



February 17, 2016

The Honorable Beth Martinez Humenik
 Senate Local Government Committee
 State Capitol
 200 E. Colfax
 Denver, CO 80203

Dear Senator Martinez Humenik:

The Specialty Vehicle Institute of America (SVIA) is the national not-for-profit trade association representing manufacturers and distributors of all-terrain vehicles (ATVs) in the United States. SVIA's major goal is to promote the safe and responsible use of ATVs.

SVIA opposes HB 1030 which relates to the regulation of off-highway vehicle operation on certain roads. SVIA opposes the use of ATVs on any public roads.

Tens of millions of ATV users ride their ATVs in a safe and appropriate manner every day. In addition to their popularity for responsible outdoor recreation, they are tremendously useful products and have become an essential tool for farmers, law enforcement officials, the military and others.

The majority of accidents and injuries are caused by misuse of the ATV. Ninety-two percent of ATV-related fatalities involve behaviors that the Industry warns against in its rider education programs, in all literature and on vehicle labels. These behaviors include children riding adult-sized ATVs, operating on paved roads, operating without a helmet or other protective safety gear, carrying passengers on single-rider ATVs and operating under the influence of alcohol.

ATVs are designed, manufactured and sold for off-road use only. On-road vehicles must be manufactured and certified to comply with U.S. Department of Transportation Federal Motor Vehicle Safety Standards (FMVSS). These safety standards consist of extensive and detailed compliance requirements. Since ATVs are not intended to be used on-road, they are not designed, equipped or tested to meet such standards. Permitting on-road use of ATVs, including modified ATVs, would be in conflict with manufacturers' intentions for their proper use, and would be contrary to federal safety requirements.

The Insurance Institute for Highway Safety has analyzed U.S. Department of Transportation's Fatality Analysis Reporting System (FARS) data on ATV rider fatalities occurring on public roads. In 2013, the most recent year for which the data is available, 319 ATV riders were killed on public roads. This is an increase from 2012 when 304 riders were killed on public roads and from 2011 when there were 305 ATV rider fatalities occurring on public roads. Eighty-nine percent of the fatalities occurring on public roads were on rural roads. Of those, sixty-eight percent were on minor roads.

ATV fatalities occurring on public roads comprise a significant portion of total ATV-related fatalities, as reported by the Consumer Product Safety Commission. If ATVs could be kept off of public roads, as urged by SVIA and as contained in our Model State ATV Legislation, a large percentage of ATV-related injuries and deaths would be prevented.

CPSC's *2013 Annual Report of ATV Deaths and Injuries*, the most recent available, found that estimated ATV-related fatalities have declined each year from 2006 through 2013 but noted that data collection for

2010-2013 is ongoing. As a percentage of total ATV-related fatalities, on-road fatalities were an alarming 41.9 percent of the total in 2009 (the latest year of complete data available from CPSC). This is even though ATVs are not manufactured for or intended to be operated on highways and vehicle labels and owner's manuals clearly warn against such use.

Imagine the progress that could be made in reducing ATV-related injuries and deaths if states were to enact and enforce laws to prohibit ATV use on highways.

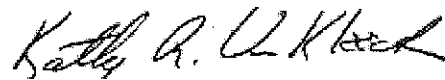
Riding on public roads introduces the possibility of the ATV colliding with a car or truck, an obviously dangerous situation. Another CPSC study of 3,200 ATV-related deaths that occurred between 1985 and 1996 found that the most frequently reported hazard pattern (56 percent of all ATV incidents) involved collisions and 35 percent of these involved collisions with motorized vehicles.

SVIA emphasizes that ATVs are not designed, manufactured, or in any way intended for use on public streets, roads or highways and urges that on-highway use of ATVs be prohibited and that law enforcement efforts be strengthened to eliminate this dangerous practice.

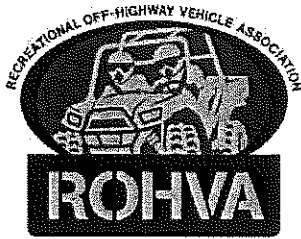
It should be noted that for purposes of prohibiting ATV use on public roads, SVIA does not consider such public thoroughfares as logging roads, woodland trails or other unimproved ways to be public streets, roads, or highways and the prohibition on allowing on-road use of ATVs should not be meant to apply to a road that is part of a designated trail system permitting ATV operation.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathy R. Van Kleeck". The signature is written in a cursive, flowing style.

Kathy R. Van Kleeck
Sr. Vice President
Government Relations



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Senate Local Government Committee
State Capitol
200 E. Colfax
Denver, CO 80203

Dear Senator Martinez Humenik:

The Recreational Off-Highway Vehicle Association (ROHVA) is a not-for-profit trade association formed to promote the safe and responsible use of recreational off-highway vehicles (ROVs) manufactured or distributed in North America. ROHVA also serves as the primary resource for information on ROVs. An ROV – sometimes referred to as a side-by-side or UTV – is a motorized off-highway vehicle designed to travel on four or more tires, intended by the manufacturer for use by one or more persons and having the following characteristics: a steering wheel for steering control; a Roll Over Protective Structure complying with ANSI/ROHVA-1, an Occupant Retention System complying with ANSI/ROHVA-1; non-straddle seating; maximum speed capability greater than 30 mph; less than 80 inches in overall width, exclusive of accessories; and engine displacement of less than 1,000cc. Current models are designed with seats for a driver and one or more passengers.

ROHVA opposes HB 1030 which relates to the regulation of off-highway vehicle operation on certain roads. ROHVA opposes the use of ROVs on any public roads.

ROVs are designed, manufactured and sold for off-highway use only. On-highway vehicles must be manufactured and certified to comply with U.S. Department of Transportation Federal Motor Vehicle Safety Standards (FMVSS). These safety standards consist of extensive and detailed compliance requirements. Since ROVs are not intended to be used on-highway, they are not designed, equipped or tested to meet such standards. Permitting street use of ROVs, including modified vehicles, would be in conflict with manufacturers' intentions on their proper use, and would be contrary to federal safety requirements.

Riding on public roads introduces the possibility of the ROV colliding with a car or truck, an obviously dangerous situation.

ROHVA emphasizes that ROVs are not designed, manufactured, or in any way intended for use on public streets, roads or highways and urges that on-highway use of ROVs be prohibited and law enforcement efforts be strengthened to eliminate this practice.

It should be noted that for purposes of prohibiting ROV use on public roads, ROHVA does not consider such public thoroughfares as logging roads, woodland trails or other unimproved ways to be public streets, roads, or highways and the prohibition on allowing on-road use of ROVs should not be meant to apply to a road that is part of a designated trail system permitting ROV operation.

Thank you for your consideration of these comments.

Sincerely,

Kathy R. Van Kleeck
Sr. Vice President
Government Relations