dan Rather series depicted a salesman for an ATV dealer who pointed out to potential buyers that the ATV they were considering buying was too large for their 12-year-old. Then, on camera, he stepped off of company property and told the same parents that the 12-year-old would do fine with that ATV. Talk about "dirty journalism."

**Attack by San Diego Childrens' Hospital** (November, 2004) – Several nurses from the San Diego Children's Hospital held a press conference during November of 2004. They presented a detailed list of injuries suffered by children in the ATV-active San Diego area. The statistics are undoubtedly true and certainly horrifying. But, as described above, relative to other sports injuries they are low by comparison. Would they make it illegal for kids to participate in any form of outdoor sports? [If a study showed that kids slip on the soap in the bathtub and fracture their skulls, would they make it illegal for kids to take baths?](#)

When contacted by the Off-Road Business Association (ORBA), local media representatives came to the ORBA office and interviewed OHV leaders. The following is an excerpt from the San Diego Union Tribune following the interview:

[If injuries have escalated, it's because the number of riders has risen astronomically](#), said Roy Denner, president of the Off-Road Business Association, a national trade group based in Santee. "This is not Nintendo. It's an active sport," he said. "Have they compared it with hockey or skateboarding? I see where this is going: Have all kids stay home watching television." Besides, Denner said, ATV events are largely family gatherings. "Think what your kid might be doing if he weren't riding – maybe drive-by shooting or doing drugs or graffiti or who knows what?"

**Attack in Arroyo Grande, CA** (July, 2005) – A doctor from the Arroyo Grande Community hospital used the local media as a platform for his personal agenda attempting to halt ATV recreation for kids under 14 years of age. An article in the Los Angeles Times on July 26 titled [“Too Young, Too Fast, Too Furious”](#) states that Dr. Larry Foreman “has launched a one-man crusade seeking a law to ban children 14 years or younger from riding the popular three-wheelers and quad-runners on public land in California.”

Responding to letters from ORBA’s President and other OHV leaders, the President of the hospital writes back saying that the doctor in question is acting entirely on his own – without the hospital’s support. The L.A. Times article quotes Dr. Foreman as saying that he used hospital records and personal medical files to support his position. On a radio talk show the doctor gave the hospital’s phone number for listeners to call in. Individuals like this are finding significant public resources to advance their agenda!

**Conclusion:** These are just a few examples of the growing attack on kids under 16 participating in ATV recreation. [ORBA sees a need to defend against this attack and to develop a counteroffensive movement on behalf of the ATV industry!](#) We believe the counter-offensive should be initiated on three primary fronts:

- [Education](#) – The ever-growing number of ATV enthusiasts need to be thoroughly educated regarding safe riding techniques and the importance of wearing the appropriate protective gear while riding. Several national organizations – and some major manufacturers already have good programs in place to address this need. But, there is always room for improvement when it comes to education!
- [Media Promotion](#) – Local and national media organizations need to help spread the word that there are many compensating positive factors associated with ATV recreation that far outweigh the risk element. How many other activities have teenagers and young adults anxious to spend their weekends and vacations with their families? What is the value of using family-owned ATV’s as incentives to encourage young people to do their homework and get good marks in school? How valuable is the ATV riding experience for teenagers ready to hit the road with a new driver’s license? Are ATV’s a good way to keep kids involved with outdoor recreation?  
[The media needs to be convinced that it would be useful to promote the positive aspects of kids and ATV’s.](#)
- [Political Lobbying](#) – Those organizations that would take kids under 16 years old out of the family OHV recreation program have long recognized the value of

lobbying State and Federal lawmakers to support their position. The OHV recreation industry has been relatively ineffective in this area. Many of the major ATV manufacturers are of foreign origin and they need to concern themselves with being politically correct to successfully promote their products in this country so their lobbying efforts are necessarily limited. A strong lobbying effort is needed to educate legislators about the value of OHV recreation – both social and economic. Legislators cannot be expected to support OHV issues if they don't understand the value of this form of recreation in this country.

### **ORBA'S ROLE:**

- [Political](#) – ORBA representatives are very active in State and Federal politics - employing the support of Lobbyists at both levels. ORBA has its own Political Action Committee that helps with campaigns conducted by legislators that support motorized recreation. ORBA's President has been invited by Congress to testify in several important Congressional Hearings in Washington, DC and at other sites around the country. ORBA's President was instrumental in getting language inserted into the House Appropriations Bill that prevents fees paid at recreation sites from being used for environmental monitoring studies.

Much, much more needs to be done in this area. Fortunately, ORBA's lobbying efforts are not constrained by the need to be politically correct. All political actions are based strictly on what is best for the motorized OHV industry! ORBA's political efforts are constrained solely by the limited financial resources.

- [Media](#) – In conjunction with major motorized OHV companies in the U.S., ORBA is in the process of organizing a national media campaign to enhance the image of OHV recreation.
- [Education](#) – Since there are a number of very good OHV education efforts already in process, ORBA is prepared to support those efforts as resources available will allow.

**YOUR HELP IS NEEDED!** – By becoming a member of ORBA's team you can support the only non-profit motorized OHV trade association in the U.S. (maybe in the universe!)

Go to ORBA's website at [www.orba.biz](http://www.orba.biz) and look at our track record. ORBA's member list reads like the who's-who of the motorized OHV industry (except maybe for your company's name if you are not a member of your trade association).

Please help us stop this effort to curtail the use of ATV's by the younger members of our OHV recreation families. ORBA can continue to achieve bigger and better successes with your help. Limited resources is ORBA's only constraining factor!

*\*\*\* A flyer with an application to become a member of ORBA's team is enclosed \*\*\**

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