

TO: Members of the Senate Committee on Financial Institutions and Sporting Heritage

DATE: September 21, 2023

RE: Opposition to SB 217/AB 216– Passenger restrictions on all-terrain vehicles

FROM: (listed in alphabetical order)

Bellin and Gundersen Health System

Children’s Wisconsin

Marshfield Children’s Hospital

Safe Kids Clark County

Safe Kids Coulee Region

Safe Kids Madison Area

Safe Kids Southeast Wisconsin

Safe Kids Wisconsin, led by Children’s Wisconsin

Safe Kids Wood County

UW Health Kids

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 in a recent 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) [2022 Recreational Vehicle Annual Report](#), of the 414 non-fatal recreational vehicle incidents reported in 2022, 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 2022, reported ATV accidents in Wisconsin resulted in over 100 injuries, nearly 20% of which were among children under the age of 18, as well as 13 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.