

Massachusetts Prevent Injuries NOW! Network

January 31, 2008

The Hon. Joseph Wagner, House Chairman

Joint Committee on Transportation
State House, Room 136
Boston, MA 02133

Dear Chairman Wagner:

I am writing in support of legislation that you are considering which would protect children from injuries and death that result from All-Terrain Vehicle (ATV) crashes. This legislation originally was contained in the proposed HB #3592, a bill currently before the Joint Committee on Transportation. It is our understanding that the Committee is in the process of redrafting this legislation. The Massachusetts Prevent Injuries Now! Network (MassPINN) wishes to go on record as advocating for two provisions in any redraft of H 3592 that may emanate from your committee in the weeks and months ahead.

First, we would favor the outright prohibition of the sale to, or use of, four-wheel all-terrain vehicles OF ANY SIZE AND SPEED by children under the age of sixteen.

Second, we would oppose any legislation that would substitute "training" or "education" programs for children, in lieu of an outright ban. We believe ATVs should be regulated in Massachusetts in the same fashion as personal watercraft. Injury data backs these assertions, and I sincerely hope the Committee will adopt our recommendations before releasing any legislation governing all-terrain vehicles to the floor of the House.

Medical experts, both here in Massachusetts and across the country, have become alarmed by the growing numbers of children brought into Massachusetts hospitals with All Terrain Vehicle injuries. The Injury Surveillance Program at the Massachusetts Department of Public Health reported that between 2004 and 2005 All Terrain Vehicle (ATV) driving injured 935 Massachusetts children under the age of 16.

Children riding ATV's continue to suffer preventable injuries. Several medical organizations including the American Academy of Pediatrics have released guidelines recommending that children <16 years old not be allowed to operate off-road vehicles.¹ The best way to protect children from injuries on these vehicles is to restrict ridership. Standard prevention techniques of safety gear and speed restrictions do not alter the injury patterns or incidence of severe injuries to children.

ATVs are unstable vehicles that can sustain speeds of 30 to 50 mph, making them especially unsafe for children who lack the fundamental maturity and judgment to operate motorized vehicles. In 2002, children younger than 16 years of age made up 33% of the total ATV reported deaths to the US Consumer Product Safety Commission (CPSC), with children less than 12 years of age

accounting for 10% of total deaths. The estimated injury rate for children 16 years old or younger in 1 state was 3.4 per 100 registered ATVs.

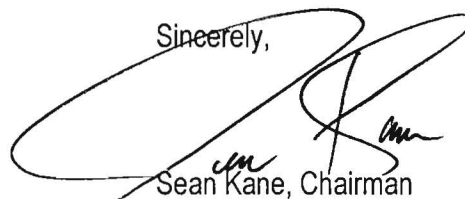
Further, younger child age has been associated with a higher risk of injury. Several studies confirm the morbidity from ATV use, with more than 40 percent of the children requiring intensive care and more than 8% of children requiring inpatient rehabilitation post-hospitalization. Head and facial injuries comprised the largest number of injuries in this series; however, more than half of the injuries sustained were to other body areas.

Death occurs in an estimated 1 out of every 16 ATV crashes involving this pediatric population. Although helmet use was associated with a better Glasgow Coma Score (GCS), helmets were still worn by 19 percent of children who died from head injury. Furthermore, more than half of the children who died did so from causes other than head injury including spinal cord, thoracic, and abdominal injuries and asphyxiation. These types of injuries are unlikely to be affected by helmet use.

ATV deaths have been increasing yearly from 1997 through 2007. The CPSC reports that 37 percent of all injuries; and fully one-third of all fatalities due to ATV use since 1985 have occurred in children under the age of 16. This makes consideration of ATV legislation an important public health issue. States considering regulation of ATV use by children may wish to consider following the American Academy of Pediatric guidelines as the most effective way of preventing ATV-related injury and death. These recommendations include no use of ATVs by children under age 16. For adults, the recommendations include use of protective gear for the head and eyes, no nighttime driving, no concurrent use of alcohol, and no driving with a passenger.

I respectfully urge you to exercise your leadership to ensure that the Massachusetts State Legislature ratifies a ban on ATV use by children under age 16 so that we can protect our most precious resource, the children of the Commonwealth.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sean Kane', is written over the word 'Sincerely,'. The signature is stylized and somewhat cursive.

Sean Kane, Chairman

Mass Prevent Injuries NOW! Network