

TO: Members of the Assembly Committee on Transportation

DATE: August 26, 2021

RE: Opposition to AB372/SB368 – Passenger restrictions on all-terrain vehicles

FROM: *(Listed in alphabetical order)*

Children's Wisconsin

Gundersen Health System

Marshfield Children's Hospital

National Children's Center for Rural and Agricultural Health and Safety

Safe Kids Coulee Region

Safe Kids Madison Area

Safe Kids Southeast Wisconsin

Safe Kids Wisconsin

UW Health American Family Children's Hospital

Wisconsin Chapter of the American Academy of Pediatrics

The manufacturers of all-terrain vehicles (ATVs), the ATV Safety Institute, and the Consumer Product Safety Commission (CPSC) specify that single rider ATVs should not have additional passengers on the vehicle. Current Wisconsin law, passed last session, aligns with this guidance to only allow passengers on vehicles originally manufactured for additional riders. Wisconsin law currently adheres to industry safety recommendations and helps protect children and adults from preventable injuries.

Many ATVs are designed for a single rider and are rider-active vehicles, requiring the driver to use their body to maneuver hills and turns. As passengers are added, the space for the driver to actively drive the ATV is impacted, limiting the ability to operate the vehicle safely. Aftermarket products have been developed to make the seating area more comfortable and appear to be safer for a passenger. Yet, manufacturers of these aftermarket products specify they are not to be used when the vehicle is moving. We are especially concerned about the use of aftermarket products to accommodate child passengers. While these aftermarket products exist and have been used in the past, it does not mean they are safe or represent the ATV manufacturers' intended use of their products.

Each year hundreds of deaths occur from ATV use in the United States and hundreds of thousands are injured. A [2020 CPSC report](#) ranks Wisconsin in the top 10 states for high numbers of fatal incidents from ATVs and other off highway vehicles. CPSC also reports that 25% of ATV injuries and fatalities are to passengers of the vehicle. Ensuring that Wisconsin continues to regulate ATVs not intended for passengers will prevent injuries and save lives.

According to the Wisconsin Department of Natural Resources' (DNR) [2019 Recreational Vehicle Annual Report](#), of the 366 non-fatal recreational vehicle incidents reported in 2019, nearly one-third were related to ATV use. The DNR acknowledges that incidents may go unreported, so the number of accidents related to ATV use may be higher. In 2019, reported ATV accidents in Wisconsin resulted in nearly 100 injuries, nearly 20% of which were among children ages 10-18, as well as 16 fatalities.

Please consider opposing this legislation and upholding current law to prohibit additional persons from riding on ATVs not manufactured for passengers. This will help promote safety and prevent injuries associated with ATV use.